



Debates

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Wednesday, 24 September 2014

Government Procurement (Transparency in Spending) Amendment Bill 2014.....	3069
Children and young people—foster care	3074
Alexander Maconochie Centre—needle and syringe exchange program.....	3081
Industrial relations—workers’ rights and conditions.....	3094
Questions without notice:	
Canberra Hospital—patient care	3114
Schools—weapons.....	3116
Infrastructure—proposed new convention centre.....	3117
Asbestos—worker safety	3118
ACTION bus service—network	3121
Territory and municipal services—Narrabundah playground	3123
National Disability Insurance Scheme—transition	3125
Transport—light rail	3127
Environment—greenhouse gas emissions	3128
Floriade—support	3132
Supplementary answers to questions without notice:	
ACTION bus service—network	3134
Territory and municipal services—Narrabundah playground	3134
Unparliamentary words (Statement by Speaker)	3135
Industrial relations—workers’ rights and conditions.....	3136
Transport—light rail	3148
ACT Emergency Services Agency—management	3158
Volunteering	3172
Adjournment:	
ACT Training Excellence Awards	3182
Gungahlin Anglican Church	3182
Macgregor Primary School.....	3184

Wednesday, 24 September 2014

MADAM SPEAKER (Mrs Dunne) took the chair at 10 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Government Procurement (Transparency in Spending) Amendment Bill 2014

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

Title read by Clerk.

MR COE (Ginninderra) (10.02): I move:

That this bill be agreed to in principle.

The Government Procurement (Transparency in Spending) Bill 2013 will increase transparency and accountability in the way the government spends taxpayers' money. My bill is the logical and reasonable next step in advancing the move towards open government. The ACT government spends in excess of \$4 billion of taxpayers' money every year. Whether the funds come to the ACT government through car registrations, rates, land tax, GST by the commonwealth or the many other forms of income, all funds ultimately come from individuals and organisations who have worked very hard for every cent.

I believe that governments should not spread their tentacles far and wide but should concentrate on core priorities and do them well. I am disheartened when I hear of government venturing into spaces which should be the exclusive domain of the private sector. My bill will help ensure that there is scrutiny of government spending. Whilst it will always be hard to bring to light how the government spends every dollar, this bill, if enacted, will see a significant expansion in the disclosure of spending by the ACT government.

If enacted this would be a truly progressive move. It would demonstrate the progress we have made in the Assembly, the ACT government and, indeed, democracy in the territory. It would demonstrate that we are happy to shine a brighter light on how taxpayers' funds are being spent. We would not be the first jurisdiction in the world to enact such legislation but we would certainly be one of the first, if not the leader, in Australia.

I would like to advise members of some councils and governments abroad who have taken a similar step in publishing similar information. The Borough of Windsor and Maidenhead in the United Kingdom present a monthly document on their website where the charges to a specific cost centre are greater than or equal to £100. It is not an arduous process for the council, simply the generation of a report from their accounting software which is then uploaded onto their website in PDF and Excel format. Members should also investigate the Calderdale District Council, the Borough of Kensington and Chelsea, the London Borough of Redbridge, and the London Borough of Hammersmith and Fulham, who are all leaders in this space.

I also commend the UK government—that is, the national government—for the work they are doing in this space. A report entitled *Making open data real: a public consultation* in August 2011 by the Rt Hon Francis Maude included the following:

Openness is at the heart of this Government's approach. Open Government and Open Data have the power to transform absolutely the way government and society work for the better. Transparency is above politics. It will reveal variation in our society and our public services, re-establishing individual responsibility and local accountability for public service professionals.

He went on:

Fundamentally, we want to be open about what we do. Open about what we spend. Open about how public services work. Open about making them better. And so we propose reform of the whole of the public sector along open, transparent and accountable lines. What we are doing is not just a first for Britain; these proposals represent our determination to be the most ambitious Open Data agenda of any government in the world.

I want the ACT to match his determination to have the most ambitious open data agenda of any government in the world. The report also included the following paragraph:

Accountability of spending is also particularly important since government and public services spend money on behalf of citizens and service users. This demands a higher standard of scrutiny about value for money, efficiency (minimisation of waste) and productivity. As examples from healthcare (eg the Swedish disease-based data repositories) and local authorities (eg Royal Borough of Windsor and Maidenhead) show, transparency creates the possibility for public scrutiny, enables learning from best practice and drives up productivity as a result.

In the UK the Department for Communities and Local Government has asked local councils in England to publish spending information over £500 online. In fact, the UK goes further, with the salaries of top public servants also published online. Much of the mood towards this increased transparency has been sparked by the Taxpayers Alliance in the United Kingdom. I commend the founders, Matthew Elliott and Andrew Allum, for setting up the organisation in 2004.

Many states in the United States of America have similar disclosures. I point members to the Illinois transparency and accountability portal, transparency Connecticut, open Georgia, Arizona—open books, transparency and accountability project Minnesota, New Jersey online checkbook, Ohio transparency, Oregon transparency, and many others. To expand on just one of those:

The Illinois Transparency & Accountability Portal is presented to the citizens of Illinois as a single point of reference to review how their tax dollars are being spent to support state government programs. The Illinois Transparency & Accountability Portal includes information about state employee pay, state agency expenditures, state agency contracts, corporate accountability and professional licences.

As indicated by that one example, the vast majority of these go far further than what I am proposing today.

In Australia, Tim Andrews at the Australian Taxpayers Alliance is urging the commonwealth, state, territory and local governments to improve transparency and minimise excessive government interference. The publishing of data about government helps everyone. We demand a high level of disclosure and transparency for political parties but a much weaker set of rules for government. Of course, there are significant differences between government and political parties. However, at least people have a choice about whether they donate to political parties. People have no choice whether they pay taxes or not. We owe it to all taxpayers—that is, all citizens—to disclose how their compulsorily acquired money is being spent.

The bill requires the government to publish details of all government invoices over \$10,000. The government currently maintains a contracts register for contracts over \$25,000. This is a useful tool and is also a way to ensure that government contracts are open to public scrutiny. The public is entitled to know how taxpayer dollars are being spent. Part of open and accountable government is giving taxpayers access to this information. If the public can see how their money is being spent, they have an opportunity to let government know exactly what they think of this spending. Sometimes governments forget that money does not grow on trees. The money the government has to use comes from taxpayers who have worked hard to earn it. The government should spend that money carefully.

Access to information about government spending has slowly increased in the ACT. The first steps were made in 2000, when it became clear that information about government contracts was not available due to extensive confidentiality clauses. The Public Access to Government Contracts Act required the government to produce a public text version of all contracts over \$50,000 within 21 days of their being signed. The public text was required to be made public through paper copies for purchase or electronic copies free of charge.

The requirement to make government contracts available was included in the Government Procurement Act 2001. The government has published contracts on an online register since 2003. The register is searchable, and in many cases a complete copy of the contract is available.

I believe that the cost of implementing the expanded register will be minimal. Unfortunately the Treasurer did not provide details about how many contracts between the value of \$10,000 and \$25,000 the government enters into each year when I asked him earlier this year. However, I believe that the current register should cope with the increase and once staff are used to the expanded requirements the benefit to the public will outweigh any costs.

The bill introduces notifiable invoices to the Government Procurement Act. A notifiable invoice is an invoice for the prescribed amount or more that is payable for works provided to the territory or a territory entity. The prescribed amount will be \$10,000. Whilst there is no magical figure, and all thresholds will have issues with amounts just above and just below, \$10,000 is a good start.

The bill also introduces the requirement to keep a notifiable invoices register. The director-general is required to keep an electronic register of all notifiable invoices. The director-general may also correct any mistakes, errors or omissions in that register. The register must include either a copy of the invoice or the following details: the name of the entity invoicing the territory, the entity's ABN, the name of the responsible territory entity for the invoice, a brief description of what the invoice is for, information identifying the related contract if there is one, the date the invoice was raised, the date the invoice was paid, the value of the good or service charged for under the invoice, and anything else prescribed by regulation. Information on the notifiable invoices register must be freely available online for at least five years.

To ensure that the register is kept up to date, the responsible territory entity must either update the register or give the information to the director-general within 30 days after the invoice was paid. The government must ensure that entities intending to issue an invoice for the provision of a good or a service are aware that their details will be available on the notifiable invoices register.

The bill does not include the publishing of payments made in the form of salaries to public servants as they do not attract an invoice. However, if a contractor invoices the territory in excess of the prescribed amount, it would be captured by this legislation.

Accountability in spending taxpayers' money is an important part of good government. In fact, it is a vital part of good government. The Canberra Liberals are committed to ensuring that the government spends its money wisely.

I was pleased to read that the Labor Party also supports this ideal. In reference to federal government spending, federal Labor member Tony Burke said:

The Labor Party believes that transparency and accountability for government expenditure is of paramount importance.

I hope that the local Labor Party members share their federal colleague's view on the importance of transparency.

With much fanfare, the Chief Minister said, when taking on the job, that she would increase government transparency. On 23 August 2011 Ms Gallagher said:

One of the first commitments I made as Chief Minister was to improve access to government information and provide more opportunities for public involvement in the many and varied challenges and opportunities coming before the ACT government through a comprehensive open government strategy. One element of this strategy was to have an open government website developed to provide a single gateway of access to information and to have this operational by the end of September/early October.

Once operational this website will provide public access to a range of government information including government material released through freedom of information applications, government commissioned reports and other data, where appropriate for release. I do expect that this will be an evolving website, as we gain greater capacity and understanding of open government more information will be released and added to this site.

I am hereby providing the Chief Minister, and all members of the place, with an opportunity to make those words a reality. I do not believe my bill, if enacted, would jeopardise commercial copyright or security concerns and we must not breach the privacy of individuals.

If the government is concerned that business or individuals will not like the name of their business or organisation to be published next to the amount they received, then they should not undertake work and invoice the government. If individuals or organisations are willing to take a payment of \$10,000 or more from the government, they should be willing to have that payment disclosed and the government could simply tell people when work is requested that the payment will be disclosed.

I envisage that the government or some special interest group may say that the price one charges—that is, the invoice amount—is commercial-in-confidence. If this case is made, I utterly refute it. If organisations are going to take on work for the government and get paid with taxpayers' funds, they must expect that that amount they are paid could become public knowledge.

I believe that this bill, if enacted, will be good for government too. It will help all decision-makers to think twice about signing up to spend taxpayers' money on a project and to ensure that the territory is getting good value for money.

Finally, I do not expect that the provisions in this bill will be difficult to undertake. The ACT government already has a comprehensive system for administering the territory's finances. The information I am requesting should be able to be generated through a report. For example, the government should be able to exercise a monthly query from the database for all invoices paid in excess of \$10,000 with the requirements of the bill as fields of the query. That report could then be uploaded in PDF or Excel. Ideally, in the future, it would be a live and searchable database, but that is not mandated in the bill. In fact, in the future, the database could be linked to the contracts register so that individuals could see what payments have been made for each disclosed contract.

Members of the Legislative Assembly have the privilege of being able to submit questions on notice to ministers regarding the affairs of their responsibilities. I have asked hundreds of questions of ministers regarding expenditure and the delivery of programs. However, there are only 17 members here who have that privilege. I want the other 365,000 Canberrans to have access to more information too. In fact, on 15 November 2011, the Chief Minister said:

I committed the government to reforming a number of areas of government and administration to deliver greater transparency. This includes the adoption of a default position that information available to the government should be made available to the community, thereby enabling greater participation by Canberrans in the business of government.

My bill will ensure that the publication of more financial information becomes the default position. The Greens too, be they Mr Rattenbury or his predecessors, have also claimed to support disclosure of more government information. Given that, I hope the Greens will support my bill.

I am proud to bring this bill forward today and I truly hope the ACT government supports my request. I also hope that other jurisdictions will take on similar legislation. The public are entitled to know how their money is being spent, and I am pleased to present the bill to the Assembly today.

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

Children and young people—foster care

MS LAWDER (Brindabella) (10.18): I move:

That this Assembly:

(1) notes that:

- (a) September 2014 is Foster Care Month, raising the profile of fostering in the wider community;
- (b) more than 40 000 children in Australia are in out-of-home care, a number that rises every year;
- (c) in 2013 there were over 500 children living in out-of-home care in the ACT;
- (d) the number of children in foster care in the ACT has more than doubled since 2003;
- (e) foster carers can be young, old, single, married, same-sex couples, from different cultures and religious backgrounds;
- (f) there are still many children and young people in the ACT in need of immediate foster care; and
- (g) last week, 14-20 September 2014, was Foster Care Week highlighting the invaluable work foster carers do;

(2) acknowledges the commitment given by foster carers in the ACT;

(3) acknowledges the work of community organisations in the ACT to facilitate the care of the children in out-of-home care; and

(4) ensures that the care of children in the ACT in out-of-home care is a priority for the Government.

I bring this motion to the Assembly today to acknowledge the invaluable work that is done by those who take on the responsibility for children who are not their own—who voluntarily give so much to help our most vulnerable by sharing their lives and their homes.

Here in the ACT we have over 500 children who need this support who are in out-of-home care. This means we have hundreds of people in our territory who voluntarily

take on the parenting responsibilities for children who desperately need their help. Foster carers provide a safe and supportive home environment for children who cannot live with their own families, for a short period or for the longer term.

Foster carers can be single, married, de facto, same-sex couples or relatives. And the requirement of the care is different for each child. Some children may need care for a couple of days; for others it might be months or years. Children and young people may require care as a result of neglect, trauma or abuse, or as a result of poor health, social isolation, disability or financial hardship.

There are respite care givers who provide parents, guardians or other full-time foster carers with a regular break of often only one or two weekends a month. This provides invaluable support to a family who is struggling and provides a back-up support for these children.

There are carers who are available on short notice for emergencies for children who require immediate placement due to safety concerns for that child. These are usually urgent situations where little notice is given to the foster care family. It could be any time of the day or night, on any day of the week. And we have short and medium-term carers. These carers look after children who need a home for a short period of time or even up to two years, generally with the goal of the young person or child returning to their family. Finally, there are some children who are unable to return to reside with their family and will require a long-term foster family.

The care, commitment and support that children and young people receive from their carers are essential to their healthy development and wellbeing, and we know that this is not always an easy task. As I am sure everyone here understands, caring for children and young people in the child protection system can be gruelling and very demanding. It can be an emotional rollercoaster and much of the time involves dealing with childhood trauma. But I stand here today because rarely do we take time to simply acknowledge the work that these families do.

Foster carers provide a stable, safe and nurturing environment while maintaining the child's identity and helping them make decisions about their lives. They assist the child to observe their religion and preserve links with cultural, racial or ethnic identity. They provide day-to-day care for the child and contribute to the development of the child or young person's care plan and help them achieve their goals.

They maintain confidentiality and aim to keep a strong connection with the agency and caseworkers. A carer has to ensure that Care and Protection Services is aware of any long-term trauma, neglect or abuse that the child has disclosed, and the carer ensures that the young person or child can go to school, have fun and play like any child should.

I bring this motion today because it is very important that the role of foster carers is not underestimated and it is important that we take the time to acknowledge these members of our community. I also raise this motion today to reiterate that support for foster carers and the organisations that support them is vital. Ensuring that foster carers have the support they need should be a priority.

We hear from time to time about foster carers who are having delays in getting reimbursements or other issues, but today I am not going to dwell on any of the negatives because what I want is for the Assembly just to acknowledge the work that is done by community organisations that assist with foster care programs in Canberra. That includes, but is certainly not limited to, Communities@Work, Marymead, Barnardos and Anglicare ACT, to name just a few who do such a great job in our community assisting in this vital area. I would also like to acknowledge the CREATE Foundation in the ACT for their work with children and young people.

These children are our future and they deserve our very best efforts. Foster carers are doing their part, and I call on the Assembly today to acknowledge the commitment given by foster carers in the ACT, to acknowledge the work of the community organisations that facilitate the care of children in out-of-home care and I call on the Assembly to always ensure that the care of children in the ACT in out-of-home care is a priority for the government. I commend the motion to the Assembly.

MR GENTLEMAN (Brindabella—Minister for Planning, Minister for Community Services, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (10.23): Firstly, I would like to thank Ms Lawder for bringing this motion forward today. It is a very important subject matter. I too acknowledge the fantastic work that carers do across the territory and I support Ms Lawder's comments on supporting those organisations that also support carers across the territory. The subject matter of this motion is quite important to the Canberra community and it is timely that we do reflect on the contribution of foster carers and other carers.

We have significant numbers of children and young people in out-of-home care. In Canberra today there are over 600 children and young people who are unable to live with their birth families and need to be cared for by other carers. These children and young people live in family settings cared for by foster or kinship carers or in residential settings cared for by specialist providers.

Foster carers are volunteer members of our community who take in children who often have complex needs based on the goodness of their heart. Kinship carers are relatives or family friends who agree to care for a child known to them. Both foster and kinship carers provide the child with stability and nurture the child either for a short period of time while parents address their problems or, where children cannot safely return home, throughout their childhood and adolescence and into adulthood.

Foster carers week is a wonderful opportunity to focus on foster carers as valued members of our community. In fact, last Saturday I attended Marymead's annual foster care seminar to mark the final day of Foster Care Week for this year. From my conversations at the seminar I heard about the joys and challenges of the role. It reinforced just how deeply foster carers care about their children and young people. Foster carers deserve our thanks, and I have no doubt that their efforts are all too often overlooked by our community.

Foster Care Week will be closely followed by Carers Week, which will be held from 12 to 18 October. This week will be an opportunity for us to celebrate the

extraordinary work of all carers, including foster carers, kinship carers and our permanent carers. I look forward to hosting a morning tea for foster and kinship carers during Carers Week.

I would like to acknowledge the hard work and dedication of our community organisations supporting vulnerable children and young people in care. I would also like to sincerely thank child protection services and out-of-home care agency staff for all the work they do to ensure children are strong, safe and connected to our community.

Community-based out-of-home care agencies provide direct support to foster carers on a daily basis and I know they are committed to helping their carers provide the best care possible for children and young people.

In 2012 the ACT government committed to reform the out-of-home care system. This year in the ACT budget we have signalled this commitment by investing in making our out-of-home care services better for everyone involved, including our carers. For the 2014-15 year the government has invested an extra \$4.1 million to cater for growth in numbers of children and young people in care and to lay the groundwork for the new out-of-home care strategy 2015-20. The out-of-home care strategy is a practical expression of the human services blueprint and will be one of the first better services initiatives delivered by government. The strategy is currently being reviewed by government and I expect to release the strategy shortly.

The strategy is about looking at new ways to support all those involved in the out-of-home care system—of course especially children and young people. Too often children and young people leaving care are disadvantaged and are significantly overrepresented among the unemployed, the homeless, prisoners, the parents of children in care and the mentally ill. We know when children enter care they have been exposed to abuse and neglect and are further traumatised from a loss of familiar relationships and environments from being in care.

That is why I was so pleased to be able to launch, with Minister Burch, the ACT's trauma recovery centre, Melaleuca Place, in July this year. This centre is already playing an important role in supporting children who display traumatised behaviours and in supporting their carers to respond to the children in the manner that is going to reduce the impact of the trauma experienced.

Another issue facing our sector, and one that the strategy seeks to address, is our difficulty in attracting foster carers to the role. The ACT faces particular recruitment pressures because of our high rates of participation in the labour market and the decision of most families for both partners to work. This means there are fewer families who might feel they have the time and energy to support other children and young people. This means as a community we need to think about how we support carers as a precious resource.

This year we will see a number of new initiatives rolled out under the banner of the strategy, with more announcements to come. These initiatives may include rolling out a pilot of therapeutic assessments and planning for some children and young people in

care; building the government's oversight of out-of-home care functions, including developing an accreditation and monitoring system; improving our information management to support children and young people in care; piloting health passports for all children entering care as a way for children and their carers to track their health needs; establishment of a pool of independent Aboriginal and Torres Strait Islander cultural advisers to provide advice to government on Aboriginal and Torres Strait Islander children and young people in care, the recruitment for which is underway; and, most importantly, training for staff and carers to deliver a trauma informed system of care. The training will be available for all carers and will help to build on many carers' existing knowledge of how to support very vulnerable and traumatised children.

The strategy has been developed with carers, and carers will play a key role in how the strategy is implemented over the coming years. I want to thank all the carers that have participated in the consultation activities and I would like to thank Minister Burch for initiating many of the consultation events, such as the ACT carers roundtable which I will gladly continue to host.

Carers will be instrumental in supporting a new system as we go forward. Foster Care Week and Carers Week are wonderful opportunities to acknowledge the hard work of all of our volunteer carers.

Lastly, I would like to take this opportunity to encourage anyone who is interested in becoming a foster carer to contact our community organisations, Barnardos and Marymead, for more information. As we saw at the seminar on the weekend, I am hoping that a number of new carers who attended that seminar will take up that role.

In conclusion can I thank Ms Lawder for raising this important issue. I look forward to meeting carers at the Carers Week function in October and to hosting another ACT carers roundtable towards the end of the year.

MR RATTENBURY (Molonglo) (10.31): It is in many ways terribly sad that so many children in our community are in need of foster care. Equally, though, it is amazing that there are so many people in our community who make their homes and their lives available in looking after those children, and who invest so heavily in the lives of these children. I would like to thank Ms Lawder for bringing this motion to the Assembly this week, the week after Foster Care Week in the ACT, as an opportunity to acknowledge those who work together to support children in need in our community.

In the ACT, as Mr Gentleman just mentioned, there are over 600 children living in out-of-home care. These are children whose families were not able to offer them the safe nurturing environment that we know all children deserve. Obviously, when we think about foster care, we think first of the children and their families that are in such need of care and support.

Foster Care Month raises the awareness of not only the children but the very important role that foster families and kinship carers play in providing a loving and caring environment where children feel safe. Different foster families are able to offer

different levels of support. Children have a variety of needs. Some of their needs are very complex and some not so. Some are in need of long-term placements, and some require short-term or emergency care placements.

Foster families need to be carefully matched with each and every child. I can imagine that this is difficult under circumstances where there is a shortage of foster carers, but it is something that must be considered. Children can be supported in their own community or social networks, or with their own extended families—uncles, aunts, grandparents. Kinship carers are increasingly playing an important role in caring for children in out-of-home placements. This can be very challenging at times, especially as many kinship carers are grandparents—older people, perhaps with less income and fewer resources, but with a great deal of care and love invested in the child. I would like to make special mention of the many grandparents out there who, in their later stages of life, are forced through tragedy and motivated by love to take on the care of their children's children. These grandparents are not formally recognised as "foster carers", but the work they do is so valuable that I believe they deserve a special mention in this discussion today.

I am heartened to see that Ms Lawder's motion acknowledges that foster carers can be young, old, single, married or same-sex couples, and from many different cultures and religious backgrounds. I know there are some on the conservative side of politics who think that single people and same-sex couples should not be allowed to care for children through adoption or IVF, but here is an acknowledgement that these people are indeed able to offer carer and parenting roles for children successfully, and I welcome that acknowledgement.

Here in the ACT we have laws that support the rights of singles and same-sex couples to adopt, foster or have permanent care placements, but this is not the case right across Australia. It says something about the wonderful, equitable and progressive community that we live in here in the ACT.

I recently sought further information and was briefed on the high over-representation of Aboriginal and Torres Strait Islander children in out-of-home care. While there is no disputing the need to better recognise and respond to early identification and notification of family breakdown, there are some positive initiatives being rolled out that seem well targeted and well designed to better work with affected community members.

I understand that the Community Services Directorate are supporting the creation of a new Aboriginal and Torres Strait Islander advisory panel to provide more cultural support. While we know the ACT has very high levels of notifications to the Community Services Directorate, we also know that, thankfully, many of these notifications are not substantiated. However, there is more work to do on ensuring that families are not then again placed at risk and are not re-notified later.

Overall, it is clear that a lot of the major concerns that have been raised in this place over the years seem to have been listened to and addressed. It is fair to say that the level of concern, often indicated by the number of constituent and stakeholder representations to the Greens on these issues, has reduced in recent years, and that is one positive indicator at least that the system is working better than it used to.

The ACT government is currently developing the out-of-home care strategy that will run from 2015 to 2020. The strategy has quite a new focus in some areas, focusing on keeping families together when it is in the best interests of the child, and moving children through the foster care system and towards permanent placements in a timely manner. While foster care provides much-needed support for children in need, we also know stories of children that move through several placements and have no sense of permanency or security developed through this. Permanent care or adoption may well be the best options for some children, although this must be balanced carefully with the rights of the birth family and the provision of support to birth families to help them with their role as parents, and we must be sure that accurate and timely information is provided to birth families so that they are empowered to actively participate in conversations about their children's future.

I think it would be fair to say that this government, and Minister Joy Burch, did ensure that out-of-home care was a priority. She may have come to that through a trial by fire, but the development of the out-of-home care strategy appears a very thorough and consultative process, involving a co-design project, consultation on a discussion paper and an issues paper, and a carer discussion paper. The engagement from the community, carers and carer associations has been strong.

I would like to finish by saying that the Greens welcome and support Ms Lawder's motion. Today we would like to offer our thanks to the ACT's foster families for their commitment and the loving care that they offer to children in need. Their efforts deserve our warmest thanks, as they are helping to keep the fabric of this community intact by opening their homes to be the home to a child in need. Of all of the supports that we can offer children in need, offering them a home, with warmth, conversation, time to play and time to rest, is the most valuable.

We would also like to offer our thanks for the great work done by the community organisations in the ACT that are involved in facilitating the care of children in out-of-home care. Marymead, Barnados, Anglicare and Communities@Work are organisations that are involved in the placement of children and young people, particularly Marymead and Barnados when it comes to foster care. Foster care is only one of the many services and supports that these organisations undertake in their quest to improve the lives of children and to support families. They also offer counselling, support and activities for families at risk, support for adolescents, and support for parents, amongst other things. Overall, they do great work, and I appreciate having the opportunity in this place to be able to offer them our gratitude.

MS BERRY (Ginninderra) (10.39): I would like to start by offering my support to Minister Gentleman and supporting the initiatives of this government in improving services to children and young people in out-of-home care. Foster Care Week and Carers Week provide us with an opportunity to take stock and think about the incredible contribution carers make to the Canberra community. And I would briefly like to recognise the role of carers across our community who volunteer on a day-to-day basis to provide care to some of our most vulnerable citizens. The out-of-home care system would not be here today without the support and commitment of carers. Every day, carers give up time out of their busy lives to love and nurture often very complex children and young people.

Times have changed since children who could not live with their birth family were simply subsumed into a big family, becoming another sibling to add to the mix. Instead, we now realise that children coming into care often display very complex behaviours that require a non-traditional approach to parenting. Supernanny techniques will not work on some of our extremely traumatised children; this means that carers need to adapt their responses on a day-to-day basis to meet the needs of children or young people in their care.

Carers are the ones who have to get up in the middle of the night and calm a scared and frightened child. They guide a child's behaviour when the only method the child has to stop their pain is to lash out and hurt someone. They support the child when they have difficulty making friends at school because it is the fifth school that they have attended in the last year. And they manage the myriad appointments, contact visits and meetings for the child, simply because they care. They create an environment where, as with "biological children", they place the needs of the child over their own and welcome children into their home.

I want to thank every carer for the dedication they show towards children in out-of-home care. I would also like to thank our government and non-government agencies who support carers each day. Finally, I am very pleased to hear about the ways in which this government is working with carers. I look forward to continuing to celebrate the valuable role that carers play in the lives of our vulnerable young children, and I thank Ms Lawder for bringing the motion to the Assembly today.

MS LAWDER (Brindabella) (10.42), in reply: Thank you to Mr Gentleman, Mr Rattenbury and Ms Berry for their support of this important recognition of the many carers in our community and the community organisations that work in this space. I would like to thank those members also for their useful comments and insights on this topic.

We have heard that there are many young people who need foster care. They may have complex or not so complex needs. I acknowledge once again the foster carers and also the kinship carers who provide care every day and every night. In closing, I add a brief appeal to anyone in our community who may be considering becoming a foster carer—to contact one of the many great organisations that provide foster care or even contact the directorate for more information. Thank you once again for your support of this motion.

Motion agreed to.

Alexander Maconochie Centre—needle and syringe exchange program

MR WALL (Brindabella) (10.43): I move:

That this Assembly:

(1) notes that:

- (a) the ACT Government agreed to support or establish a needle and syringe exchange program (NSP) at the Alexander Maconochie Centre (AMC) as part of the 2012 ACT Labor-Greens Parliamentary Agreement;
 - (b) staff at the AMC and the Community and Public Sector Union remain vehemently opposed to the implementation of a NSP;
 - (c) the majority of prisoners that participated in a survey conducted by Prisoners Aid ACT were against the implementation of a NSP; and
 - (d) the ACT Government has failed to investigate other options for reducing the transmission of blood borne viruses at the AMC; and
- (2) calls on the ACT Government to:
- (a) abandon the policy to implement a NSP at the AMC;
 - (b) review the current policies surrounding drug rehabilitation at the AMC; and
 - (c) investigate and table in the ACT Legislative Assembly, alternative options for the prevention of the transmission of blood borne virus in a gaol setting, before the implementation of a NSP trial at the AMC.

The motion I have brought here today highlights once again how the current ACT government is choosing ideology over the welfare of Canberrans at every possible opportunity. The plan to introduce a needle and syringe exchange program at the AMC that is currently on the table has been on the cards for quite a long time. There is no denying the support for this program that has come from those opposite and other members of the community from various walks of life. However, somewhere in the mire of reports, reviews and discussion papers that have been produced on the subject we seem to have failed to consider the views of those at the coalface—the prison officers, the prisoners and the families of those prisoners. These are the people who have not been listened to and whose views I am representing here today in my motion.

The Leader of the Opposition, Jeremy Hanson, has long prosecuted the argument against introducing a needle and syringe program. In 2012, in an opinion piece in the *Canberra Times*, he wrote:

No other state or territory in Australia has a needle exchange, and many of those pushing for it in our jail want the ACT to be a test case so that more can be rolled out in jails across Australia. However, the ACT jail is a bad choice for such a trial. It has already proved very difficult to manage because of the complexity caused by a population that includes male, female, sentenced and remand prisoners.

Given the damning findings of the Burnet Institute and Hamburger reports, and the litany of mistakes that have been made at the jail since it was opened, I have no confidence that a needle exchange would be managed safely or effectively.

Those were the words of Mr Hanson. In 2014 the situation is the same. There are still a number of operational issues affecting Canberra's jail. The ACT Labor-Greens government is spending almost \$170,000 per year per prisoner, more than 56 per cent above the national average. To add to this, the spending has continued, with another \$1.2 million being spent in 2012-13 alone to assist in "meeting operational costs" of the prison, with little focus on improving efficiencies.

The frustration is that, despite the expenditure, the outcomes continue to be poor for ACT prisoners. The AMC has the highest rates of serious assaults within the prisoner population in the country. Prisoners in the ACT are five times more likely to be involved in a serious assault than the rest of Australia. ACT prisoners are also spending less time out of their cells on a daily basis with lockdowns due to a staff shortage a regular occurrence.

We have recently seen publicly that contraband in the jail is a continuing problem. Only last month the public were exposed to what goes on inside the jail, as a fist fight between inmates over what was probably a drugs or a contraband-related dispute was broadcast over the internet. There is a continuing legacy of violence at the AMC, both between prisoners and prisoners and prisoners and corrections officers. The question that we need to ask is: how do we try and stem these activities with a view to stopping them altogether? What assurance can we have that this government can manage as significant a shift in policy as an NSP if they cannot get the basics of running a correctional institution right?

The ACT should not continually be called upon to be the crash test dummies for ideologically driven policy or for policy that is at the behest of the solitary Green here in the Assembly and holder of the balance of power. No other state or territory is willing to pursue this kind of program in their jails. Why should we again be the first?

The ACT government continues to ignore those individuals at the coalface who remain vehemently opposed to the introduction of a needle and syringe program at the Alexander Maconochie Centre. Prison officers and their union representatives have long voiced their opposition to an NSP. Theirs is a powerful argument, an argument that is centred on the safety of the workforce. They are the ones that have the intimate knowledge of how the prison environment works. They are all too aware that a blood-filled syringe could, and most likely would, become the weapon of choice and the staff would be almost powerless in combating these incidents.

On 12 September this year Alistair Waters, the deputy national president of the Community and Public Sector Union, wrote, in relation to the union's rejection of the plan to introduce an NSP in our jail:

Prison staff have a reputation for toughness and discipline but they also care. They want to do the best job for those they are responsible for and go home to their families at night. They should be able to expect the full support of the Labor Government. At the very least, their questions should be answered not ignored or denigrated.

I think that sentence says it all. They should be able to expect the full support of the Labor Party. Sadly, in this instance they cannot. There is no doubt that the needles

provided by a needle and syringe program would become currency in the jail. We already know that simple basic items become currency. How can we not assume that needles, and with them the illicit drugs that would become a more highly sought commodity, would cause more standover tactics? Visitors would be compelled or coerced by inmates to bring in even more drugs than are already available within the system—the drugs, I might add, which are more often than not the catalyst for bringing prisoners to jail in the first place.

A survey of the prison population conducted by Prisoners Aid found that the overwhelming majority of prisoners themselves do not want to see a needle and syringe program implemented in the ACT prison system. After all, in an ideal world, jail should provide an opportunity to rehabilitate and break the habit for good—that is, if we put the money earmarked for an NSP into much-needed rehabilitation programs such as those provided by organisations like Karralika. These organisations could make very good use of that kind of money and provide much-needed services, support and rehabilitation opportunities in a worthwhile way.

However, there are no surprises here. The government have their heads in the sand and are refusing to hear the evidence and the opinions of those that go against their politically motivated ideology. In fact, there is a complete ignorance of the fact that the NSP might not reduce the instances of blood-borne viruses but, in fact, increase the use of illicit drugs within the prison system and potentially increase the transmission of diseases.

My motion today calls on the government to investigate alternative options for the prevention of the spread of blood-borne diseases—a simple request given the plethora of publications, research and documents that have been presented for the “for” case. Let us see some balance in the discussion. In the face of so much opposition to the policy, particularly from those that matter the most, this is the very least that should be done. Let us prove that the NSP will actually prevent the spread of blood-borne viruses, not increase it. Let us see what other options and alternatives are on the table before we use our prison system, our jail and our community as yet another test case.

The focus should be on decreasing drug use in the jail. The focus should be on more rehabilitation opportunity not only for sentenced prisoners but remandees as well. The focus should be on maintaining security and safety of the jail, not the pursuit of an ideologically driven left-wing agenda.

Currently there is no compulsion for prisoners to submit to a drug test upon admission. Further to this, in an answer to a question on notice, the corrections minister advises us that, out of 2,014 tests undertaken during a two-year period, only 185 of those were conducted randomly. This illustrates that there is absolutely no will to stop illicit drug use in the jail. Instead, the proposed policies are designed to make it easier for prisoners to stay on drugs. We should be making addiction the focus and decreasing the prevalence of addiction in the jail as a priority.

In a moment members opposite will stand up and righteously speak of the need to introduce this program as a health initiative. In my view, this is a flawed and confused argument. On one hand, we have a government seeking to ban smoking across the

ACT with policies already rolled out in pubs, clubs and restaurants and out the front of public buildings. Already these bans are in place. There is also some discussion about expanding the smoking ban to include the jail. This is based on evidence that proves that smoking causes long-term health issues that inevitably lead to death. But what of the long-term health effects of prolonged illicit drug use?

One of the most compelling arguments, in my view, against the introduction of an NSP is a risk of prolonged use and abuse of illicit drugs. Ultimately, in my view—and it is the view of my colleagues—a needle and syringe program is not something that is a priority for the ACT government and the decision to proceed with the trial should be abandoned immediately. I commend this motion to the Assembly.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health, Minister for Higher Education and Minister for Regional Development) (10.52): The government will not be supporting this motion today, and I will go through the reasons why. The ACT government, after a lot of work and a lot of consideration of the issues in terms of operating the Alexander Maconochie Centre and the health services within it, has decided that a needle and syringe program would complement other existing strategies that are available within the jail and within the Hume medical centre to manage some of the conditions that are presented by prisoners living at the Alexander Maconochie Centre.

The needle and syringe program has never been seen, and never will be seen, as the only response. It is part of a comprehensive approach to managing blood-borne viruses within a correctional setting. I know that there is strong concern from the staff representatives in particular about the model that could be introduced. The ACT government has taken a very reasonable and considered response to those concerns that have been raised by staff about the potential introduction of a needle and syringe program in the jail.

It is very clear that people who live at the Alexander Maconochie Centre for short or long periods have very high levels of hepatitis C within that community. There are also a whole range of responses to that, and I think that in the ACT prisoners are given access to excellent health care for conditions that they may have and education around how to manage the transmission of blood-borne viruses within the Alexander Maconochie Centre.

Over the last three years we have been talking with staff around how a needle and syringe program could be implemented in the Alexander Maconochie Centre. At every stage—I have met with staff a number of times—staff have provided us with their feedback. I think that, in terms of how we have tried to develop a model, we have been able to respond to most of the concerns that have been raised by staff. I know that some of these concerns go, for example, to issues of syringes being used as weapons within a workplace, and the response to that. When you look at the evidence of where needle and syringe programs operate overseas, and there are about 12 countries where NSPs have been implemented, there have been no reports of syringes having been used as weapons in any prison with an operating needle and syringe program.

It is also outlined as an objection that injecting equipment can be easily traded for clean equipment or that it will become a commodity. We have tried to deal with that in terms of the model that we are presenting to staff. We acknowledge that the model itself is not perfect from a management of blood-borne virus perspective because of the constraints provided within the correctional setting, but we also acknowledge that needles, and home-made needles, are used in the jail from time to time. The approach that we are trying to use is that this equipment will be cleaner than the equipment that is currently being used, despite the best efforts of custodial officers to ensure that contraband is not being used or available within the jail. We know from the health of inmates survey that is done through the AMC that there is a high level of injecting drug users within that population, and within that there is a very high level of those that on the outside understand and use a needle and syringe exchange program.

So, when you look at it across the population health of a community, we do not condone the use of illicit drugs. We have education put in place to ensure that people understand the harmful effects of using illicit drugs, particularly in regard to an injecting drug user and the sharing of that injecting drug-using equipment, and thereby the community has accepted the need for needle and syringe exchange programs to be available as another strategy for dealing with the needs of an injecting drug-using community, and in order to protect the general community from potential transmission of, in the case of hepatitis C, a very, very nasty illness. The community accepts that.

When people are placed in a correctional setting, often with the same needs and desires that they have in the community, we form a view that part of that strategy that is tolerated in the community is no longer acceptable and we put controls around that—i.e., we do not allow for that harm minimisation, the very sensible measure that is available in the community, to be implemented in a correctional setting. The arguments often used are that it puts the health and safety of custodial officers at risk.

I would argue, and many do, that their job is a risky job at all times. These are highly trained people who deal with a very difficult group of the population who are in custody, some for very long periods, but it does not deal with the issue that the needles are available in the jail now, they are being used. As much as we do not like to admit it, and we do everything we can to stop it, this equipment is there, it is being used, and we know that in-custody transmissions of hepatitis C are occurring. We know that from the screening we do on entry and the screening we do while people are in the facility.

Mr Wall accuses me of putting my head in the sand. I argue that the same is occurring to those who oppose it. The head in the sand that what is currently going on and being dealt with is missing one of the strategies that we know works, and it works in the community, and with the right controls on it can work in a correctional setting. That is very clearly established from the evidence. In terms of some of the concerns that prison officers have put to me—they have said that there will be a prevalence of needles within the correctional setting—it is simply not true.

The model that is being consulted over would have very tight controls whereby a doctor, a treating medical practitioner, would have to form the view that this was something that would assist a prisoner and that they would be issued with a clean syringe only if they returned the dirty equipment, the dirty unsafe equipment, that they are currently using. It is a one-for-one model. There is no wide blanket of just handing out needles to whoever wants one. So it would not increase by one the equipment that is currently available in the jail and it would have to be very, very controlled in that way. That was one of the issues that prison officers raised with me, so we took that away and resolved that, in the model that would be tried, this would address that concern, only to find out that it does not address the concern of prison officers and now there is a move to another concern about the model.

Mr Wall also asked why we do not listen to those that matter the most. I think that, again, indicates the side—if you want to choose a side—that the Canberra Liberals are on, which is that the prison guards or the custodial staff, I think we call them, have more rights than anyone else in this debate; that they have the right to dictate whether or not the government introduces a particular program within their workplace; that they have the right to veto that; and that their rights should be considered well over and above the rights and health needs of a prisoner who is living in that situation.

I would accept that it is very, very difficult to argue that a prisoner's rights should be the same as those of a worker in a prison. It is very easy to form judgments about this but I think it does require us as community leaders to have a look, fairly, at everyone's needs within this situation. Opponents to the needle and syringe program will then say, "We will just put in more programs to stop their drug use." I think that is a very naive view of the population we are dealing with, that you could just send them off to a drug education course and that would solve everything, or send them off to some pastoral care and that would solve everything.

Some of the people whom this program would help will have firmly entrenched drug-using behaviour. Then we can argue whether or not it is right or wrong that people with these kinds of conditions are in jail and why they are in jail. But the reality is that it will be quite often many years, decades, of injecting drug use that they are dealing with. It will be dealing with things like collapsed veins through their injecting drug use so they have other particular health vulnerabilities not just their addiction to a particular drug that also need to be addressed.

Some try to reduce this argument by saying that those who work in this workplace have much more rights and much more say than a vulnerable member of our community who has had their liberty withheld. And let us remember that it is actually having their liberty withheld that is the punishment that this society imposes on someone who has broken the law. It is not then a series of punishments which then happen within it—that, because you are in jail, you have fewer rights and have to be treated less respectfully than anybody else—because the actual punishment is the fact that they are forced to spend time at the Alexander Maconochie Centre.

We should not debate this matter one side versus another without acknowledging that there are legitimate arguments on both sides and we need to work them through. That

is certainly what Minister Rattenbury and I have been trying to do over the past 1½ to two years since we have had some shared responsibility for this issue. That is exactly what we have been trying to do, to consider the health needs of a particularly vulnerable population within the jail and to look at how we balance their needs with what the health professionals and what the population health professionals would say.

As much as you would like to ignore this group, from the Canberra Liberals' point of view, these people do leave jail and they leave jail with hepatitis C and then there is the risk of spreading that across the general population. They may actually have some contact with people that the Canberra Liberals like and then they are presented with the chance that they could get hepatitis C from the fact that this person has contracted hepatitis C in an environment where we did not offer a range of alternatives to reduce the risk of transmission.

It is not something that we could all pretend does not affect us because it affects one vulnerable group that we have nothing to do with and we do not socialise with them and we do not really want to see them that much, if that is the view. This affects the whole community and that is why we have needle and syringe programs operating across the general community—because we acknowledge that community transmission is a risk.

In response to our request, we have had lots of debates around the healthcare system in this place over many years, but would we accept any other workforce coming in and dictating whether or not they will allow a particular program to work? Would we allow the nurses in the adult mental health unit, for example, to say, “Sorry, actually, no, I do not want to work with those people” for whatever reason, or, “I am not going to implement that program”? Or do we allow teachers to have a clause in their EBA that says, “We will work but we will not work with children who require this type of treatment because that presents some health and safety risk to us”? We do not allow it across the ACT public service; we should not allow it in the jail.

The clause that is currently subject to some discussion around the table should not be allowed to remain in there. The government's request that this head to arbitration so that we can resolve it and prison officers can get their pay and all the rest of it, as I understand it, has been rejected by the union representing those officers. I wonder why, when you could have an independent umpire come in and form a view and then, depending on the outcome, go and resolve the EBA, and people can get their pay and we can continue on the path we have taken for the last two or three years, which is to negotiate sensibly about the introduction of a very rational, very evidence-based policy to ensure that we are protecting the broader community and a very vulnerable group within the community to the best degree that we can while acknowledging the workplace concerns of members of staff.

All those concerns can be dealt with. Every one they have raised with me has had a reasonable and rational response but, as soon as we tick off those items and say that we have addressed that concern, other concerns present. The reality is that prison officers across Australia do not support needle and syringe programs. We do, and we will continue to work to implement one. (*Time expired.*)

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Corrective Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for Sport and Recreation) (11.08): It should come as no surprise to Mr Wall and his colleagues that I will not be supporting this motion. About the only thing we can clearly agree on here is that the needle and syringe program, or NSP, was and is a commitment of both the ACT Greens and Labor and we continue to stand by this positive health prevention initiative.

Mr Wall in his remarks made some observations about a politically motivated ideology. I think he delivered a fair bit of it in his comments this morning. It would be useful to start by considering some of the facts and evidence on this issue.

Detainees in Australian prisons experience among the highest prevalence of hepatitis C virus infection in the world and extremely high rates of hepatitis C transmission. In the sixth national HIV strategy 2010-13, people in custodial settings are identified to be at a higher risk of contracting HIV than the general population. There is no vaccine currently for hepatitis C. Currently standard treatment for hepatitis C is a regimen of pegylated interferon injections and Ribavirin tablets.

Whilst there are some very exciting new treatments on the horizon, the fact is that this existing treatment can be difficult to undergo. According to Hepatitis Australia, hepatitis C currently costs commonwealth and state and territory governments \$252 million annually, with a projected five-year cost of \$1½ billion, not to mention the pain, suffering and, unfortunately, possible eventual death of the untreated individual.

The AMC has a significant set of policies and procedures that are designed to offer a safe and rehabilitative prison environment. There are a few other key points to consider here. The Corrections Management Act 2007 directs the general manager to ensure that, where practicable, “detainees have a standard of health care equivalent to that available to other people in the ACT” and that “as far as practicable, detainees are not exposed to the risks of infection”.

Mr Wall would be aware of two important strategies that are useful to reference in this debate. Both are published online and are easily accessible. The strategic framework for the management of blood-borne viruses in the Alexander Maconochie Centre 2013-17 has been developed to promote transparency and accountability in the management of blood-borne virus infections in the AMC. While ACT Health has lead responsibility for implementation of the strategic framework, ACT Corrective Services is intrinsically engaged in this as a key stakeholder.

The strategic goals mirror the national strategies for HIV, hepatitis B, hepatitis C and sexually transmissible infections, and are informed by decades of national government policy as well as the research that obviously sits behind that.

There is also the drug policies and services framework for the Alexander Maconochie Centre, again led by ACT Health, and again with Corrective Services engagement. This approach recognises the Alexander Maconochie Centre as part of, rather than discrete from, the broader community, and focuses on the tried, tested and true three key pillars of supply reduction, demand reduction and harm minimisation.

I do not have time to go through the many things that ACT Corrective Services do to promote a healthy prison, but I will touch on a few of them because I think it is important to again bring facts to today's discussion.

ACT Corrective Services, in collaboration with ACT Health and our community sector partners, provide a broad range of programs with the aim of reducing drug consumption, addiction and the associated harms. There are a number of programs available to detainees at the AMC to assist with their rehabilitation from alcohol and other drug use and abuse, including Solaris, the therapeutic community, the self-management and recovery training, or SMART, program run in partnership with Directions ACT, and through offering support groups such as Alcoholics Anonymous and Narcotics Anonymous.

We support community agencies to enter the jail and provide education and training to detainees on safe practices and health promotions activities designed to reduce BBV and STD transmission. We provide bleach and condoms to detainees, and have rigorous policies and procedures to manage blood and bodily fluid spills.

So for the Canberra Liberals to say that the ACT government has failed to investigate other options, as they suggest in the motion today, for reducing the transmission of blood-borne viruses at the AMC is simply not fact. It is nothing more than an ill-informed and uneducated personal opinion.

As members are aware, there is drug use occurring in every jail in the country, if not in the world. While all efforts are made to deter and stop contraband entering the prison environment, it does happen. I have acknowledged this openly. I have also provided significant information to members in this place about the strategies that are in place to prevent contraband from entering the prison. Both Mr Hanson and Mr Wall have no doubt had those strategies explained to them on the visits they have made to the AMC.

I should be very clear again in this place that I remain committed to the three-pronged strategy I referred to earlier: supply reduction, demand reduction and harm minimisation.

We know that, unfortunately, many of the detainees do have criminal records that are in part directly related to drug and alcohol abuse. The Chief Minister spoke of the issues that face many of our detainees at the AMC. Those are again the facts of the situation.

We know that the primary vector for blood-borne virus transmission in this community is from unsafe injecting practice. And we know—the health sector, the epidemiologists, the federal government—that everyone in fact agrees that the best way to stop blood-borne virus transmission in people who continue to engage in unsafe injecting practices is to provide them with clean equipment. That is what we do in the general community and I do not see why those at the AMC deserve some lesser level of access to health care.

Introducing an NSP into a jail environment is challenging and complex, and it is an endeavour that the government must undertake with great care. We must be focused on the safety of both correctional officers and other corrections staff, the safety of health staff and the care and safety of other detainees and their families. We must design a model that takes account of all of these people in the corrections system.

The bottom line is that we want to put in place an evidence-based and, above all, health-focused response to what is a very real issue—blood-borne viruses, and in particular hepatitis C transmission in the AMC, and the need to protect others in the community.

Of course staff at the AMC are deeply engaged in this issue. It is happening in their workplace and it is happening around their day-to-day operations. I respect the fact that they have legitimate views on this issue and that they should be engaged in the discussion about how we put it in place.

That said, I remain absolutely committed to introducing an NSP because I think it is an important health policy initiative. I am equally committed to ongoing, genuine consultation with AMC staff on the proposed model and the need to work through issues so that we can find a system that is practical and that works in the prison environment. We need to find a way through on this issue to protect the health of our community. I believe on that level Corrective Services staff understand and support the genuine motivation to reduce blood-borne virus transmission.

As I said earlier, Mr Wall spoke of politically motivated ideology, and I think he delivered most of that today. The evidence is that there are NSPs operating in other jurisdictions. We have had the interesting irony this morning where Mr Coe came in here and introduced his first-ever bill in the Assembly. He has finally, after six years in this place, got it together to draft a piece of legislation. But in that speech Mr Coe made reference to the fact that, with respect to the initiative he wants to introduce, no other jurisdiction in Australia has it. That is fine. I am nonetheless prepared to assess Mr Coe's piece of legislation on its merits.

But Mr Wall then stood here and cited Mr Hanson as his source. So we see him self-referencing within the closed circle that is the Liberal Party. We saw him self-referencing Mr Hanson, saying that no other jurisdiction in Australia has a needle and syringe program; therefore we cannot have it. The irony of those two positions within the space of an hour in this place this morning should not be lost on anybody in this place.

The bottom line is that this is proven health policy. We know that we have an issue with hepatitis C. We know that we want to protect those who are in the jail as well as the rest of the community. That is what the government is seeking to address. I want to continue to work with the men and women of Corrective Services to find a place so that we can all move forward with this initiative. I know full well that, for the NSP to work well, for it to be effective, we need the skills and expertise of on-the-ground staff to inform a model. They are professionals in their chosen career, they work in an incredibly difficult environment and they take their job very seriously. I respect their commitment to what is a difficult and challenging role.

I will continue to work with them to deliver this government policy initiative, because we believe it is the right answer. We believe it is a step forward in providing the protection for both our prison community and our general community that is needed, and we believe that it can make a difference. I will not be supporting this motion today.

MR WALL (Brindabella) (11.18), in reply: In closing, as predicted, those opposite stood firm in their commitment to this flawed policy without consideration of the views of those who will have to implement this program and deal with the effects: the corrections staff, the nursing staff, the prisoners themselves and their families.

I would like to close today with a mention of the complete hypocrisy and irony on the part of those opposite today. This motion sits on the notice paper alongside a motion brought here today by Ms Berry, which, amongst other things, seeks to extol the virtues of the union movement. It is therefore ironic to see a complete disregard for their own comrades in response to my motion today. I repeat some of the arguments put forward by Alistair Waters from the CPSU—that union members “should be able to expect full support of the Labor government”.

This is flawed policy from many angles and one that should be abandoned by the current government immediately. I mentioned before—and the Chief Minister also touched on it—the need to reduce the instances of smoking in our community. We have always cited the long-term health implications, but let us talk about some of the long-term effects of drug use. When it comes to the use of heroin, a commonly injected drug, repeated heroin use changes the physical structure and physiology of the brain, creating long-term imbalances in neural and hormonal systems that are not easily reversed.

Heroin also produces profound degrees of tolerance and physical dependence. Repeated heroin use often results in addiction, a chronic relapsing disease that goes beyond the physical dependence and is characterised by uncontrollable drug seeking, no matter the consequences. Heroin is extremely addictive, no matter how it is administered, although routes of administration that allow it to reach the bloodstream faster, such as injecting, increase the risk of addiction. Once a person does become addicted, seeking and using the drug becomes their primary purpose in life, and an addiction that will continue to see individuals entering our corrections system time and time again.

An article put out by the National Institute on Drug Abuse in the United States talks about methamphetamine, and says:

In addition to being addicted to methamphetamine, chronic abusers may exhibit symptoms that can include significant anxiety, confusion, insomnia, mood disturbances and violent behaviour. They also may display a number of psychotic features, including paranoia, visual and auditory hallucinations, and delusions (for example, the sensation of insects creeping under the skin). Psychotic symptoms can sometimes last for months or years after a person has quit abusing methamphetamine, and stress has been shown to precipitate spontaneous recurrence of the ... psychosis in formerly psychotic methamphetamine abusers.

... studies have demonstrated alterations in the activity of the dopamine system that are associated with reduced motor speed and impaired verbal learning. Studies in chronic methamphetamine abusers have also revealed severe structural and functional changes in areas of the brain associated with emotion and memory, which may account for many of the emotional and cognitive problems observed in chronic ... abusers.

To recap, continued drug use promotes symptoms such as addiction, psychosis, paranoia, hallucinations, repetitive motor activity, changes in the brain structure function, deficits in thinking and motor skills, increased distractibility, memory loss, aggressive or violent behaviour and mood disturbances, as well as other ongoing health problems around dental and weight loss.

On balance, the health issues articulated by those opposite need to be weighed up against the inherent ongoing symptoms and health flaws that a systematic and prolonged user of drugs will face. They need to be weighed up on balance and on merit as to what are the right means going forward.

There also still needs to be a broader discussion. If we are talking about the transmission of blood-borne viruses such as hepatitis C, other issues need to be addressed, such as sexual contact within the prison system and other practices such as jailhouse tattooing and how those are done more safely. It is not simply a one-issue debate.

The other issue that was raised quite broadly in the debate was that of workplace safety. I might draw the government's attention to a recently concluded court case in Victoria, where a teacher has recently successfully sued the Victorian government for failing in its duty of care after this teacher had a breakdown following being forced to teach classes with unruly and disruptive children.

The question remains: what liability is the government potentially opening itself up to if it continues to force corrections staff to work within a workplace environment that includes an NSP—a corrections environment that is already a very high risk workplace?

The Canberra Liberals and I remain committed to opposing this policy and its implementation, and we will continue to represent the views of the corrections officers and the prisoners, and the broader view of the community, and keep in line with the expectation that drugs and needles do not belong in our prison.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 8		Noes 9	
Mr Coe	Ms Lawder	Mr Barr	Ms Gallagher
Mr Doszpot	Mr Smyth	Ms Berry	Mr Gentleman
Mrs Dunne	Mr Wall	Dr Bourke	Ms Porter
Mr Hanson		Ms Burch	Mr Rattenbury
Mrs Jones		Mr Corbell	

Question so resolved in the negative.

Industrial relations—workers’ rights and conditions

MS BERRY (Ginninderra) (11.27): I move:

That this Assembly:

(1) notes:

- (a) that the Fair Work Amendment Bill 2014 introduced in the Federal Senate on 27 August 2014 will have an adverse effect on many Canberra workers;
- (b) the failure of the *Individual flexibility arrangements* proposed in the Bill to account for the unequal bargaining relationship between employers and vulnerable employees including, those seeking flexible working arrangements, young and unskilled workers and workers in areas of high unemployment;
- (c) that the parental leave extension provisions contain no guarantee of fair consideration or review processes;
- (d) by redefining the definition of “transfer of business” the Act removes the presumption that employee conditions will be subject to review by Fair Work in restructuring and outsourcing arrangements;
- (e) that for workers covered by the National Employment Standard through their awards, agreements and contracts, the Fair Work Amendment Bill 2014 reduces their right to payment of leave loadings at time of termination;
- (f) the Fair Work Amendment Bill 2014 does not reflect the recommendations of the report *Towards more productive and equitable workplaces: An evaluation of the Fair Work legislation* by the Fair Work Review Panel; and
- (g) the limitations placed on the ability of unions to represent and protect the interests and safety of workers in their workplace through the restrictions placed on union right of entry; and

- (2) calls on the Government to ensure that it:
- (a) acknowledges that strengthening workers' rights and conditions is important for economic prosperity;
 - (b) continues to support small business in the ACT through the Business Development Strategy and through red tape reduction; and
 - (c) continues to support the payment of penalty rates and loadings for employees who work unsociable hours.

I rise today to comment on the commonwealth's Fair Work Amendment Bill 2014, which passed the House of Representatives and was introduced into the Senate on 27 August 2014. The bill seeks to make amendments to the Fair Work Act 2009 to implement elements of federal coalition policy. Unfortunately, aspects of the bill will have adverse effects on many of Canberra's workers.

The Fair Work Act as it currently stands promotes workplace flexibility through the use of individual flexibility arrangements. These IFAs allow for variations to modern awards or enterprise agreements in order to meet needs of employers and individual employees. To ensure that minimum entitlements, standards and protections are not undermined, the act requires the employer to ensure that the employee is better off overall under the arrangement than they would be under the award or the enterprise bargaining agreement. This bill dangerously expands the provision to allow the consideration of non-monetary benefits in the "better off overall" test. This opens the door for employers to negotiate IFAs which require employees to forgo overtime or penalty payments for working certain hours because those hours are preferred by the employee.

I think that anyone who lives in the real world realises the necessity of safeguards on these measures. Anyone who has zero dollars in the bank at the end of a pay week knows that an unfair pay cut looks better than not being able to cover rent or the mortgage.

I know great employers, and I have had many great employers, but I have also seen businesses at their worst. I know there is a need for oversight bodies on individual contracts, because I know that there are employees who are currently so afraid to lose their employment that they take pay below the award pay. I have no doubt that there are employers out there in our Canberra community who will take advantage of these provisions to strip vulnerable workers of their conditions. I think it shows an appalling disconnect with reality to not offer oversight on these processes and the capacity for Fair Work to offer back pay where employees are not better off.

I also know that there are lots of good employers who will suffer under a system where the few bad eggs push down labour costs by exploiting vulnerable workers. There are employers in our community who know that their staff have families and have lives. They respect that the people waiting tables in their restaurants are giving up a social life, giving up sports matches and homework with their kids. They are happy to pay them fair wages that compensate them for what they are giving up.

The federal government's rationale is that there is a huge cohort of people who "choose" to work unsocial hours and that the intangible value attached to the working hours by the employee would offset the reduction in take-home pay. However, the bill fails to take into account the unequal bargaining relationship between employers and workers. It is conceivable that vulnerable workers, including those seeking flexible working arrangements, young and unskilled workers and workers in areas of high unemployment, could be pressured into accepting agreements that leave them significantly worse off in monetary terms than they would be with their entitlements under an award or an enterprise agreement. As was recently recorded in the *Canberra Times*, these changes will essentially make it possible for employers to offer "pizza for pay". As was rightly pointed out, pizza will not pay the rent, it will not pay the bills and it will not feed the kids.

Let me go to paid parental leave, part of the changes that the government most wants to talk about. Under the current Fair Work Act, an employee taking unpaid parental leave may request their employer to extend the leave for a further period of up to 12 months. The employer can only refuse the request on reasonable business grounds.

The amendment bill would require the employer, before refusing a request, to give the employee a reasonable opportunity to discuss the request. It places no onus on the employer to actually consider the request, because there is no oversight offered and no option for review. The sweetener that the federal government is trying to sell this raft of changes with is the veneer of consideration by your employer. It does not extend your rights. It does not even offer the guarantee of full consideration or review. It is a provision that will only ever benefit the skilled worker in an industry with a skills shortage—nothing more or less than a veneer of a right for the majority of Australians.

It is, however, better than the changes to transfer of business arrangements. Under the Fair Work Act, the current one, when there is a transfer of business, the old employer's enterprise agreement continues to cover the employee and the new employer. This protects an employee who is redeployed in the course of a corporate restructure or outsourcing.

Under the proposed amendments, transfer of business provisions will not apply to the transfer of an employee between associated businesses where the employee "sought" to become employed by the new employer "at the employee's initiative".

The breadth of this exclusion is concerning, and it is open to exploitation. Recalcitrant employers could restructure their operations, offer employees the option of no job or a new job in a different corporate entity, and use that transfer to reduce the employee's wages and conditions. Under the proposal, these employees will no longer be protected by the Fair Work Act's transfer of business rules, and their conditions of employment will not be presumed to be subject to review by Fair Work. It is exactly what it sounds like—a giant, deliberately drafted loophole that will push down the wages and conditions of vulnerable workers. I just cannot understand how it can be seen as anything but that.

And I do not understand how anyone could consider the scenario of a cleaner, for example, who is offered employment at lower wages and conditions or contract termination with no redundancy payment because they had been offered ongoing employment and think that that person had some sort of choice. Just as with the IFAs, it is not only the employees that suffer; it is all of the businesses who do the right thing by their employees.

I am genuinely surprised by the lack of understanding the proposed amendments to the Fair Work Act show for the working conditions of ordinary Australians. They are unfair and, unsurprisingly, inconsistent with the recommendations of the fair work review panel.

In considering the ability of employees to trade monetary benefit for non-monetary benefit on an IFA, the review panel recommended that the value of the monetary benefit forgone be relatively insignificant and proportionate to the benefit gained. Yet in the final draft these protections have been removed.

The fair work review panel also recommended oversight of IFAs by requiring employers to notify the fair work office of the agreement. This would have put pressure on employers to do the right thing and give them oversight in situations where workers might not realise that they have been exploited. Instead of expanding this oversight, the government implemented a genuine needs statement which simply requires the employer to secure a signature from their employee stating that the changes meet genuine need. It provides no oversight and no protection from exploitation.

I am concerned that the government is not implementing the recommendations of the review. Further, I am concerned about the impact this will have on the Canberra community as a whole.

Workers rights underpin a strong economy. The wages and conditions that Canberrans have fought for over 100 years have contributed to the economic prosperity of our city. It is not just public sector workers; it is all of our service workers whose pay feeds back into our economy and into the sectors where they work.

I cannot emphasise enough the importance of penalty rates. Penalty rates given to Canberra workers give them a decent standard of living and the ability to participate in the life of our city. Having a population with money to eat out, to take the kids to the movies and to enjoy a drink down at the club creates our civic life and supports our small businesses in the service industry.

I am seriously concerned about the effect of the bill on workplace rights in the territory and I commend this motion to the Assembly.

MR SMYTH (Brindabella) (11.38): I move the amendment circulated in my name:

Omit all words after paragraph (1), substitute:

- “(a) the present Federal Government inherited a legacy of high-cost and low productivity as a result of Labor’s industrial relations policies;
- (b) the Fair Work Act Amendment Bill 2014 is a Commonwealth matter;
- (c) the Coalition’s proposed changes were announced approximately four months prior to the Federal election, and do not go further;
- (d) the amendment bill enacts a number of recommendations from the Fair Work Review Panel in its 2012 review commissioned by the now Leader of the Opposition, Bill Shorten; and
- (e) on elements such as union workplace access, individual flexibility arrangements and removal of the ability to strike first and talk later, the Coalition is delivering on policy promises made by the Labor Party prior to the 2007 election, which Labor broke; and
- (2) calls on the ACT Government to:
- (a) deliver certainty for ACT businesses;
- (b) cut red tape and reduce charges and taxes to encourage productivity and growth; and
- (c) report to the Assembly by the last sitting day in November 2014 on actions that it will be taking.”.

This is an interesting motion from Ms Berry and is very much like the arts motion last week. It is all assertion, it is innuendo, it is misinformation, it is things that could happen. There is very little substance or fact in what the member has just said. But that is the tradition we now expect from Ms Berry. If you go back over all of her motions they are simply a longing for the good old days when the union movements were in the world and long may they reign.

But in a country where fewer than 13 per cent of the working population in the private sector are in unions you have to question the relevance of unions and then you have to question the bill that the former Labor government passed, which was to protect their union base. It was never about workers. It was never about workers’ rights. It was never about ensuring that workers were better off.

It is interesting to hear Ms Berry attack the federal government for taking money out of the pockets of ordinary workers in the ACT. There was no attack on Treasurer Barr, whose “triple your rates” campaign is really hurting families right at the coalface. The increase in charges that this government has brought in over their time in office is what is truly hurting the average worker in the ACT. Ms Berry perhaps should stand up in her own caucus room and say, “Let’s lift the burden off workers in the ACT,” and address things that she can fix in her caucus, in this place, instead of bringing on a motion about a bill that is not even in our jurisdiction.

But let us go to the motion. I love these motions from Ms Berry. Paragraph (4)(f) states:

... the Fair Work Amendment Bill 2014 does not reflect the recommendations of the report *Towards more productive and equitable workplaces: An evaluation of the Fair Work legislation* by the Fair Work Review Panel ...

Surprise, surprise! Who instigated that review and what did it say? Let me read from an article in the *Australian* by Judith Sloan when the results came out. It is called “Fair Work Act review: an object lesson in spin”. I just love the second paragraph:

The conclusion of the review of the Fair Work Act was utterly predictable. All good, thumbs up, satisfactory, green light, hunky-dory, tickety-boo, she’s apples, A-OK. In fact, I predicted this conclusion at the time the review was commissioned and members of the panel were identified.

And let us remember why you had to have this review. The former Labor government rushed it through without scrutiny. They rushed it through so that automatically there was a review in place, and the panel had to do the review. I bet it was a review they did not want to do, particularly when you had the workplace relations minister at the time saying, “It’s a great piece of legislation; it’s working; we do not need a review.” Who was that? Just cast your minds back. Who is leader of the ALP now? But you really do need to have a think about what that original Labor bill that became the act has in it. It includes as one of the objects—and I quote from the Judith Sloan article again:

Weirdly, one of the objects of the act is ‘ensuring that the guaranteed safety net of fair, relevant and enforceable minimum wages and conditions can no longer be undermined by the making of statutory individual employment agreements of any kind given that such arrangements can never be part of a fair workplace relations system’.

Right? Individual employment arrangements of any kind cannot be part of a fair workplace relations system. But what was in the bill? I read on:

Given that statutory individual agreements are not allowed under the provisions of the act, I guess it was always going to be a tick for this object being met.

Goodness me! We have achieved an object which does not exist. Who would have thought that? And that is the problem with this. It is the problem with what has existed. The bill in the federal parliament attempts to fix that. In fact, the bill in the federal parliament attempts to honour Labor’s election promises in 2007. The bill is actually putting forward some of the things that the Labor Party had as policy in 2007 to get themselves into office but then ignored.

Ms Berry talks about the individual flexibility arrangements. I am told that the bill that is before the parliament has a number of provisions in it that actually put additional protections in place. We have taken what Labor has and we have put additional protections in place. Indeed, an employer cannot force an employee to sign off on an IFA or make it a condition of employment. You cannot make an IFA a condition of employment. The employee must be better off overall.

Let us remember, in real terms, in wages, under what governments employees do better. Under the Liberal Party. Let us go back to one comparison. In 13 years of Labor under Hawke and Keating, wages in real terms did not actually grow. In 13 years, wages went down under the Hawke-Keating government, by 1.8 per cent. Under Howard and Costello, there was a 21.5 per cent increase in real wages. Who are you better off under?

I know the unions say, “We are here to protect the worker; workers are better off under us.” The facts do not support that case. And what we need to do is have systems of employment that work for everyone, not just for the unions. What have we got from Ms Berry? The standard union motion: unions are good; therefore everything the unions say is real. If you want to believe that little fairy tale, go for your life.

What do the IFAs also contain? They say employees must be better off overall than they would have been under the applicable modern award or enterprise agreement. Not everybody in the union movement thinks that Abbott is doing enough. Who would have thought that?

Indeed, what did Martin Ferguson, a well-known figure in Labor circles and often described by some as a Labor elder statesman—indeed, I think he was a former union boss—say? This is a quote from an article headed “Senate to block more Abbott industrial relations changes” in the *Australian Financial Review* in which Mr Ferguson described the changes as moderate:

In a provocative speech last week, Mr Ferguson called on Prime Minister Tony Abbott to go further than his planned changes in industrial relations, saying they are only a “step” in the right direction, but “really quite modest”.

Here is a man—and I think everybody would agree, particularly those in Labor circles—who knows at least a bit about IR and workers’ rights saying that Abbott is on the right track but does not go far enough. There you go. Do we take the word of Ms Berry, who says the changes are all evil, or do we take the word of somebody with a great deal more experience than Ms Berry—in the Labor Party, in the parliament and from working with business—who says the changes do not go far enough, they are quite modest, but they are a step in the right direction? And that is the problem with this motion.

The other thing is that I understand the opposition spokesperson for industrial relations, Brendan O’Connor, actually agrees with the view that terms and conditions including penalty rates are a matter for the Fair Work Commission to determine. Goodness me, I wonder if Ms Berry consulted with Mr O’Connor on that position as well.

So you have got a pattern emerging here, members, through you, Madam Deputy Speaker, of Ms Berry writing motions that really do not reflect reality and really do not, I believe, in many ways add to the debate.

There is the assertion in (a):

... that the Fair Work Amendment Bill 2014 introduced in the Federal Senate on 27 August 2014 will have an adverse effect on many Canberra workers ...

Where is the evidence? It is easy enough to say, but where is the evidence? Where is the analysis? Table the documents that prove that point. I do not believe that she can.

Paragraph (b) states:

... the failure of the *Individual flexibility arrangements* proposed in the Bill to account for the unequal bargaining relationship between employers and vulnerable employees including, those seeking flexible working arrangements, young and unskilled workers and workers in areas of high unemployment ...

The existing provisions remain, the protections remain, and more is added. The bill is strengthened, so I am told.

But again Ms Berry does not present any evidence. She makes the assertion that the Fair Work Amendment Bill 2014 does not support the recommendations. I understand a number of the recommendations have been picked up. I do not know any government that picks up every recommendation, but my understanding is that a number of the recommendations are picked up, including that employers should, in limited circumstances, have a legal defence. That is a recommendation of the report.

Two further recommendations provide clarity and certainty for both employers and employees. They are brought in. The second amendment will confirm the existing provision that the “better off overall” tests can be satisfied. Some of the provisions from the report were picked up. Some of the recommendations were picked up.

Ms Berry might want to go through and tell us, when she replies, which ones have not and why, and which ones have and why, and her analysis, and table that analysis. When she brings these motions forward, she really does need to be informed, because it is important we get that right.

Paragraph (g) states:

... the limitations placed on the ability of unions to represent and protect the interests and safety of workers in their workplace through the restrictions placed on union right of entry ...

Union right of entry? What are we talking about here? Unions going to places where there are no union members, trolling expeditions, seeking new members, seeking relevance in a world where fewer than 13 per cent of people in the private sector belong to a union.

Let us see how wisely the unions have used those rights of entry. The problem with union rights of entry was highlighted by the fair work review panel. They said that there are problems with it and it needs to be fixed. They are quoted as saying that the Pluto LNG project had 200 rights of entry visits. Over what time frame, you ask? Two hundred rights of entry over two years? Over one year? Over six months? No. In three

months. Two hundred rights of entry visits in 90 days—two visits a day. If you think that that is fair and reasonable, go out and spend some time in the real world, because all that is is an abuse of power.

Then you go to BHP Billiton's Worsley alumina plant. It had 676 rights of entry visits. In how long? In four years? Three years? Two years? One year? In a year—676 rights of entry visits in a single year.

As to unions carrying out their job in a fair and reasonable way, I do not think anybody objects to that. But abuse of privilege and abuse of law in that way is not acceptable because what it then says to people is, "Australia is already high cost, you have got lots of legislation and you have got huge thresholds, which makes us uncompetitive." If you want to protect the jobs that you talk about, if you want to create more jobs, then you need to have an environment where people look at Australia and say, "That is a great place to invest."

I am looking at the Pluto LNG project and Worsley alumina and going, "Man, all those union right of entry visits do not fill people looking for certainty with any confidence at all." That is what this should be about. This motion should be about certainty for business, and that is why I have moved my amendment. It is one of those "delete all and replace" amendments.

Paragraph (a) states:

... the present Federal Government inherited a legacy of high-cost and low productivity as a result of Labor's industrial relations policies ...

Once Labor introduced their policy, productivity went through the floor. It declined significantly, and if you think that is a good thing for this economy and the future of workers in this economy, you are fooling yourself. Let us call a spade a spade.

Paragraph (b) states:

... the Fair Work Act Amendment Bill 2014 is a Commonwealth matter ...

If you brought a bill forward today, or a motion today, that said let us legislate for random drug and alcohol testing on building sites, something that we have control over, fantastic. Let us have debates about things that we can actually do here rather than randomly looking around for any opportunity to attack the federal government.

Paragraph (c) states:

... the Coalition's proposed changes were announced approximately four months prior to the Federal election ...

It was there on the table.

Paragraph (d) states:

... the amendment bill enacts a number of recommendations from the Fair Work Review Panel in its 2012 review ...

You forgot to mention that in the motion, Ms Berry.

Paragraph (e) states:

... on elements such as union workplace access, individual flexibility arrangements and removal of the ability to strike first and talk later, the Coalition is delivering on policy promises made by the Labor Party prior to the 2007 election ...

You must have forgotten to implement those ones. Six years later, they had not done it. And that is the problem.

What should we be doing? What we should be doing is ensuring that businesses in the ACT have certainty, that when the government commit to delivering city to the lake, they actually mean it and do not delay it; that when the government commit to do something, they actually make the case and then get on with it; that they actually get rid of red tape; and that they actually reduce charges, instead of the 30 per cent increase that occurred for some businesses in their rates. There you go. "We are not going to triple your rates." The rates are going through the roof and we are ticking it up. People, I think, are looking at their rates bills and saying, "These are going up," as other charges have gone up under this government.

Let us cut red tape and reduce charges so that we encourage productivity and growth. Take it up, Ms Berry, with your colleagues. It is all well and good to slag the federal government for taking more money out of the pockets of workers. I think if you read your own budget papers you will find Treasurer Barr has got his hand in people's pockets well before the federal government gets there.

I think the government should report to the Assembly by the last sitting in 2014 on what actions it will be taking to deliver certainty for businesses, cut red tape, reduce charges and taxes and encourage productivity and growth in the areas that we are capable of influencing.

DR BOURKE (Ginninderra) (11.53): The Fair Work Amendment Bill is the latest in a line of surprises from the no surprises Abbott government. The bill has not gained more attention because there have been so many post-election, post-budget backflips, half-truths and no-truths from this federal government that it almost is not news anymore. It is what the disillusioned electorate have come to expect from the Abbott government. The Fair Work Amendment Bill is another case of the federal Liberals misleading the electorate. It will have real consequences for Canberra employees. They lose, whether they are in a union or not or whether they understand these complicated sleights of hand lessening their rights in the workplace. I do not know if the federal Liberals are trying to be too smart by half or are just contemptuous of the electorate.

Laurie Oakes recently wrote of Tony Abbott, and prime ministers in general, needing to hear from their colleagues about where they are going wrong, and they need to listen to the uncomfortable truths. Mr Abbott needs to hear of the greedy over-reach

of these fair work amendments. Oakes revisited the famous memo to John Howard from the former Northern Territory Chief Minister and, in 2001, the federal Liberal president, Shane Stone. Stone's assessment of the Howard government in the wake of state election losses to the Labor Party was brutal—"mean, tricky and out of touch". As Oakes said, there is a lesson here for the Abbott government.

Despite Mr Abbott's assurances before the election, there is no fairness in the new bargaining relationships in the fair work amendments—mean, tricky and out of touch. There is no fairness in the parental leave extension provisions. They are mean, tricky and out of touch and run counter to the Mr Abbott's crocodile tears about his commitments to his "signature" parental leave scheme. There is no fairness in the reduction, for some workers, of their right to be paid leave loadings on termination—mean, tricky and out of touch again.

There is no fairness in the fair work amendments' new mean, tricky and out of touch limitations on unions' abilities to represent their members and visit them on worksites. There is no fairness in Mr Abbott breaking his promise to just implement particular recommendations from the 2012 fair work review. The fair work amendments go well beyond the recommendations from the 2012 fair work review. In the fair work amendments, the devil is in the subclauses, with ideological tweaks and changes to disadvantage the most vulnerable in our community—mean, tricky and out of touch again.

We were told by Mr Abbott before the election that he would take a minimalist approach to workplace relations and that he would take any major changes to the next election. Going on the changes in this Fair Work Amendment Bill already, we have a right to fear for the fairness—or the meanness and trickiness—of the more major changes they will spring at the next election.

The ACT government and the Labor Party are committed to a vibrant private sector in Canberra and the needs of small businesses for flexibility in employing staff. We believe that we already have a good balance between the rights of employees and employers. The current system allows some certainty for employees and employers and respects the needs of both. We do not need another Liberals' ideological wander up the garden path.

This motion recognises the ACT government is already committed to small business in the ACT. We are supporting small business in many ways such as through the business development strategy and the red tape reduction strategy. Of course, we are committed to investing in our economy, not imposing the austerity measures of the federal Liberals that would drive small business to the wall and increase unemployment. Again, as with so many of his promises in opposition compared to the reality in government, Mr Abbott's commitment to the truth and fair work practices are over-promised and under-delivered.

MR RATTENBURY (Molonglo) (11.58): I am glad Ms Berry has brought the issue of the Fair Work Amendment Bill to the Assembly. I am concerned, and the Greens are concerned, that the amendments in this bill will have a negative impact on workers, including workers here in the ACT. My federal Greens' colleagues have made this

case clearly in the Senate, the House of Representatives and as part of a Senate committee that looked at the bill, where my colleague Senator Penny Wright wrote a dissenting report.

Ms Berry has already discussed in some detail various problems with the bill and the problems that it can cause to workers and families, particularly groups who may already be marginalised or disadvantaged. I would like to focus on one issue in particular, which is also one my federal colleagues have taken issue with—that is, the amendments to the individual flexibility arrangements proposed in the bill. These IFAs were actually put in place by the former federal Labor government. They allow an employer and employee to depart from legally defined minimum conditions, provided that an employee is purportedly not overall worse off.

These IFAs do not have to be preapproved at Fair Work Australia, which means that compliance and fairness is only tested if an employee has the resources to sue their employer. How often would this be the case? I do not think it would occur often, especially as the people being offered these conditions are probably not likely to have the means or the security to go off to the industrial arbiter and test their case. So what these IFAs mean is that an employer could enter into a legally binding agreement with their workforce one day then contract out of it with an individual the next day.

The amendments in the Fair Work Amendment Bill introduce a new note which reads, in part, “Benefits other than an entitlement to a payment of money may be taken into account.” The government also wants to change the test so that non-monetary benefits can be taken into account when an employer determines if their employee is better off overall. In short, the changes would allow an unscrupulous employer to say to a newly employed worker, “I know about the minimum wage, but I’m not interested in paying you that. I’d like to offer you less than the minimum wage but add a few benefits on the side. That might be different from the legislated minimum wage, but it’s really up to you. You can take it or leave it.”

There are some serious questions to ask about this proposal. As my Greens colleagues have said, does a burger and chips from the owner of the corner shop allow them to deduct \$10 from a young person’s already low wages? The proposed changes would mean that it is legal for a cinema owner to say, “How about we enter into an individual flexibility agreement where I pay you less than the minimum wage but I’ll throw in some movie tickets as well?” Now, movie tickets or burgers and chips do not help a person when they need to pay their bills or buy their groceries. A person cannot call up their power company and say, “I can’t pay my electricity this quarter, but can I offer you some tickets to *Teenage Mutant Ninja Turtles*?”

The Greens have drawn attention in particular to the difficulties that legislation like this can cause for young people, especially in the context of an already harsh federal budget. Under that budget a young person who is looking for work will have to spend the first six months looking for work with no income at all. They cannot even receive the Newstart allowance. If they do not find a job they are placed on the work for the dole program. At the end of that time, if they have not found a job, they will again spend six months without any income at all. Of course, if that person becomes sick, they will have to pay a copayment on their visit to the GP as well as a copayment for any tests and prescriptions they might need to have.

In the mind of the coalition government I am sure this scenario fits together very neatly with the idea of individual flexibility arrangements. What does a young person do as they desperately seek to avoid six months with no welfare payments? They are more likely to accept the kinds of situations I have described—one where they accept alternative payments and where they are ultimately disempowered. Associate Professor Rae Cooper from the University of Sydney's Business School raises the same issue for other members of society who might not be in the best position to negotiate. She says:

Frankly, how will a mother seeking flexibility to fit with care arrangements and who is desperate for her job manage to genuinely negotiate on an individual basis? The disparity of power regardless of signatures on contracts is still significant.

This type of change also ultimately affects the wages and conditions for everyone, because why will an employer take on an older worker when they can take on a younger, disempowered and cheaper one who will work under duress?

There are other objectionable parts of the proposed amendments in the Fair Work Amendment Bill which I will not go into in detail. I think generally the winding back of provisions which allow for union support to be available to workers negotiating their conditions and the union right of entry to enter workplaces are problematic. These are important services for many workers in ensuring that workers are treated fairly and get an equal footing in negotiations.

MR GENTLEMAN (Brindabella—Minister for Planning, Minister for Community Services, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (12.03): I rise today to speak in support of Ms Berry's motion. The Fair Work Amendment Bill 2014 was introduced into the Senate in August this year. The possibility of this bill passing the Senate in federal parliament is something that, from a personal perspective as Minister for Workplace Safety and Industrial Relations, I find deeply worrying and something I believe will potentially reduce rights and working conditions, particularly for our most vulnerable workers who reside in the territory. This appears to be a move back towards the discredited Work Choices system of the Howard era. It is the resurrection of the policy which sought to attack workers' pay and conditions in a new form but with similar goals and effects. The bill attempts to make detrimental changes to the process of negotiating greenfields agreements to the individual flexibility arrangements.

This motion notes these changes and the way that the ACT government continues to work to ameliorate the economy and the prospects of all Canberrans. The changes proposed by the federal government in this bill will essentially take away the rights of workers to negotiate an EBA if a transfer of business occurs and employees no longer work for one company and are given the opportunity to transfer to another. Under this proposed legislation there will be a three-month negotiating period for greenfields agreements with the new company. From the day that the employer tells the employees that negotiations have started, the negotiation period will not exceed three months.

The issue with this proposal is that there is no obligation on the employer party in these negotiations to actively engage in negotiations on terms and conditions. This is the most worrying part. If an agreement is not reached after 30 days, even in circumstances where negotiations have not been undertaken in good faith, an employer can take their proposal directly to the Fair Work Commission for approval. It also allows employers to block out any unions that they do not want participating.

This is not negotiation, because the employer has no incentive to negotiate at all. It will potentially create a culture where important conditions like penalty rates and overtime pay to their workers will be denied. This will result in an increased number of hardworking families struggling to make ends meet. It will provide employers with the ability to offer two options to workers: take it or leave it. This is not an outcome or a position I want any Canberran to end up in. The sorts of workers who will be most affected by these changes will be people already in low paid industries such as those in the aged care or cleaning sectors.

While speaking here today I would like to acknowledge the extensive work that Ms Berry has done for these sections of the workforce through her career working for United Voice. I would also like to note the continued support she demonstrates for these sectors and commend her for this.

Along with issues surrounding greenfields agreements, I am also concerned about the effects the proposed changes will have to individual flexibility agreements. The federal Labor Party introduced IFAs in 2009. This is due to the fact that, if they are applied appropriately, they can be of benefit to both the employer and the employee. When they were first implemented the then Labor government ensured that low paid and vulnerable workers had the bottom line of their budget protected through the inclusion of sufficient safeguards in the legislation.

An example of an IFA which benefits both employer and employee could be that an employee is permitted to have a couple of hours off a week at the employee's request to undertake study which will improve both their own skills and employability and the positive impact that they have being an employee of the company. In return, the employee might agree to undertake an extra hour of work out of hours. This sort of trade-off, depending on the circumstances of the employee, can be seen as of "relative insignificance" or "proportionate" as stipulated by the current legislation.

This protection is slyly removed through the wording of this amendment through the removal of "relative insignificance" and "proportionate" which leaves employees open to exploitation through examples such as this: an employer offers a newly employed employee a reduction of their hourly wage as a trade-off for three meals a day that they serve at the restaurant where the employee works. The value of the meals provided by the business is very little per day, but the reduction of wages equates to, say, \$35 a day. The employer offers this: take it or leave it. The question is: is this a fair trade-off for the employee? It is not of "relative insignificance", and under the proposed legislation this will not matter. As we have heard from Ms Berry, pizza will not pay the rent.

Let us look at how others have commented on this proposed legislation. I note Mr Smyth quoted earlier from the *Australian Financial Review*. Let us see what Charles Power said just last month:

This clearly injects the kind of individual flexibility in awards which employers in small businesses, particularly in retail and hospitality sectors, have been seeking. However, it would also amount to a significant departure in the approach taken today by courts and tribunals.

As Commissioner Smith noted in 2010 when assessing an arrangement of this kind in an enterprise agreement posed by BUPA Care Services, an approach which seeks to “rely upon the subjective belief of the employee rather than the objective testing of the award against the agreement ... undermines the standards fixed in awards and the basis for determining the no disadvantage test.” The concept of the employer offering the gift of employment, provided it is at a rate discounted the safety net, “has far reaching implications for the operation of the safety net of wages and conditions”.

That reads in my mind as a “race to the bottom”. Be assured that this is the business case of the Canberra Liberals—the removal of workplace rights and conditions to make it easier for their mates in business to make a bigger profit.

In specific reference to section (2) of Ms Berry’s motion, it has always been apparent to me that a fair and just society cannot be achieved through the impoverishment of a large section of the community. This is something that the Liberal Party never seems to understand. I have had countless people in the past try to explain to me that if businesses have to pay people too much, they will make less money and the economy will suffer. That is not the case.

It is important to remember that the customers of one business are the employees of another. If the general population is earning less money through a reduction in penalty rates and income in general, fewer people have money to buy clothes from shops, fill their cars with petrol at service stations or buy that little extra for their children. It is then that we see a reduction in retail trade. The flow-on effect to small business is that fewer people are employed. So the cycle continues; the economy slows. That is why strengthening workers’ rights and conditions is so important. These rights and conditions are key to maintaining economic prosperity.

I wholly agree with the motion calling on the government to continue to support small business in the ACT through the business development strategy. Diversification and innovation in the ACT are vital to maintain a strong economy, and government support for this is vital. It is wonderful to see the renewable energy sector having such great success with the opening of the Royalla solar farm several weeks ago. It takes government support through legislation and policies such as the feed-in tariff legislation or changes to the territory plan to facilitate innovative and new industries and business types. Moving towards these new industries creates new training and job opportunities, and improves not only our economic outlook but also other factors such as our carbon footprint as a jurisdiction.

In conclusion, I would like to say that, as minister for industrial relations, I wholly support and commend this motion to the Assembly for the light it sheds on the consequences this federal bill will have on bargaining arrangements, individual flexibility agreements and the confidence of our employees into the future.

MR WALL (Brindabella) (12.13): I might begin by addressing some of the notes and clauses that Ms Berry put in her original motion. It is interesting to note that there is a contradiction within the motion itself. There are two sequels on the continued support of “the payment of penalty rates and loadings for employees who work unsociable hours”; yet in (1)(e) she is noting an objection, saying:

... for workers covered by the National Employment Standard through their awards, agreements and contracts, the Fair Work Amendment Bill 2014 reduces their right to payment of leave loadings at time of termination ...

So she wants employers to pay penalty rates when someone works unsociable hours. I think most people in this place would accept that some form of penalty rate for unsociable hours worked is a reasonable policy and a reasonable industrial relations platform. But she then says that when an employee is terminated they should also be paid penalty rates. It is a case of saying, “What are the purposes of the penalty rates in this instance?” Are they for working unsociable hours, are they an entitlement or are they a pure add-on to the base hourly rate? The legislation that the federal coalition is proposing seeks to clarify these areas of what an entitlement is and when it should be paid as an over and above for inconveniencing an employee or when it becomes a base entitlement.

Mr Smyth’s amendment highlights a lot of the factual truths about the origins of the Fair Work Amendment Bill 2014. It was, as Mr Smyth’s amendment states, brought forward by the coalition as a policy in the lead-up to last year’s election. It is a bill that many in the Labor Party have often supported. It seems that an advocate in supporting such policies is a former minister, Martin Ferguson, who, in a speech in the House of Representatives, called on Prime Minister Tony Abbott to go further than his planned changes in industrial relations, saying that the proposed legislation was only a step in the right direction, and really a quite modest one. It seems that Mr Ferguson understands the demands and the stresses that are in place on business in our community—not just locally in the ACT, but nationally. He understands the challenges that they face when it comes to employing staff, the risk that they take on, and the reluctance that many businesses have when they are faced with the sheer prohibitive costs of doing so.

Dr Bourke, in his speech, referred to the current coalition’s policy as throwing business to the wall. I do not know that trying to reduce red tape, trying to reduce the administrative burden, trying to reduce taxation and trying to make it easier to employ someone are throwing them to the wall. I think it is fair to say that refusing the opportunity for businesses to employ staff is forcing those that make the investment and seek to operate a business to work themselves to the bone, often to a point where their health and their welfare suffer at the expense of trying to keep a business afloat, simply because it is too prohibitive to employ staff.

I think it is only fair that both the federal coalition and we as an Assembly seek to implement policies and practices that do not discourage employment but encourage employment—encourage supporting businesses that seek to make an investment in our economy.

Mr Gentleman interjecting—

MR WALL: Mr Gentleman is interjecting, saying, “Give them a pay rise.” Most business owners would love to give their staff a pay rise. They would love to get paid themselves for the work they are doing. To think that someone makes an investment, takes the initiative, sets up a business and in most instances will go without income for months on end to ensure that their staff get paid shows the misunderstanding, the lack of thought or consideration that those opposite show to the business community.

Ms Berry raises concern about right of entry for unions not only onto construction sites but also into businesses. The changes that the legislation proposes, that a union will be able to enter on the invitation of an employee that is a member or a prospective member, ensure that it is fair.

The words that the Boral CEO used to describe his company’s experiences with union involvement are fair. He described it as blackmail, a criminal conspiracy and a failure of the law. For those who are not familiar with Boral’s experience, they were simply a supplier to a construction site that was having a dispute with the CFMEU. As a supplier, they were squeezed out of supplying their product to that company. As a result, there was a significant financial loss, which has in effect cost jobs, which those opposite seek to stand up for, and unnecessarily prohibited both business and employment from flourishing as they should.

More to the point, I would like to touch on some of my local experience. As shadow minister for small business, I make it a priority to get out and talk to local business owners. I have also held a number of forums here in the Assembly where I have invited business owners from particular sectors into the Assembly to share their experiences—what is working and what is not necessarily working as well as it could in the local sector.

I might share an experience in the cleaning sector here and an issue that they have had with the union that Ms Berry used to represent, United Voice. They are bullying their way into workplaces and lobbying business owners to sign up to what they call a clean start agreement. When they refuse to, they hassle, bully and use thuggery on the workers in that sector until they sign up and then hammer the business owner to start paying well above award wages.

The simple solution there, if the wages in that sector are not adequate, is not to lobby the business owner or lobby the workers to fork out their hard-earned money to join a union but to lobby the government to change the award. It is a basic no-brainer. Change the award. Here, at a local level, we have got the government opposite paying award rates for some cleaning in government buildings; we have got them paying clean start for cleaning in some government buildings; and then, in other instances,

when a tender goes out, they say, “We will pay a hybrid.” The complexity and the red tape that adds to a business are nothing but prohibitive. For those opposite to stand up and claim anything else is just dishonest.

In the remaining couple of minutes I have got, I am going to touch on the elephant in the room, penalty rates.

Mr Gentleman: Point of order, Madam Speaker.

MADAM SPEAKER: On the point of order, Mr Gentleman.

Mr Gentleman: Madam Speaker, I ask for your ruling—

MR WALL: Can we stop the clock please, Madam Speaker?

MADAM SPEAKER: We can stop the clock.

Mr Gentleman: Mr Wall has said that members opposite are dishonest in the debate today. I would ask that he—

MADAM SPEAKER: Sorry; what words did Mr Wall use?

Ms Burch: Dishonest.

Mr Gentleman: Mr Wall said that members opposite are dishonest.

MADAM SPEAKER: On the point of order, the general rule is that it should be a reflection on an individual. There have been some rulings in this place that a reflection on the group is a reflection on the individual. Mr Gentleman, could you give me some time to consider? I have made a couple of rulings and I cannot now remember exactly where they were. And there is a landmark ruling by Mr Cornwell. Could you give me time to reflect on that, and I will come back after question time and deal with the point of order?

Mr Gentleman: Of course.

MADAM SPEAKER: That will also give me an opportunity to actually hear what Mr Wall said.

MR WALL: As I said before, in the remaining time, I will touch on what is ultimately the elephant in the room, and that is penalty rates. We have a situation now where many a small business in the ACT is simply unable to employ the staff that they want to, or to operate and trade on Saturdays and Sundays as they would most openly like to do, simply because the cost of employing staff on those days has become so expensive and prohibitive. We are at the point now where a worker can potentially earn more working on a Saturday and a Sunday than they would by working the five ordinary Monday to Friday days.

It is about time we had a mature discussion, not just in this place but across the country, on truly what penalty rates are for in a modern economy. We have what most

people expect to be a seven-day economy where the supermarket, the restaurant, the cafe and the hotel are open seven days a week for our convenience and for our leisure. It is fair that we have an open, frank and honest discussion about what the role of penalty rates is going to be into the future. I would be happy to have that discussion here in this place at any time.

Mr Smyth has just handed me an ABC news article from September 2012, when Martin Ferguson was making a push for penalty rate change in the tourism sector, saying that rates were prohibitive. It seems that they are not always keen to support all members of their side when they are talking sense and honesty in business policy.

To sum up, it is well and truly time that the amendments to the Fair Work Act are pushed through in the federal parliament. It is something that the business community has long desired. And I think that the business community shares Mr Ferguson's sentiments that these changes do not go far enough. They do not seek to address all of the issues that are currently being experienced by employers in the industrial relations framework. I hope that into the future we see more and we can create more opportunity for employment, more opportunity for investment and more opportunity for this city to thrive as an employer.

MS PORTER (Ginninderra) (12.23): I welcome the opportunity to speak on this important topic, and thank my colleague Ms Berry for raising it.

As we have heard, the Fair Work Amendment Bill 2014 seeks to implement elements of the federal coalition's policy that they claim will improve fair work laws in Australia. Specifically, the bill comes as a response to a number of recommendations from *Towards more productive and equitable workplaces: an evaluation of the fair work legislation*, the June 2012 report of the review by the fair work review panel.

This Labor government have never shied away from sensible reform, and will never do so. Our record as a government in this regard is self-evident. What we are against is reforms based on pet ideologies which those opposite and their federal colleagues are prepared to pursue no matter how much the changes hurt the people we as elected members should be protecting—the most vulnerable in our society.

I am sure we all have noticed that it is becoming a trend that the federal coalition government is purposely targeting this group of people. It is a bit hard to miss this. All in this place will recall that the federal coalition recently brought down a heavily flawed budget which unfairly targeted pensioners, individuals without a job, low income earners, youth, families and the sick. One would struggle to see how the proposed GP copayments, for instance, would be beneficial to those who could ill afford them; or how withdrawing the safety net from young unemployed men and women, cuts to pensions, cuts to Indigenous programs or cuts to the state and territory health budgets could be helpful to anybody. But that is exactly what this federal government has suggested, and has done in some cases.

As if this were not enough, we now know that some amendments in this Fair Work Amendment Bill are specifically aimed at limiting unions from representing workers, and from protecting workers' interests, their safety and their wellbeing. Since their election into government last year, the federal coalition has been waging a targeted

war on unions. The Abbott government believe that if they succeed in breaking up unions, if they succeed in limiting their representation powers and if they succeed in tainting this great movement of the people, they will get their way. Needless to say, it is allowing workers to be paid less and to have fewer rights. That is what we see in this Fair Work Amendment Bill, Madam Speaker.

We on this side know that stripping workers of their rights and cutting their pay in the name of addressing productivity are not the answer—as members from this side said earlier. On the contrary, it is in fact an effective avenue by which a class of working poor in Australia will be created. You only have to look at examples in the United States of America.

I am at a loss for words every time I hear those opposite and their federal colleagues asserting that there is equity in bargaining power between an unrepresented worker and his or her employer, particularly during high unemployment periods such as Australia is currently facing under this federal government.

The Prime Minister, Tony Abbott, when he was the leader of the opposition, assured all Australians that Work Choices was dead, buried and cremated. Well, not quite. The Fair Work Amendment Bill 2014 contains an individual flexible arrangement, IFA, provision, mentioned earlier, which allows employers and employees to depart from the terms of an award or enterprise agreement provided an employee is “better off” through the provision of non-monetary benefits. As Ms Berry said, non-monetary benefits do not put food on the table.

Just as with Work Choices, these IFAs open up the possibility for employees to be stripped of their entitlements such as overtime or penalty rates in exchange for working certain negotiated hours known as “preferred hours”. What does that mean? How can the federal government possibly justify such an attack on people who play a critical role in our day-to-day lives—people who work late hours, overnight shifts, weekends and public holidays, as Ms Berry said, often sacrificing much in terms of their quality of life? We are talking about nurses, bar workers, shop attendants, security personnel, carers and waiters, just to name a few. Some of these workers are among the lowest paid in Australia. As other members have said, many people on low rates of pay literally are making critical choices such as deciding to have a meal or not, or purchasing certain medication or not.

Do members opposite need to be reminded that many of these workers, particularly those working in the hospitality industry, are students? These students also have heavy study commitments, of course. Working odd hours and having penalty rates provide them with the flexibility of working less, perhaps, helping them to keep up with their studies but still manage to pay their bills.

Shifting the bargaining power in favour of the employer is only one of the unfair changes in this proposed bill. It also removes protections currently enjoyed by employees under the Fair Work Act’s transfer of business rules in the event an employee moves between associated businesses entities, meaning that their conditions of employment will not be presumed to be subject to a review by Fair Work. These restrictions and removal of employee protections only serve the interests of the employer.

If passed, the Fair Work Amendment Bill and other measures, such as the parental leave extension provision and the right of entry changes, will obviously adversely affect Canberra workers. That is why I support Ms Berry's motion, which calls on the government to continue to support small business in the ACT through the business development strategy and red tape reduction, and to continue to support the payment of penalty rates and a loading for employees who work unsociable hours.

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

Sitting suspended from 12.30 to 2.30 pm.

Questions without notice Canberra Hospital—patient care

MR HANSON: My question is to the Minister for Health. Minister, I have received correspondence from a constituent about their care at Canberra Hospital. The patient suffers from an autoimmune disease that causes large blisters on the skin that can be life-threatening for older people. The patient is also unable to walk without a frame. I quote from their letter but delete the names and dates:

- Saturday: [The patient] was in bed with NO walking apparatus. I asked [the nurse] if she could get one for him. She said 'no' that I should bring one in from home.
- Sunday: I again asked [the nurse] for a bariatric frame. She said it was not possible.
- Monday: The patient was not showered or bed bathed on Saturday, Sunday or Monday.
- Monday Night—the patient had an accident with the urinary bottle and spilt it in his bed. He rang for a nurse to assist him to change and get clean sheets, and when [the nurse] came she said "I am too busy I will come back later." She didn't return. [The patient] sat for hours in urine soaked clothes.
- As he was left sitting in urine for hours it was no surprise he developed within 24 hours huge blisters on the back of his thighs ...
- Thursday: [The patient] had then asked [the nurse] to assist him to the bathroom, and she replied that "he did not need help to get to the bathroom and that she was too busy."
- [The patient] stayed in hospital for much longer as his blistering was so severe. It required dressing and higher doses of intravenous antibiotics. It took six weeks of dressings twice daily to bring the skin to closure stage. The damage on the back of his thighs is still quite visible.

The letter concludes:

We fear for the health system that exists now, if the above is indicative of it, and also for the patients that innocently put their trust in it.

Minister, are you aware of this patient's story, and how do you respond?

MS GALLAGHER: No, I do not believe I have received—I certainly have not read that correspondence if it has been sent to my office. If it has been sent to my office, it will be undergoing a thorough review, including a report back from the hospital about how their clinical notes would align with that story. There are a range of opportunities for that individual. I am very sorry if that was the experience of that patient at the hospital. I would not say that that is indicative of the care that is provided at either Canberra or Calvary hospitals, but I do accept that from time to time I receive letters of complaint from patients about the care that they have been provided with, at both hospitals, and when that happens they are investigated thoroughly, including with the opportunity for meetings with staff. And of course people are given the opportunity to complain to the health complaints commissioner as well. If that version of events is accurate, and I have no reason to believe it is not, I am very sorry for that patient. It is not the standard of care that is provided at Canberra Hospital and should not be seen as indicative of treatment or care, or the professionalism of staff, at the hospital.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, are you satisfied with the culture of care at the Canberra Hospital?

MS GALLAGHER: To a great degree, yes, but I will also accept that in a large workplace there are instances where care and the professionalism of staff are not what you would expect. I would imagine that is true of any large organisation in any hospital in the country or in the world. But to the greatest degree, I would say the overwhelming majority of staff care for their patients with extreme dedication and skill. But I am not going to stand here and say that I have not received complaints from people about the standard of care, whether it be from amongst the health professions or across the health system across Canberra, and that includes Canberra Hospital, Calvary hospital, community health services and private health services, which I also receive complaints about.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, are you aware of any other instances where patients have been left in an unclean bed?

MS GALLAGHER: During my time as health minister I would have received complaints where that formed a component of the complaint, whether people were left for too long or had called for help and did not get it. Yes, I have been aware of that in my time as health minister. When those situations occur, it is treated very seriously by Health. They go back and look through the clinical notes around the care of that patient. If there is an instance where bed sores—or it is alleged that that has occurred due to lack of care—then that is investigated as well. Patients and their families are given the opportunity to come in, have a meeting and talk about their care and, of course, they are provided with those external complaint mechanisms which are all established to make sure that we have the focus on quality of care.

Again, having said that, that is not peculiar to Canberra Hospital. It happens across every hospital in Canberra. I have received complaints of that nature from every hospital during my time as health minister.

MR DOSZPOT: Minister, why do you continue to insist on spending more on light rail infrastructure than you are spending on the health system infrastructure?

MS GALLAGHER: As members would know, that is not true. The ACT government is required to fulfil a number of obligations to the ACT community. The most important of those is health, and it receives \$1.3 billion of recurrent expenditure. It has also in the last six years received \$878 million worth of capital expenditure. But the government also has to provide education services; it also needs to provide public transport services. It is not as though you can choose between one and the other. We have prioritised health. In terms of the infrastructure available in the ACT health system now, instead of 670 beds available when Labor came to power, we now have 1,048 beds available, a 56 per cent increase in bed availability, which has far outstripped population growth.

We also have three new community health centres. We have a capital region cancer centre, we have a new women's and children's centre and we have new intensive care facilities at Calvary hospital. The car park for Calvary hospital has started in the last few days. We have new emergency department facilities at Calvary hospital, we have new emergency department facilities at Canberra Hospital, we have the adult mental health unit, we have new operating theatres, and we have extra and brand new ward facilities as well.

That is the priority that we have placed on health and it is the priority that we will continue to place on health.

Schools—weapons

MR DOSZPOT: My question is for the minister for education. Minister, have there been any incidents involving knives and other weapons in ACT public schools in the last three months?

MS BURCH: I thank Mr Doszpot for his question. I am aware of an incident that happened in a north side school—it was outside the school grounds and it was after school hours—where some young people appeared to be menacing some students waiting for the bus. They were moved on by the school staff. The school community have been informed and it was referred to the police.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, were these incidents reported to the police? If so, what action has been taken, and if not why not?

MS BURCH: I refer to the answer that I gave, that they were indeed referred to the police.

MADAM SPEAKER: Mr Smyth, a supplementary.

MR SMYTH: Minister, what action was taken to consult with parents in the school communities concerned and what offers of counselling were made to the students affected?

MS BURCH: It is my understanding a letter went home to the school community and offers of support have been made.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, why did you not respond to a request for a briefing on these very serious issues?

MS BURCH: I respond to all requests from the directorate to keep me informed and up to date on all matters that are important in my role as minister for education.

Infrastructure—proposed new convention centre

MR SMYTH: My question is to the Minister for Tourism and Events. Minister, on budget day you released a media release titled “Transformative Infrastructure”. It stated:

\$1.5 million will be invested to progress the Australia Forum to investment-ready status by June 2015. The Government has also included a future provision of up to \$8 million to further progress this work in the out years, if funding partners come on board.

Minister, you then added:

The Australia Forum has the potential to provide a truly world class convention facility that will allow the ACT to attract more business tourism and grow our economy.

The government has now decided to defer the Australia Forum for a number of years. Minister what will happen to the provision for \$8 million now that the government has decided to defer the Australia Forum project?

MR BARR: I have carriage of this matter as Minister for Economic Development, for the benefit of the member opposite. The point I made yesterday in response to the Leader of the Opposition’s question was that all work that was funded in this budget will continue and we will make decisions in relation to future expenditure in future budgets.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, what consultation did the government conduct with the tourism and events industry, as well as the business community, before it decided to defer the project?

MR BARR: The government has made no such decision at this time.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, what upgrades will the government make to the existing convention centre in the interim and what will the cost of these upgrades be?

MR BARR: That is seeking an announcement of government policy, which I will not be making today.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, what impact will the postponement of this project have on projected visitor numbers for the ACT?

MR BARR: None.

Asbestos—worker safety

MS BERRY: My question is to the minister for workplace safety. Minister, what measures have been taken to ensure worker safety surrounding asbestos exposure in the ACT?

MR GENTLEMAN: I thank Ms Berry for her question. The ACT government has been working hard to ensure the safety of both residents and workers who have a risk of coming into contact with all forms of asbestos. Of course, the handling of asbestos—in any form—is legislated for under the Dangerous Substances Act 2004. All commercial premises in the ACT which have asbestos present in any form are mandated to maintain and update an asbestos management plan. This helps to ensure that any asbestos fibres which may be present in commercial buildings are consistently monitored to ensure the risk level does not increase.

The asbestos management plan must be available at each commercial premises and accessible by any tradesperson who is required to undertake work at a commercial premises. This has been a very effective way of disclosing important information prior to any work commencing across the city in commercial premises.

As the Assembly is well aware, the Chief Minister established the asbestos response task force in June this year. The ACT government, through the task force, has been working tirelessly to respond to the needs of those affected by loose-fill asbestos in just over 1,000 houses across Canberra—commonly referred to as Mr Fluffy houses. The task force has also been providing advice and support for those who have or will undertake work on homes which contain Mr Fluffy, such as tradespeople.

Affected home owners have also been reminded that they are legally obliged to notify any tradespeople or other workers who visit the house of any assessments which might have been done. We have also recently amended legislation to require owners of these homes to tag their meter box and switchboard to clearly identify to

tradespeople who may undertake work there that the loose asbestos insulation has been removed from the premises. I understand these stickers were sent out to affected home owners this morning, together with information to assist people in installing them and a summary of their obligations. Importantly, home owners who might have had difficulty installing the stickers can seek assistance to do so.

Of course, so much about worker safety comes down to good education, safe work practices and training to ensure early identification of danger or risk and ensure safe handling of dangerous substances. That is why the ACT government has led the way nationally through mandated asbestos awareness training, a nationally accredited course for any profession which presents a risk of accidental contact with disturbed or loose-fill asbestos.

On 25 June this year, the government announced new laws mandating that all workers who might be exposed must undertake asbestos awareness training by 30 September this year. The course was developed by the Australian Capital Territory construction industry training council. It has been recognised as being of high quality throughout Australia and is nationally recognised by the Australian Skills Quality Authority.

From 1 October, this awareness course is mandatory for a number of different types of professions, and the requirement extends beyond the construction industry. Contact with different types of asbestos is a risk that many workers face, even though they are not employed in the construction industry. For example, a pest control worker who is conducting an assessment of a building is quite likely to have need of going into the ceiling cavity or underneath a house. The course has been very popular and has been taken up by registered training organisations. I am pleased with this development so far and remain committed to improving the safety outcomes of all workers in the territory.

MS BERRY: Minister, does this course permit a person who has attended the course to work with asbestos?

MR GENTLEMAN: No, it does not. This course does not qualify a person to undertake remediation or removal of asbestos, nor does it permit any member of the workforce to undertake work that will disturb asbestos while undertaking other work.

It does importantly ensure that workers are able to quickly and safely identify different types of asbestos and to act appropriately. The course gives an introduction to what asbestos is and where it can be found. It also gives an explanation of the health hazards associated with asbestos exposure. Some of these include asbestosis, which is the progressive and irreversible scarring of lung tissue that impairs breathing; lung cancer; mesothelioma, which is a cancer of the linings around the lungs and abdomen; and other non-cancerous diseases that affect the linings around the lungs. Many of these diseases can take up to 50 years to develop, so it is important that all workers who take this course are aware of the health risks and the time which can pass before any signs of illness become apparent.

If a worker is interested in becoming accredited for either assessment or remediation work of buildings affected by asbestos, there are other courses which are designed for this purpose.

In regard to performing asbestos assessment work, to become a fully qualified assessor class A, you must have completed either a course in asbestos assessment or conducted asbestos assessment associated with removal. In addition to having completed these courses, you must have a university qualification in either occupational or industrial hygiene, or occupation health and safety, or an environmental or biological science discipline, or a university qualification in another relevant field.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, are you aware of how many people have undertaken the course in recent months and how is the government promoting mandatory awareness training before the commencement date of 1 October?

MR GENTLEMAN: I thank Dr Bourke for his supplementary. Mandatory asbestos awareness training has seen incredible numbers being trained since the 25 June announcement by Minister Corbell. Since then over 9,000 people in the ACT have completed the course. The announcement of course received widespread media coverage following the announcement of mandatory asbestos awareness training.

ACT Work Safety Commissioner Mark McCabe has also played a role in explaining the changes, and the onus on employers to ensure their staff have been trained. The CFMEU, MBA and Robson Environmental have also played a critical role in ensuring awareness amongst their members and have been providing training to workers across the city. I have been advised that a number of other registered training organisations have made inquiries, wanting to assist in providing this, some of which are located outside the ACT.

Mr Hanson interjecting—

MADAM SPEAKER: Mr Hanson, that is disorderly. Can you desist, please? Mr Gentleman has the floor.

MR GENTLEMAN: Thank you, Madam Speaker. I will continue. Given this increasing interest, the ACT Work Safety Commissioner and the Construction Industry Training Council have agreed to transfer ownership of the course to the ACT government. Once these arrangements have been finalised, the commissioner will issue instructions on the process for RTOs applying for a licence to provide the course.

The ACT government continues to promote asbestos awareness through a number of channels. These include assisting training organisations to promote their courses, holding an industry breakfast, publishing and disseminating information, and posting and sharing information about the course through WorkSafe ACT.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, what positive outcomes can be seen through the government's response to the difficult situations that many Canberrans are facing?

MR GENTLEMAN: I thank Ms Porter for the question. This is one of the biggest challenges we have seen and the ACT government has had to deal with since the bushfires in 2003. Measures have been taken to reduce the impact on both owners and tenants of Mr Fluffy homes and workers, all of whom are at risk of exposure to asbestos fibres.

Workers of the ACT have been protected through the development and provision of training through the asbestos awareness course. Along with this promotion of awareness training for workers, the Environment and Planning Directorate has also developed a system of mutual recognition of asbestos assessors who come into the ACT from interstate to work assessing houses which are suspected to have been contaminated with loose-fill asbestos.

The system allows workers who are qualified in asbestos assessment from other jurisdictions to apply to register themselves with the planning directorate and begin working relatively quickly. This licence must be judged as equivalent in order to ensure the safety of the public in the ACT.

The licensing team of EPD has an operational time frame for the assessment of mutual recognition application which is 10 working days. This takes into consideration checks with home jurisdictions about the individual's compliance history, associated disciplinary actions or licence conditions or perhaps restrictions and notes the current circumstance to assist the asbestos task force. An operational time frame for assessment of five working days for new licence applications relating to asbestos assessment and asbestos removal has been implemented by the licensing team of EPD.

A system of mutual recognition has achieved the outcome of having assessment of suspected Mr Fluffy homes done as quickly as possible, without delay.

ACTION bus service—network

MR COE: My question, to the Minister for Territory and Municipal Services, is regarding ACTION network 14. Minister, you said on 9 September that an extra bus would be added to route 725, which would leave Cooleman Court at 7.46 am, and that this bus was accidentally left off the original network 14 timetable. Minister, given members of the Weston Creek community have been raising concerns about the new network since its release, why did it take the government three weeks to rectify this accident?

MR RATTENBURY: What was made clear is that the announcement of that additional service was made well before 15 September, but the practicalities of simply reorganising the bus schedule and getting the shifts right around that meant that it could not be introduced until 15 September. That is the reason for the timing of the reintroduction of that service.

MADAM SPEAKER: Supplementary question, Mr Coe.

MR COE: Minister, regarding network 14, why was a decision made to not run direct services from Crace to the city during peak hours?

MR RATTENBURY: As members know, there was a full analysis undertaken of the network by the scheduling team at ACTION, looking at MyWay data, and a whole series of decisions were taken across the network to realign some services and to put additional new services in—for example, the Gungahlin to Belconnen direct service. I do not have the specifics on that, but, Mr Coe, I am happy to seek further information about the specific reason around that service into Crace.

MRS JONES: Minister, regarding network 14, why was the decision made to reduce bus services past 7 pm?

MR RATTENBURY: Mrs Jones has made a very general observation in her question so it is hard to know exactly what information she is seeking. What I can say—

Mr Coe interjecting—

MR RATTENBURY: What I can say, for those members who care to listen, is that ACTION has removed some services late at night. Again, the analysis of the data showed that some of the particularly late-night services—services at 9.30 or 10 o'clock at night in particular—had incredibly low patronage. Over a period of some months, the average patronage for some of these services was literally zero, one or two passengers. I think that, in seeking to use the resources available to the bus network, it is difficult to justify the maintenance of such a service when it essentially is not being used.

What has been maintained is that the trunk services through all of the major interchanges continue until quite late at night, as they did in the previous network. What this means is that people can get to the key town centres, right through, but some of the services running out into the suburbs where, literally, there were fewer than one handful of passengers, were rationalised.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, what future changes do you believe ACTION will make to network 14?

MR RATTENBURY: I think there are two answers to that question. The first is that, with respect to network 14 specifically, there may be minor tweaks, as has been flagged, in that, as the practical roll-out of the network continues and drivers provide some feedback on the timing of runs, ACTION has committed to improving the on-time running of the service, using particularly the GPS MyWay data. Where a service is not meeting its advertised schedule, we will correct that where we can, so that passengers can know that the timetable is as accurate as it possibly can be. I do not have any confirmation of this; I am simply flagging ACTION's willingness to continue to refine that to get the timetable as accurate as possible, in order to meet and improve the customer experience and expectations.

With respect to the longer term question, ACTION's view is that this network has really provided the backbone for any future network. There has been major change with network 14 in order to provide as efficient a service as possible and provide the best coverage right across the city. So in that sense the expectation, in bringing network 14 into place, is that there will not need to be major changes to the network in future; the focus will be on addressing new suburbs as they open up and seeking to increase the frequency of the current network structure rather than any major changes to the network structure itself.

Territory and municipal services—Narrabundah playground

MRS JONES: My question is again to the Minister for Territory and Municipal Services, on a favourite topic of mine. Earlier this year, I contacted you with concerns from residents in Narrabundah regarding the location of a playground on the edge of the school oval, as it is isolated and underutilised. Residents have requested that the playground be relocated to an open space of land opposite the shops on Boolimba Crescent. Minister, you responded that the area opposite the shops was not large enough for the playground. Yet the current playground area is much smaller than the proposed area. Why are you unwilling to embark on this low cost solution of relocating a playground?

MR RATTENBURY: As Mrs Jones is well aware, from the letter that I provided back to her, the advice given to me was that there was a limitation with the Boolimba Crescent site. I am happy to take a further look at that issue in the light of the information Mrs Jones has raised and confirm whether her assessment of the matter is in fact the case and, if so, what the consequence of that is.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, what consultation have you had with the community about the use of the current playground and the changes requested by the community, or do you think I do not know what I am talking about?

MR RATTENBURY: Mrs Jones has asked two quite different questions there and I will only answer the first of them.

MADAM SPEAKER: It is probably wise.

MR RATTENBURY: It is wise. In terms of community feedback, I get a range of community feedback about playgrounds right across the city on a regular basis. TAMS is constantly giving feedback to people who seek to have a piece of playground equipment repaired or checked for its safety levels. So we have quite constant feedback from the community across a range of playgrounds across the city.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, how often have you talked to the community about the changing needs of the community for playgrounds and play equipment, and when was the last time you spoke to them about this issue?

MR RATTENBURY: I speak to people about these sorts of things all the time, including in Narrabundah when I attended the Narrabundah community festival or parties at the shops. I cannot think of the exact title, but it was earlier this year. I discussed some playground issues in Narrabundah with some of the residents then. As Mr Doszpot knows, because I see him at quite a few events, I am out there in the community all the time. I talk to people a lot about the changing nature of these things, including the number of playgrounds in Canberra and what people's preference would be. Would they like to go to a large one at a community centre like John Knight park where there is a particularly large facility, for example, or would they prefer to go to a smaller local playground? I have these discussions regularly.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, when will light rail go to Narrabundah?

Dr Bourke: A point of order, Madam Speaker.

MADAM SPEAKER: Before you take the point of order, Dr Bourke: Mr Doszpot, I had trouble hearing the question. Could you repeat the question, please?

MR DOSZPOT: My question to the minister is: when will light rail go to Narrabundah?

MADAM SPEAKER: The question is out of order. The questions were all about playgrounds and—

MR DOSZPOT: It is about the requirements of Narrabundah—

MADAM SPEAKER: asking a supplementary question about light rail, although it is about Narrabundah—

Mr Hanson: Madam Speaker—

MADAM SPEAKER: Just hang on a second, Mr Hanson. Although Narrabundah gets a mention in the question, it is not substantively about the same thing. Mr Hanson?

Mr Hanson: On the point of order—

MADAM SPEAKER: There was not a point of order. I just ruled it out of order.

Mr Hanson: On your ruling, the question was also about other infrastructure in Narrabundah. Obviously, the light rail being this transformative project that it is, we would anticipate its imminent arrival in Narrabundah. I notice, in terms of ministerial arrangements, that Mr Rattenbury is now taking charge of the light rail issue by moving the amendment to the motion this afternoon, so I assume he has some engagement with it. So on your ruling, given that this is important infrastructure for Narrabundah—you appear bored, Madam Speaker.

MADAM SPEAKER: I am. It is a nice try, Mr Hanson, but no cigar. Actually it was not even a nice try.

National Disability Insurance Scheme—transition

DR BOURKE: My question is to the Minister for Disability. Minister, could you update the Assembly on progress with the transition to the national disability insurance scheme in the ACT, in particular the early intervention expo held on 13 September 2014 and the my choice evaluation pilot?

MS BURCH: I thank Dr Bourke for his interest in the national disability scheme and it is, indeed, an absolute pleasure to provide an update. The NDIS is now in its third month of operation in the ACT. The agency reports that they have received access requests from 110 people, with the majority of those found to be eligible for the NDIS.

As you know, the ACT government made the decision in April of this year to transition the delivery of specialist disability services to the community sector. This transition will see early intervention services—a small group of education programs currently running in schools—as the first to transition to the community sector at the end of the year.

This decision was not taken lightly and the government engaged the services of KPMG to conduct a program of market soundings, focus groups and research activities to help the transition of early intervention education groups to the community sector. KPMG consulted widely across the sector, with families and carers, and the government have worked closely with the National Disability Insurance Agency to ensure that these soundings help to form the basis of decision making now and into the future. We have been working hard to ensure that services are up and running early next year.

The tender process which was being run by the National Disability Insurance Agency closed yesterday. The tender sought early intervention services to replace those currently delivered by the Education and Training Directorate. The tender process means we will be able to provide families with certainty of the new services and offer financial security to providers while allowing them time to adjust to the new models. As I have previously stated, I will be reporting back to the Assembly on the outcomes of this tender in October.

In addition to the tender, we held an early intervention and therapy services expo on 13 September to give families an opportunity to see the variety of organisations that are existing here already in Canberra or are interested in coming to provide services. The expo was a great success, with over 50 providers showcasing their programs and services to more than 1,000 people. Of those 50 providers, it was very heartening to see that 34 providers are already based in the ACT.

The government has also been helping to prepare people with disability through the my choice pilot program. We recently launched the my choice evaluation here in the

Assembly. Ahead of the NDIS, it was great to hear the experiences of people with self-directed funding. The pilot began recruiting participants in June of last year and over the life of the project the pilot inducted 17 people who self-manage their funds and their supports and services.

My choice demonstrates what is possible when people with disability have control and manage their own supports and services. And it is just some of the work that is underway to ensure the NDIS trial in the ACT is a success and service providers and people with a disability are supported through that process.

DR BOURKE: Minister, what did the KPMG market soundings, which you referred to in your answer, highlight as strengths in the government's decision to transition out of service provision?

MS BURCH: As previously mentioned, the government engaged KPMG to conduct a program of market soundings, focus groups and research activities to help the transition of early intervention education groups to the community sector. Throughout June and July KPMG facilitated an early intervention and therapy forum with approximately 200 attendees, interviewed 31 providers, interviewed five peak body organisations, carried out 14 family focus groups with 64 participants, and produced reports on best practice in early intervention and advice to government.

The report reinforces the government's decision and articulates that a service transition will provide the opportunity to help establish greater choice for individuals with a disability, build a stronger and more sustainable service across the ACT and ensure that high-quality and safe services continue to be delivered. The report also indicates that there is significant interest from the market in providing early intervention services.

It was also clear that families see the transition as an opportunity to address a number of aspects of the current programs, such as improving the coordination of services. The report by KPMG will form the basis for us to ensure that we have services ready to go for children with a disability or developmental delay from next year, the beginning of the school term.

MADAM SPEAKER: Supplementary question, Ms Porter.

MS PORTER: Minister, how will the evaluation pilot help prepare both clients and organisations for the future of self-directed funding under the NDIS environment?

MS BURCH: I thank Ms Porter for her interest. Findings from the my choice evaluation show that people were able to exercise greater choice and control as part of the pilot program. It identified that while self-management required administrative efforts by participants and their families and carers when setting up, the benefits outweighed the extra effort and people were more satisfied with the results.

As we transition to the NDIS, we are empowering people with a disability to have a choice of the services they want and control over the funding they use to pay for this. The evaluation highlighted that participants found it to be a positive experience to

have control over and direct their funds as they saw fit. By having real life experience exercising this choice and control, people with a disability, and their families and carers, will be better prepared for the NDIS and better able to live the life that they choose.

The evaluation of my choice also offered insights for service providers, who will be better able to understand what practices they could develop to better serve people wishing to self-manage their funds.

MADAM SPEAKER: A supplementary question, Ms Berry.

MS BERRY: Minister, what other work is underway to support providers and people with a disability through this process?

MS BURCH: I thank Ms Berry for her question. There have been significant conversations, connections and support between government and community providers across the ACT, and also community providers that have an interest in coming into the ACT. Just this week there will be the third symposium on housing to look at innovative housing models and opportunities for people with a disability. That is the third. There have been two other successful ones. Also, in more recent times the National Disability Services ACT had a road show here. Many providers and interested community stakeholders had an opportunity to go and listen to the NDS about the NDIS and the opportunities that are being developed here.

In addition, we have made a commitment to support our community organisations through a very strong sector development fund. The second envelope of that funding to the tune of \$6 million is currently being delivered and worked through to support our community providers.

Transport—light rail

MR WALL: My question is to the Minister for Capital Metro. Minister, can you confirm that the cost of capital metro is the \$783 million stated, plus the \$33.9 million provided to the Capital Metro Agency until the end of this financial year, plus the \$9.8 million budgeted for the Capital Metro Agency until 2018, making a total cost of \$826.7 million?

MR CORBELL: I thank Mr Wall for his question. The government has been very clear about the capital delivery cost estimate for the capital metro project, which is a \$610 million capital delivery cost estimate, plus a \$173 million contingency. It is not appropriate for Mr Wall to seek to include those other costs in the cost of the project. First of all, it confuses the capital delivery cost with recurrent costs for the administration of the government agency. As anyone would understand, or as anyone should understand who has been in this place, there is a big difference between capital cost and recurrent costs for broader administration. For example, do we hear those opposite say that you should include the costs of the administration of Territory and Municipal Services in the cost of the delivery of a road? Or should you include the costs of the department of education in the capital delivery cost of a school? The fact is that the government has set out clearly the capital delivery cost of the project, and that is \$610 million plus a \$173 million contingency.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, what portion of the risk will the ACT government take on as part of the remediation works required on Northbourne Avenue?

MR CORBELL: The government has indicated through the industry briefing process that we expect those risks to be borne by industry. The details of that process will be worked through as we proceed through both the EOI and subsequently the request for proposal stages of the project.

MADAM SPEAKER: Supplementary question, Mr Coe.

MR COE: Minister, isn't it misleading to the taxpayer to not include staffing costs in the estimate, given that these costs are essential to the project and would not occur should light rail not go ahead?

MR CORBELL: You can say exactly the same thing about building a school or a road, Madam Speaker, and that is why it is such a misleading proposition from those opposite.

MR COE: Minister, do you admit that the total cost of light rail could be over \$800 million?

MR CORBELL: The government has indicated what the capital delivery cost estimate is, and that is \$610 million plus a \$173 million contingency. That is a cautious, prudent and conservative capital delivery cost estimate. Obviously, we are proceeding through a competitive process and the final price will be determined through that competitive process.

Environment—greenhouse gas emissions

MS LAWDER: My question is to the Minister for the Environment. Minister, the ICRC report which you tabled yesterday relating to greenhouse gas emissions and renewable energy usage shows in figure 4.2 that 36 per cent of emissions relate to non-residential electricity. This is the largest subsector of electricity usage in the ACT. The ICRC report also stated that, in order to meet the emissions reduction target, a reduction of 305 kilotonnes per year between 2012 and 2020 would be required. Minister, given the government's determination to force renewable energy upon ACT households at an increased cost to them, why are government departments not leading by example?

MR CORBELL: I thank Ms Lawder for the question. I note that her question is similar to comments she made yesterday in the media where she asserted that the non-residential sector clearly meant government departments. Well, no, it means electricity use in buildings other than residential buildings. That includes all commercial office buildings in the ACT. That includes buildings that are occupied by the ACT government, buildings that are occupied by the federal government—which will, by the way, be the majority of those commercial office buildings—and then, of course, commercial premises occupied by other parts of the private sector economy.

The facts are that we are seeing a significant reduction in greenhouse gas emissions for our city overall, but it has always been the case that the largest amount of electricity used in the ACT economy has been in the commercial office sector. That is why it is so important that we take the steps we are taking today to decarbonise our electricity supply. If we want to meet our greenhouse gas reduction target then we need to shift to a renewable energy future.

Just today it became clear to me that other cities around the world, and indeed other cities in our region, are taking similar steps. The Auckland City Council, for example—the largest city administration in New Zealand, with a population of over one million people—has set a 40 per cent greenhouse gas reduction based on a 1990 base year to be achieved by 2040. That is a less ambitious target than the ACT's, but it is still a very strong carbon reduction target, and one which they have set out will be achieved in particular through a transition to renewable energy and improved energy efficiency.

The ACT is not going it alone here. The only people who are going it alone are those opposite who fail to recognise the need to make that transition to a renewable energy future and to an energy efficiency future.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, why did electricity usage sourced from renewable energy decrease in the Environment and Sustainable Development Directorate last year, according to the department's 2012-13 annual report?

MR CORBELL: The reason for that is consistent with the government's decisions across all government administrations to reduce our purchase of green power product and increase our expenditure on energy efficiency. What you will also see in that annual report from the Environment and Planning Directorate is that the Environment and Planning Directorate has dramatically reduced its overall energy consumption as a result of shifting taxpayer dollars from purchase of green power to energy efficiency. Of course, the most efficient steps we can take and the lowest cost we can have is in energy efficiency. That is why the government is redirecting that power purchase. Overall, we are increasing the level of green energy in the ACT electricity grid through the large-scale feed-in tariff schemes. That is decarbonising our electricity supply. But at the same time we are investing—

Opposition members interjecting—

Ms Berry: A point of order, Madam Speaker.

MADAM SPEAKER: Stop the clock. A point of order, Ms Berry.

Ms Berry: The people on the other side of the chamber have been referring to the minister in a way that is unparliamentary and I ask that they withdraw.

Mr Coe: I seek your ruling as to whether “decarbonising” is out of order.

MADAM SPEAKER: “Decarbonising” is not out of order.

Ms Berry: Madam Speaker, it is a new word, I think, that has been invented by those opposite while they have been making fun and they have been referring to the minister as the “decarboniser” or the “decarbonator”, when he is the Minister for the Environment.

Mr Hanson: On the point of order—

Mrs Jones interjecting—

MADAM SPEAKER: Order, Mrs Jones! You are not helping. On the point of order, Mr Hanson.

Mr Hanson: Yes, Madam Speaker. Mr Corbell referred to the fact that the government was doing everything it can to decarbonise. I think he characterised himself as the person leading the decarbonising effort. I would have thought he would take it as a compliment that he was the decarboniser, and it should not be ruled as unparliamentary.

MADAM SPEAKER: The general rule is that you refer to people when you are addressing them or speaking about them in a speech by their title. So it could be considered frivolous of members of the opposition to refer to Mr Corbell as anything other than Mr Corbell or by his ministerial title. I will remind members of that. Also there was no particular issue addressed to Mr Corbell on this occasion. But I think I need to be consistent and remind members that rulings and the former practice in this place have been to refer to members by their name or their title. I still do not think it is a point of order, but I think it is worth reinforcing.

MR CORBELL: You could accuse him of being frivolous, Madam Speaker, but you can certainly also accuse him of being irrelevant. The government’s objective is twofold. First of all, it is to reduce the carbon intensity of our electricity supply, to decarbonise it, and secondly to reduce consumption to better manage demand. The government is doing both of those things, and the Environment and Planning Directorate is an excellent example of that in practice because there are a whole range of energy efficiency measures supported through, amongst other measures, the government’s carbon-neutral government fund arrangements. We are seeing significant reductions in consumption in government office buildings. That is a good thing for taxpayers’ dollars. It means less demand for electricity overall. That reduces our electricity bill. At the same time the government continues to support the deployment of renewables across the—(*Time expired.*)

MADAM SPEAKER: Supplementary question, Dr Bourke.

DR BOURKE: Minister, could you tell us more about what these energy efficiency actions which you mentioned in your answer are?

MR CORBELL: What we have seen is a whole range of actions across the ACT administration by a range of directorates to reduce their electricity demand and therefore reduce the territory's electricity bill, save taxpayers' money and actually allow taxpayers' money to be used on other things, because we are reducing our electricity costs.

In the Environment and Planning Directorate, measures have included changes to heating and cooling systems in terms of the activation of those systems. There have also been changes to the lighting systems in those buildings, to move to movement-sensitive lighting that switches off when there is no-one moving in an area or no-one present. Again, that reduces the overall demand for electricity. Changes to heating, ventilation and cooling systems, HVAC systems, in buildings have also made significant improvements.

Equally, the government is deploying renewable energy on a number of its own premises. For example, when I launched the carbon neutral government fund, I highlighted that at the Ainslie fire station we have installed quite a significant solar array on top of the Ainslie fire station. As a result, we have reduced energy consumption at the Ainslie fire station by over 20 per cent. The Ainslie fire station was quite a large user of energy. Equally, we have done the same at the Forensic Medical Centre at the new west Belconnen fire and rescue station out at west Belconnen. Solar is an integral part of the sustainability of both buildings.

We are investing as a government in smarter energy use, renewable energy use and energy efficiency. That is exactly what we need to do as we make that transition to a low carbon future.

MR SMYTH: Minister, how do you expect to increase this yearly reduction to 305 kilotonnes given that the decrease in greenhouse gas emissions in 2011-12 was only 107 kilotonnes?

MR CORBELL: The 2011-12 figures are very encouraging but, as members would note, there is a lag time in the reporting of data on a financial year to financial year basis, and that is driven by the data collection arrangements that we rely on, particularly through commonwealth agencies who are responsible for some of those data inputs.

What that means is that there is about a two-year lag between actions and when we see the audited results from the ICRC because of the data collection challenges involved. But what we know is that that decline in greenhouse gas emissions is before there were a range of national measures in place, in particular in the period that the carbon price was in place, but also it was before this government had commenced its large-scale renewable energy program and before this government had commenced the energy efficiency improvement cost of living scheme which were designed to reduced carbon emissions and save households and businesses money on their electricity bills.

It will be very interesting to see in future years the impact of those measures as they come through in the audit period. We know what it is we need to do to achieve our 90 per cent renewable energy target; we know what it is we need to do to meet those targets. The most recent audit outcome confirms that per capita emissions continue to decline from 12 tonnes per person down to approximately 11 tonnes per person. We know that emissions have reduced for the first time in this reporting year—that is a very encouraging outcome—and we know that the level of renewable energy has increased. So we are on the right track, and the only ones who will divert us from that are those opposite.

Floriade—support

Mr Hanson interjecting—

MADAM SPEAKER: Order! I would like to hear Ms Porter.

MS PORTER: Thank you very much, Madam Speaker. My question, through you, is to the Minister for Tourism and Events. Minister, with Floriade well underway, could you please update the Assembly on how the government is supporting this important event?

MR BARR: I thank Ms Porter for the question. Members would be aware that Floriade is the largest floral festival in the Southern Hemisphere, and I am pleased to advise that it has recorded a very strong start in 2014. Consistently strong crowds have attended on each of the first 10 days. The excellent weather has certainly contributed, as has a great program of events, a strong marketing plan and, indeed, the NightFest element of Floriade that kicks off tonight. It is important to stress that, after 25 years—there was a short period when the previous Liberal government decided to charge for the event—the event remains free and is open seven days a week.

Floriade 2014 has four themed weeks which have this year been based on our city's four key tourism pillars: arts and culture, food and wine, family fun, and outdoors and adventure. Floriade has a leading role in promoting the capital region. The duration of the event and its high profile provide an ideal reason for repeat visitation and a very positive platform to advocate for Canberra and the region as a tourism destination.

It is an economic stimulus for the territory and, as the flagship tourism event for Canberra, it provides our tourism industry with an opportunity to showcase the wide variety of experiences that the city offers and gives visitors a reason to visit and extend the length of their stay. The government works with all levels of the tourism industry to deliver on the strategic goal of boosting visitation and encouraging visitors to extend their stay and experience our attractions beyond Commonwealth Park and Floriade itself.

This year the strong marketing campaign for the event included the official program, with a 250,000-copy print run, distributed through the Fairfax news network. That covered Canberra, the South Coast, Illawarra and southern New South Wales. This campaign included detailed information about the event and enabled the local tourism industry to showcase a range of experiences in Canberra through advertising and editorial support.

As a result of Floriade, visitors stay at Canberra's hotels and other accommodation, they dine out, they take tours and visit other tourist attractions, all of which have a direct contribution to our local tourism industry. Last year's event attracted just short of 450,000 visitors through the gates, which was the second largest attendance in the history of the event. We are heading into, I think, the bigger part of the Floriade program which is coming up—we have two long weekends coming—so Floriade is on track for a significant attendance in 2014.

I would like to take this opportunity to acknowledge that it does take a large number of people to make this event occur each year. I would like to take the opportunity today to thank everyone involved and to make a particular mention of Neal Guthrie whose last day with Events ACT was the opening day of Floriade 2014. Neal has made an enormous contribution to Floriade and the ACT government over 12 years. He will be missed but we wish him all the very best in future.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, could you tell the Assembly about the Floriade NightFest program which you mentioned starts tonight?

MR BARR: The NightFest starts tonight and runs through until Sunday. It features a range of amazing light shows. We have guest comedians, roving entertainment and night markets. The light shows include the rhododendron garden, which will be transformed by ambient smoke and 50 giant illuminated flowers. The media preview last night, I understand, has people very excited about this exhibition. It will be a great opportunity to showcase light and the park in the dark.

There will be a floral globe glowing surreally in dark blue under UV strips, and a collection of giant water lilies floating on the star-lit Nerang pool. There is an automotive garden that has real traffic lights and street lights, along with a soundtrack accompanying a light show with revving engines and the like. There is a sports ball garden bed featuring stadium lighting where visitors will be able to jump on a specially designed pad to power the lights; the more people jump, the brighter they get.

Along with the light shows, the Moonlight Lounge will host a line-up of comedy and local DJs, headlined by Luke McGregor, who is performing until Friday, and Tom Gleeson, who is performing on the weekend. I think I can say confidently that the comedy that will be available at NightFest over the next five nights will far exceed everything we have experienced in question time today, particularly from the Leader of the Opposition.

MADAM SPEAKER: Supplementary question, Dr Bourke.

DR BOURKE: Could the minister please update the Assembly on Floriade's charity partners and how they are using experiences and events to raise awareness of their important causes?

MR BARR: A really important element of Floriade is the charity partner opportunity that we provide for two charity partners each year. This year, the RSPCA and the Independent Property Group Foundation are the charity partners.

The Independent Property Group Foundation have the “My cubby house rocks” project where some of Canberra’s most well respected construction professionals have built six architecturally designed cubbyhouses, including one that is fully disability accessible. They are being showcased on site for the duration of Floriade, and lots of kids—lots of kids and lots of adults—have taken the opportunity to test them out. Five of the cubbyhouses will be auctioned off on the final day of the event, which is the 12th. Funds raised will be donated to the Centenary Hospital for Women and Children and to the Boundless Canberra project. The sixth cubby house will be raffled. That will give everyone the chance to take one of these fantastic cubby houses home.

The RSPCA are offering a range of activities and talks designed to raise awareness of the important work that they do in the community. In particular, visitors are encouraged to donate to the RSPCA on 7 October, when Floriade holds its first ever “Dogs day out”, which promises to be a great day in the park.

MS BERRY: Minister, why is it important for the government to support Floriade?

MR BARR: It is a significant economic event for the city. Last year’s event achieved outstanding results in terms of overall attendance and economic impact for the ACT. In 2013, of the nearly 450,000 people through the gates, over 105,000 were interstate or international visitors who came to Canberra specifically for Floriade. We have a component of visitor numbers, people who come specifically for Floriade, from interstate and from overseas, and we have a component who are here anyway and take the opportunity to visit the event. The direct expenditure in our economy from the event is just short of \$40 million—\$39.9 million for the 2013 event. This was a significant increase of over 30 per cent on the 2012 event and it is the largest financial contribution to the region in the history of Floriade.

The average daily expenditure of visitors increased by a third to \$180 a day last year, and this is consistent with other major events that Canberra has hosted in recent times, including some of the major sporting events—the Rugby League test, the one-day cricket international, as well as other major cultural events like the Toulouse Lautrec and Turner exhibitions at the National Gallery.

Last year we achieved exceptional results for the event. Given that this year’s attendance figures for the first 10 days of Floriade are up by about 20,000 people on last year, we are looking forward to another outstanding result for Floriade 2014.

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

Supplementary answers to questions without notice
ACTION bus service—network
Territory and municipal services—Narrabundah playground

MR RATTENBURY: Earlier today Mr Coe asked me about the direct bus services from Crace to the city. Prior to network 14, the route through Crace was connected to

the city via Harrison. This was considered a very circuitous route from Crace to the city, and one of the objectives of the network change was to make the routes more direct, which was based on customer feedback. The experience of network 12 was that most people were connecting at the Gungahlin marketplace. In the new network 14 the Crace service now terminates at the Gungahlin town centre and it connects with the higher frequency Red Rapid to the city. This is what most people were doing anyway. Buses to the city depart Gungahlin every few minutes in the morning peak, so there are a large number of connections for residents of Crace to connect to at the market place.

Further, earlier Mrs Jones asked me about the Narrabundah playground. This is actually in my letter to Mrs Jones but she did not mention this in her question. The vacant block is currently zoned as community facilities land in the territory plan; therefore the construction of a playground on the land would not be supported. Additionally, in line with ACT design standards for urban infrastructure, the block size is small and would be unable to accommodate a playground. Mrs Jones then asked me about the size of the existing site, and my advice is the design standards have probably changed since that previous playground was constructed in the 1960s, if in fact there were any design standards at that time.

Unparliamentary words

Statement by Speaker

MADAM SPEAKER: As I said just before we adjourned for lunch, I said I would come back in relation to a point of order raised by Mr Gentleman just before the adjournment.

Mr Gentleman took exception to words that Mr Wall spoke. To put them in context, he said:

... we have got them paying clean start for cleaning in some government buildings; and then, in other instances, when a tender goes out, they say, "We will pay a hybrid." The complexity and the red tape that adds to a business are nothing but prohibitive. For those opposite to stand up and claim anything else is just dishonest.

I think these are the offending words:

For those opposite to stand up and claim anything else is just dishonest.

Mr Gentleman took a point of order. I presume that you were referring in fact to the ruling which I thought was the case, which is outlined on page 170 of the *Companion to the Standing Orders*, at paragraph 10.83, which refers to the ruling by Mr Cornwell in 1996, referring to a previous ruling in 1981 by Speaker Snedden in the House of Representatives, where Speaker Snedden said:

I think that if an accusation is made against members of the House which, if made against any one of them, would be unparliamentary and offensive, it is in the interests of the comity of this House that it should not be made

against all as it could not be made against one. Otherwise, it may become necessary for every member of the group against whom the words are alleged to stand up and personally withdraw himself or herself from the accusation.

I think the general practice in this place is that, if an unparliamentary comment is made about a group in this place, it is the same as if it were made against an individual, and I have made rulings along that proposed line. However, on reflecting on Mr Wall's words, and on advice, I think that the words are pretty much lineball. He did not say that the members opposite were dishonest; he said that if they maintained a particular point of view then they would be dishonest. I think there is a conditional sense in that, and on that basis I will not rule it as unparliamentary but I will remind members to be careful of their words.

Industrial relations—workers' rights and conditions

Debate resumed.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health, Minister for Higher Education and Minister for Regional Development) (3.40): I welcome the opportunity to talk on this important motion that Ms Berry has brought to the Assembly today. It goes to issues that are very important in the lives of all Canberrans, whether they are currently in the paid workforce, supporting someone who is in the paid workforce or has retired, or is a young person looking to enter the workforce. We know that having fair and equitable work conditions, a good strong industrial relations system which allows all workers and employers to have a level playing field, and very clear rules and regulations about how workplace employment arrangements should occur is a standard of any modern economy. It is important here in the ACT that we continue to look at ways to support those who are in the workforce and to ensure that peoples' hard fought for work conditions are protected to ensure that people not only get good value for their labour but also that it supports and encourages economic prosperity across the community.

We know that complete labour market deregulation is a bit of a unicorn for the Liberal Party—against rationality and sense, the quest appears to be ongoing. Repeatedly and very clearly the Australian people have said they expect the government to preserve balance in our workplaces. When they have not believed there is balance being provided they have voted against those unfair agendas, none more clearly so than against John Howard's Work Choices changes of 2007. Indeed, you can see how much damage that agenda had impacted on the conservative side of politics when you have Tony Abbot saying, "Work Choices is dead, buried and cremated," and when Joe Hockey is quoted as saying, "We just went too deep. It was a mistake."

Neutral observers have also observed how the balance between market determination and government protection has served our economy well, particularly recently through the global financial crisis. Prior to last year's election, the Liberal Party policy statement made some very moderate commitments about the proposed amendments to the Fair Work Act. It said they would "guarantee workers have the right to access fair flexibility", "give underpaid workers a better deal", "deliver a genuine paid parental

leave scheme and lift female participation rates in Australian workplaces” and “ensure union right of entry provisions are sensible and fair”. Unfortunately, history has taught us to be wary when the Liberals talk about fairness and flexibility in the workplace.

In the draft legislation before the Senate, it seems on the surface that this scepticism is vindicated. As Ms Berry’s motion asserts, there are some deeply concerning elements of this legislation. In seeking to offer supposed flexibility and a better deal for underpaid workers, individual flexible arrangements have emerged. Some will say they offer nominal flexibility for when a change in working arrangements suits employer and employee. At face value this idea works okay, and we did see some companies and workers negotiating in good faith to save jobs during the GFC.

However, the GFC experience suggests there is no real impediment to this type of flexibility in the system today and the general fear is that the individual flexibility arrangements once again throw the bargaining relationship out of balance and take protections from vulnerable workers. The Liberals have a historical misunderstanding of the power imbalance that exists between employer and employee. When government rightly steps in to provide a wage safety net, the legislation needs to be strong and robust. We do not need amendments which blow holes in this safety net and offer new ways to drive wages down.

Looking at the commitment to deliver a genuine paid parental leave scheme, we know some of the changes that have been made to this scheme and the cuts that were made in the budget process. However, in the amendments to the Fair Work Act, it seems that support for parental leave is waning even further. It is set to become harder for people to seek extended unpaid parental leave, as the onus on employers to say yes is removed. Instead, the onus is on the worker to sit down and persuade their employer to keep them on the books while they care for their child. Again arises the assumption that any employee can sit down with their employer with equal power and “discuss” a request for leave. New transfer of business provisions appear to give new opportunities for clever organisational restructuring to get around company obligations to workers. Again, when it comes to basic workers’ rights around wages and entitlements, government should be closing loopholes not opening them up.

Finally, the amendments go back into the space of union right of entry. Perversely, in an effort supposedly designed to improve productivity, new requirements seek, at best, to force new red tape on businesses in order to accommodate union officials. Reading between the lines, of course, it is a clear effort to reduce union access. How would this work in Canberra? It would certainly give the building unions less access to building sites to ensure that safety requirements were being met. We know how important they have been in recent years, with the high rates of workplace accidents that have existed on ACT construction sites and the many times they have gone onto those sites with WorkSafe and ensured that those sites were shut down until appropriate action had been taken.

Also, there are unions like the CPSU, with lesser access to public servants on the brink of redundancy to explain their rights and provide supports, and United Voice, with less access to cleaners who work in office buildings across the city, for workers

who I think we would all acknowledge on an individual level have very little bargaining power at times although when they join with their union they have delivered a much stronger outcome.

The great problem with the thinking behind much of this reform is it does not exist in the real world or the real economy. It assumes the best of employers, the worst of unions and the perpetual wisdom of a deregulated labour market. This misguided approach does not reflect the lessons of recent years, whether nationally or here in the ACT, with 20 years of low inflation growth which came out of the accord period and the establishment of Australia's enterprise bargaining system; the willingness of unions and workers to reform working arrangements when given adequate consultation and rights; or the vested interests and irrational behaviour which can distort and damage the experience of working people.

Australia, and Canberra in particular, are high-skill, high-tech, high-wage economies. These are economic advantages established over time which need to be leveraged not undermined. Furthermore, if you look just beyond the immediate self-interest of those who might advocate labour market deregulation, it is clear that a more stable, healthy, fairly paid workforce is ultimately one which will drive future economic activity and growth.

Locally, this government have had a very strong record of ensuring and, in fact, enhancing working people's rights and conditions in the workplace, whether that be through the changes we have made through occupational health and safety, the extension of a number of portable long service leave schemes to ensure that those workers working in portable industries do have access to appropriate conditions for the length of service in which they serve and also in terms of the approach we have taken to our own employees.

I think what can be shown very clearly through this approach is that, where we have a strong economy, we have very strong protections for working people through the legislation that we have control of. We do have, of course, the federal workplace regulations laws which also govern the ACT, but we have taken steps and, as an employer, I think we have tried to lead the way in enhancing conditions such as maternity and paternity leave entitlements, volunteers leave, carers leave, a whole range of conditions which seek to make the ACT public service an attractive place to work.

I think it is that recognition that good working conditions, good remuneration, a positive employer that is engaged with their employees and seeks to resolve any workplace conflict through consultation and mediation is a much more preferable set of arrangements to foster growth and innovation and jobs than one which seeks to remove and reduce and constantly talk down hard fought for conditions that have been sought after many years. I will continue to argue for that. I think this motion is very timely, and all members in this place should be talking about enhancing people's working conditions rather than reducing them at this time.

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Housing and Minister for Tourism and Events) (3.50): I

am very pleased to be able to speak on Ms Berry's motion today because protecting workers will always be at the heart of what the Australian Labor Party is about. Ms Berry has already canvassed this morning why the Fair Work Amendment Bill is an egregious attack on workers' rights. I would like to the opportunity this afternoon just to make a few additional points on why these rights are important for economic prosperity.

Keeping people in work and ensuring that their working conditions are fair are vital for the long-term growth of an economy. As this side of the chamber has noted on many occasions in this place, keeping people in work helps to alleviate pressure on community services, on charities and, of course, on the government budget. Further, a strong employment base helps to create a vibrant city. More people in work means more economic activity, more people spending in our local businesses and greater utilisation of services, and, of course, all of our service and hospitality economy benefits from more people being in work.

Joblessness imposes a high social cost on the individual and their sense of self worth, and on their family and, importantly, leads to a loss of connection to the community. What is more, fair working conditions are essential to ensure that workers are able to participate fully in our society by receiving fair rates of pay to enable a decent standard of living and by ensuring that there are adequate safeguards in place in order to enjoy the benefits of being part of a society. And that is everything from being able to pick up your kids after school to participating in community events and activities. By ensuring that workers have fair rights and conditions we are ensuring that our human capital is put to best use. Do we really want a society where there are considerable social and economic costs imposed from people not having fair working conditions or a reasonable work-life balance?

One of the best ways to support workers is, of course, through the encouragement of sustained job growth in order to ensure that as many people as possible are able to enjoy the dignity of employment. The Gallagher government is committed to keeping Canberrans in work and boosting the number of jobs being created in the territory. We have a very strong track record of supporting jobs, and I would like to spend some time now outlining how the territory government is helping the private sector to grow and create jobs.

In 2012 I issued the business development strategy for the ACT that had three key strategic imperatives: fostering the right business environment, supporting investment and accelerating innovation. The range of policies that have been implemented to foster the right business environment include implementing a local procurement policy which gives local and regional small and medium sized enterprises a favourable weighting when bidding for ACT government contracts; raising the payroll tax threshold to \$1.85 million, which ensures that the territory has Australia's most competitive payroll tax regime for small and medium businesses; and cutting red tape through the red tape reduction panel, which has overseen a number of initiatives with more to come, including increasing the majority of business licences to a three-year term, reducing the need for businesses to seek annual renewals of their licenses. The Fix My Red Tape website now allows businesses to easily bring issues to the government's attention. Further, I recently introduced into the Assembly the Red Tape Reduction Legislation Amendment Bill.

We have also worked with our colleagues nationally through the Australian business number/business names registration project, where the ACT integrated its business naming functions with the national system last year and now delivers business licence information through the nationally coordinated Australian Business Licence and Information Service. Through Canberra BusinessPoint, which is part of the CBR Innovation Network, we deliver free business advice and support services to a wide range of new and existing businesses.

To support new business investment in Canberra the government has established Brand Canberra to create a fully integrated city brand that provides a consistent, cohesive and creative approach to the marketing of our city. We have established Invest Canberra, a dedicated investment promotion and facilitation service, which again is a free and impartial service to open doors for businesses to help drive investment further by providing intelligence on the local market, by fostering business connections and offering support through the investment decision and execution process. We have also continued to encourage highly skilled workers to live and work in the territory through our skilled migration processing system.

To accelerate innovation, the government has established the CBR Innovation Network. The network will have a specific remit to assist high-growth companies—companies that will return the greatest investment from limited resources. The network is about more than just IT companies and research institutions. It is a holistic approach to growing the ACT's innovation ecosystem. All companies will benefit from the identification of gaps in the market and the development of strategies to address them.

The city's digital action plan is also driving innovation. This plan is all about digital enabling—helping everyone and everything to go digital, to do more things online more efficiently, to drive inclusiveness and social entrepreneurship and to raise the overall productivity of our economy.

Other programs the government has in place to complement the programs I have outlined include global connect, which helps companies to access export markets; innovation connect, to accelerate viable and creative ideas along the commercialisation pathway; CollabIT, which promotes SMEs as innovative companies and establishes partnerships between government agencies, SMEs and multinationals in the ICT space; and the government's continued funding and support for NICTA.

Madam Assistant Speaker, the government has a strong track record of supporting business in the territory, particularly small and medium sized enterprises. Whilst we have seen in Mr Smyth's amendment and in his contribution and that of Mr Wall a highly ideological attack on workers, the government will continue to support and protect working people in this city—its core values for the Labor Party—and I commend Ms Berry for bringing this motion to the Assembly today.

MS BURCH (Brindabella—Minister for Education and Training, Minister for Disability, Minister for Multicultural Affairs, Minister for Racing and Gaming, Minister for Women and Minister for the Arts) (3.57): I thank Ms Berry for bringing

this matter to the Assembly. I want to talk in support of this motion. Indeed when we think about what has been said today, it is quite clear that those on this side of the bench absolutely support workers and workers' rights and those on the other side of the bench have scant regard for them. Indeed what we heard from Mr Wall is that he supports business, by saying that these changes simply do not go far enough. We believe that the changes form a real risk to many in our community. We will be saying that constantly to make sure that those in our community are supported.

I go to a recent article in the *Canberra Times* that spoke about this. On 1 September an article in the *Canberra Times* by Jenna Price made some commentary about the Fair Work Amendment Bill. I will read extracts from it:

And this is why I am completely baffled by the silence—

she was making reference to Work Choices—

over the Fair Work Amendment Bill ...

Rae Cooper, associate professor in employment relations, at the University of Sydney's Business School, says of the failed WorkChoices laws: "There was a massive outcry about the effect of AWAs, particularly on those most vulnerable in the labour market."

She says there are more protections in the present Fair Work Act than under the WorkChoices arrangements. But there are still some challenges. Sure, employees have to put in writing that their flexible work arrangements will leave them better off. But, seriously, unless you are a person with a great deal of power in your workplace, how are you going to argue with your boss?

I think therein lies the difference. What we have heard from those over there is that this is fine and that the amendments operate in a level playing field. Nothing could be further from the truth. The article goes on to say:

The disparity of power regardless of signatures on contracts is still significant.

There is also a reference that she is particularly concerned about young people, and particularly those working in the service industries. We have heard from Mr Rattenbury and others this morning about the potential impacts of changes to the conditions for young people in our community under the federal Liberal government. The article goes on to say:

But I swear, I'd rather have someone overprotecting me in the workplace than throwing me to the dingoes of downtown.

That is in relation to the support of unions. The article continues:

These changes will make it possible for employers to offer individual contracts that will cut take home pay and go below the award minimum. Basically, offering pizza for pay ...

Why are these changes an attack on women?

More women are paid at the award minimum than men. Women are the ones who work in the cafes, community workers, childcare workers, cleaners ...

When Abetz was trying to sell this concept last year, he said: "It stands to reason that [a mother] would be trading up by sacrificing penalty rates two days a week for the non-monetary benefit of spending time with her children."

That is a quote from Senator Abetz. The article then makes this comment:

So, we are more poorly paid, we are more likely to work at award rates, and less likely to have the opportunity to advance. And somehow, now, we are expected to make another financial sacrifice.

If this gets through, no one will be monitoring these arrangements ... "What we really need is to protect employees, we need some mechanism for lodgement and review of content."

There is reference to a Michele O'Neil, who said:

"We have already seen K-Mart vouchers for work on a Saturday. This is exactly the sort of trade-off that companies will try and impose on workers."

That is an extract from an article in the *Canberra Times*. I would ask anyone here, on either side of the chamber, whether they think it is fair and reasonable that we trade off conditions for Kmart vouchers. Would we offer, to women who work casually at Kmart or to young people who usually work part time and whose first jobs are in industries such as this, to reduce their pay and conditions and give them Kmart vouchers? I think it will be a very sad indictment of our society if this gets through—and, indeed, of the Liberal Party that would support it.

There is no doubt that the amendments introduced in the Australian parliament have been presented as fair and reasonable, but nothing is further from the truth. We know, and the people of the ACT know, that when the coalition talks about a common-sense and practical approach to workplace relations, as Senator Cormann did in the Senate, this is code—code that marks the desire of the Liberal Party to reshape the industrial landscape of Australia. It is code to strip the rights of employees away, to destroy those who would seek to protect them and to seek the system that has served us well for over a century to be done away with.

We are starting to get a sense of what the thinking of the Liberal Party is on industrial relations. Indeed we heard from Mr Wall this morning that he supports business. He said that these changes do not go far enough. That is quite a frightening thought, given that we are trading off Kmart vouchers—

Mr Wall interjecting—

MS BURCH: You can be on any side but you will be judged by your words, Mr Wall—that you could accept seeing Kmart vouchers being traded off for working on a Saturday, and you support that. I also make reference to Karen Andrews' speech on 26 August in Parliament House. She said:

I do not subscribe to the view that the spectre of Work Choices should forever cloud the coalition's approach to IR.

So she does not think it was bad. She does not think it should cloud judgement. Mr Wall says that these changes do not go far enough.

In the few minutes remaining to me I will refer to a University of Sydney report to the Office of Industrial Relations in New South Wales, which stated:

These changes have included reductions in pay for already low paid workers, less certainty about wage rates and pay rises, intensification of work, weakening of job security, less financial independence, less money for children and basic household costs, less representation and say at work and in the community, and poorer health and wellbeing.

The same report goes on to say:

Women are struggling financially as a result of change at work and this is having a direct affect upon their capacity for independence.

Is that what we want for the ACT? Is that what we want to provide Canberra families with—less certainty, less opportunity, a reduction in financial independence, and less money for children and basic household costs? It is not the Canberra I want, and from what I have heard this morning, it is the Canberra that the Canberra Liberals are happy to serve up.

In regard to the IFAs, this is indeed a frightening concept. The panel has made recommendations. It is not what the Liberal Party is proposing, but let us be clear, as we have heard from others who have spoken in this place today, that the changes to the IFAs will have a significant negative effect on workers, and predominantly on women in the workplace. I will not stand here and accept that that is the Canberra I want to see. I commend Ms Berry for bringing this motion to the Assembly. It should stand as it reads, and we should all in this chamber do all we can to protect workers' rights. (*Time expired.*)

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (4.08): I am pleased to rise to speak on the amendment, and also on the substantive motion brought forward by my colleague Ms Berry earlier today.

This is an important motion. It is an important motion because it goes to the heart of whether or not people are entitled to have their labour appropriately rewarded, and whether or not they are able to ensure that when they are working in a workplace, they are treated fairly, and that they are not put under undue pressure to have their wages and conditions wound back by their employer.

Of course, this has been one of the fundamental issues that Labor, throughout its history, and Labor federally and locally more recently have been extremely conscious of, and have worked to protect and uphold, particularly through the passage of the Fair Work Act.

We see the fair work legislation under threat from the new Abbott government. We see the minister, Senator Abetz, deliberately working to undermine some of the core tenets of the Fair Work Act, to undermine the capacity for employees, for workers, to protect their rights and conditions.

What is particularly concerning are the provisions that Ms Berry has focused on in her motion—the amendments, for example, to expand the provision to allow the consideration of non-monetary benefits in the “better off overall” test. This, of course, opens the door for employers to negotiate individual agreements which require employees to forgo overtime or penalty rates.

This Assembly, and indeed those members opposite, has just supported amendments to our own holidays clause that ensure that, when people are asked to work on Christmas Day, Boxing Day or New Year’s Day, and those days fall on the weekend, they are able to claim penalty rates. That is the effect of that amendment. The effect of that amendment, which this Assembly has supported, is to make sure that when people are asked to work on those days—perhaps, say, they work in hospitality or they work in retail and they know that they have to go to work—they are able to claim the penalty rate for that work.

Previously those days were not declared public holidays, and you could not claim the penalty rate for a public holiday. Even though the rest of us enjoy the privilege and the luxury of having those days off, knowing that if they fell on a weekday, they would be captured, for example, through public sector agreements, that is not the case, and was not the case, until the passage of those important laws.

That is a good example of how ACT Labor locally is acting to protect the interests of people in the workforce. This motion highlights that some of those things are at risk if we see the federal Liberals try to achieve the outcomes they have set out in that bill. So it is important that we bring these issues to the attention of the Assembly today.

We have also seen issues around paid parental leave. We know that under the current Fair Work Act an employee taking unpaid parental leave may request their employer to extend the leave period for a further period up to 12 months, and that can only be refused on reasonable business grounds. The amending bill that is before the parliament would require the employer, before refusing a request, to give the employer reasonable opportunity to discuss the request, but it places no onus on the employer to actually consider that request, because there is no oversight of that process, and the Fair Work Commission is not able to look at those matters.

That is not a fair outcome. That means, in what is already an unequal bargaining arrangement, that the employer potentially can take advantage of those provisions. I am sure there are many who would not, but our concern is about those who would, and we know that those employers exist. So it is very important that we focus on protecting the interests of workers in those circumstances.

This motion also highlights the fundamental differences between Labor and those on the other side of this place and their counterparts up on the hill. As a political party,

we have long stood for ensuring that the interests of those in the workforce, those who contribute their labour in either the public or the private sectors, are appropriately protected, and that they have the capacity to enjoy conditions of employment which respect their basic dignity and the connections they have with community and family.

What we see through this bill that we are discussing in the context of this motion is an attempt to start to undermine some of those very important protections. We will hear claims about flexibility and we will hear claims about productivity, but I do not think it is reasonable that if you are asked to work on a weekend or a public holiday, what you get paid is the same as you get paid on a weekday. I do not think that is reasonable, because they are weekends and they are public holidays for a reason. They are there for people to do things outside their economic lives, to contribute to their community socially, to connect and reconnect with their families. If those things are undermined then we undermine the sense of community and the sense of connectedness that builds a society, not just an economy.

These are very important issues. They are at the heart of what Labor is about, both federally and locally. It is very important that we bring them to the attention of the Assembly today because there are many people in our community who will be affected by these changes, and they know they will be affected by these changes, and they are concerned about those. It is not those like us who perhaps have more influence and more capacity to manage these issues; it is those people on lower incomes, and those people with less capacity to influence their day-to-day circumstances, particularly their work circumstances. That is why these protections are in the Fair Work Act in the first place and why they should remain—why they should not be insidiously eroded away, insidiously chipped away at, which we know is the agenda of the federal Liberals.

They said at the last election, “No, we’re going to keep the Fair Work Act. There are not going to be any changes to it.” Equally they said that Work Choices was “dead and buried”. Of course we know that is not a very fair claim for them to make because we know what their agenda is. It is to radically restructure labour laws in Australia. It is to undermine the capacity of ordinary people to enjoy that connection with their society, with their community, with their family. They are not just economic units of labour; they are people with connections, with community and with family. That is what these provisions are fundamentally about protecting.

We understand what the agenda is from those opposite. We know what it will mean for people here in Canberra and we are determined to bring those issues to the Assembly’s attention and, equally, to stand against those changes because of the detrimental impact they will have on so many people in our community.

MS BERRY (Ginninderra) (4.16): I will start by noting Mr Smyth’s anti-union show in response to my motion and suggest that he gets used to me bringing the voice of organised labour into this place, because I will do that at every opportunity. I also note that Mr Smyth did not put that same show on when the ANMF were in here, but perhaps it is not the ANMF that will have their members’ penalty rates removed; perhaps it is just low paid workers who would have their penalty rates removed that Mr Smyth would be supportive of.

I also wanted to make some comments regarding some of the things that Mr Wall said in response to my motion. I am glad he brought up clean start, something I was particularly proud of being involved in and continue to support. I want to bring to Mr Wall's attention that some of the people who support clean start who he referred to earlier might be a bit dishonest for their support of the clean start agreement.

At the re-signing of the clean start agreement in the ACT Assembly, there were religious and community leaders present, including Imam Adam Konda, Canberra Islamic institution; archpriest Father Ilija Dragosavljevic, Serbian Orthodox Church; Diana Abdel-Rahman, President, Australian Muslim Voice; and Bishop Pat Power, retired Roman Catholic bishop. I wonder if he has spoken to those people or the 16 cleaning contractors who re-signed the clean start agreement. And I wonder whether he has spoken to Canberra cleaner Chris Wagland, who says:

I've been a cleaner for 29 years. I work to provide for my three sons and their futures. I take pride in my job and want to be supported to do it properly.

Before Clean Start, the industry hit rock bottom. Things were really tough for cleaners like me. We were under more and more pressure. It became impossible to do the job well. That's when I decided enough was enough.

What's changed the most since Clean Start is the attitude. Cleaners have more self-worth and more confidence about what they do. I get more money, which is good, but the job security that goes with it is the most important.

My supervisors had their doubts, but they have come on side. They see the benefits of a win-win situation. With Clean Start, contractors can get work at a reasonable price without being undercut by dodgy contractors.

I'm proud of what we have achieved. We can't go back. Clean Start is the future for our industry ...

Perhaps Mr Wall might like to go and speak to the cleaners who clean the Assembly, who are also employed under the clean start agreement, or the contractor, who is a clean start employer. They see the benefits of providing their workers with decent wages and conditions, being an employer of choice because people choose to work for an employer that does the right thing by its employees.

With regard to Mr Smyth's amendment, I note at (a) he talks about "a legacy of high-cost and low productivity as a result of Labor's industrial relations policies". The answer to that from the Canberra Liberals is: "The solution is to let us pay them in coal." It is pretty clear from the real-world evidence that stripping conditions from low paid workers does not increase productivity, and it is really sad to see that the Canberra Liberals are still banging on that drum.

The Fair Work Amendment Bill directly affects businesses, employees, the ACT economy and the broader community. It is vitally important that members of the Canberra community are made aware of some of the changes that this bill will have and the effect that it has on their lives.

Mr Smyth also says in his amendment:

... the Coalition's proposed changes were announced approximately four months prior to the Federal election, and do not go further ...

We should trust them on that? We should trust that the federal Liberal government are not going to make any further changes? We can, of course, believe that that is never going to happen, given the record number of broken promises that we have seen from the federal Liberal government to date.

It is remarkable to hear the members opposite speak as if they are the defenders of business—and some unions, sometimes, when it is politically convenient. The reality is that the only people they are protecting are the federal Liberal party and the employers who choose to do the wrong thing.

Oversight of working arrangements is important. You only need to speak to any parent who is sending their teenage son or daughter off for their first after-school shift to know how vulnerable workers can be. I wonder how many of those parents Mr Smyth has spoken to. You only need to talk to a worker from a non-English-speaking background to know how little a signature on a genuine needs statement can mean—like some of the cleaners who clean this Assembly, who go into your office, Mr Wall, and empty your bins. You only need to talk to any number of the thousands of Canberrans who work in low paid industries like security, aged care and cleaning, where the contract-based service can change hands several times a year, to know how little choice they have when a company is outsourced or restructured.

Our economy is full of workers who have little capacity to bargain and whose financial position leaves them open to exploitation. We know what impact flexible working arrangements will have on them. When the last federal government increased flexibility in the workplace, hundreds of thousands of workers were moved onto AWA individual contracts. On average, 70 per cent of those workers lost shift loadings, 68 per cent lost annual leave loadings, 65 per cent lost penalty rates, 49 per cent lost overtime loadings and 25 per cent no longer had public holidays. We absolutely need oversight of any system to ensure that this does not happen again.

We need to protect workers in these industries, and we need to protect businesses who stick to the letter of the law. All I can suggest to businesses who are struggling or people who are wanting to set up their own business is that they please get the correct advice on how they do that—that they make sure they know what their obligations are as an employer; they know what their obligations are as a business owner; they make sure they pay their insurance for their employees; they make sure they pay their employees as per the award; and, if they want to be an employer of choice in this town, they make sure they treat their employees fairly so that workers will come and work for them because they are a good and decent employer and they do the right thing by their employees and by the community.

I commend the motion to the Assembly.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 8		Noes 9	
Mr Coe	Ms Lawder	Mr Barr	Ms Gallagher
Mr Doszpot	Mr Smyth	Ms Berry	Mr Gentleman
Mrs Dunne	Mr Wall	Dr Bourke	Ms Porter
Mr Hanson		Ms Burch	Mr Rattenbury
Mrs Jones		Mr Corbell	

Question so resolved in the negative.

Motion agreed to.

Transport—light rail

MR COE (Ginninderra) (4.29): I move:

That this Assembly calls on the ACT Government to disclose the annual ongoing liability taxpayers will take on as a result of the Labor-Greens decision to develop light rail.

I have moved this motion today because I think it is important for this Assembly, and indeed for all taxpayers, to understand the full ramifications of this government's blind commitment to go ahead with light rail. Before a business case was developed, before they had analysed any other routes, before they had even determined which mode would be best, the government flippantly went ahead with light rail from Gungahlin to the city without any genuine research to back it up.

While much of the debate to date has concerned the capital cost of light rail, the operational costs of the network will arguably be a greater burden for Canberra taxpayers going into the future. These operational costs are the costs incurred each year by the government in maintaining and operating the light rail network and would include salaries for drivers, cleaners, engineers and administrators, electricity costs, the cost of servicing the trams and much, much more.

It is well known that the government recklessly decided to proceed with the development of light rail before understanding the annual budget ramifications of this decision. The Greens minister, Shane Rattenbury, after signing the parliamentary agreement in November 2012, announced:

Light rail will come to this city as a result of this agreement. Canberrans will see works commence during the course of this term of the Assembly.

It is a shame that the backbone of Canberra's light rail network is in fact a political agreement rather than sound transport research. When I asked the minister in February last year what the annual operating costs of light rail would be he said:

The operational arrangements and parameters for Capital Metro are being defined; therefore it would be premature, at this stage of the project, to provide an operational cost estimate.

So the government made the commitment to proceed with light rail without understanding what the ongoing operational costs of light rail would be. It was blind ideology trumping sound government policy, and it will cost taxpayers dearly for years and years to come. For years we have heard from Mr Rattenbury and others that we should have empirical evidence to back up the decisions we make in this place; we should have sound, evidence-based policy. Well, here we have a political agreement based policy.

These costs are important to understand. The Gold Coast light rail, which opened in July, is rumoured to cost the Queensland government an estimated \$35 million in operational expenses—\$35 million—a year. As a capital outlay, this money could fund many projects to benefit all Canberrans. However, this is simply operating costs, not even capital. \$35 million could also be spent more wisely on current expenditure. We heard the debate yesterday about our failing health system. Maybe this money could be better invested in more nurses or doctors. Perhaps a fraction of this money could be spent to increase peak-hour buses to and from the city, something which benefits all Canberrans. The money could also be spent to fix gaps in our education system or to provide a higher standard of urban services.

Of course, not all of this money has to be spent. It can be provided back to the taxpayer through reduced rates, reduced land tax or indeed a reduction in motor vehicle registrations. Other fees and charges, such as the lease variation charge, could also be substantially reduced or pretty much removed.

It is important that the government is honest with all Canberra taxpayers. I have frequently asked the minister to be open about the operational costs of light rail, but he has continued to stonewall us. In fact, last week I asked the minister what the operational costs would be again. He refused to give me an answer. When I asked a similar question earlier this year, the minister replied:

This is associated with the development of the capital metro project, including assessment of the ongoing operational cost of the light rail project. Those assessments are subject to further consideration by the government as part of cabinet consideration of the light rail project.

Now that the government have subjected the full business case to cabinet and provided their tick of approval and the consultants have finished doing work, they should come clean on the operating costs of this new network. What will it cost the territory to run these trams when they open in 2020, 2021 or 2031 and into the future? What annual liability is this government imposing on the territory which will burden taxpayers of the future? What programs will have to be reduced or what taxes will have to be raised so that light rail can operate into the future?

Of course, the operational cost of light rail must be considered alongside the capital cost of the project. First the government told us that light rail would cost \$614 million. The Chief Minister then said that this figure would have to be inflated to 2014 dollars, and that cabinet's tolerance was in that order. She was, however, then to be corrected by the Minister for Capital Metro, who said that the costs had to be inflated when the trams began running some time in 2019 or 2021.

Last week the minister finally confirmed an updated cost of \$783 million after pooh-pooing my presumption that it would cost around \$800 million. Conveniently, the minister did not include the cost incurred by the Capital Metro Agency in this updated figure, so the true cost of light rail is now over \$826 million and counting.

When you combine the capital cost and the operational cost, you can see that this project does not stack up for the ACT. \$826 million and counting in capital cost, plus \$35 million each year in operational costs, is a huge amount. At this rate, light rail will cost the territory \$1 billion by 2025. However, we know a cost blowout is inevitable. It always happens with this government. This is the trademark of the ACT Labor government and, in particular, this minister.

What does this grand investment return to the people of Canberra? We know that just 13,700 people will catch the tram, according to the government's figures, which are not necessarily backed up by MyWay. Of course, only 3,500 people are predicted to catch the tram in the morning peak. This is less than one per cent of Canberra's population using the tram to get to work or school each weekday morning. Worse still, these numbers are a generous guess by the Capital Metro Agency. The *Canberra Times* reports this morning that only 8,000 people are using ACTION buses along Northbourne Avenue, while only 2,600 people are using ACTION buses on Northbourne Avenue in the morning peak.

The minister likes to promote the jobs that will be one of the great benefits of this project. The reality, as admitted in the government's own report, is that only 10 per cent of these jobs will be new to Canberra. The remainder of the jobs will largely be pre-existing jobs which would have been relocated from elsewhere in the territory and in fact will restrict development and activity in other areas of Canberra—as stated in its own report.

The minister also likes to promote the redevelopment of Northbourne Avenue. However, the government does not need light rail to redevelop Northbourne Avenue. We have seen this with Space and Space 2, Axis, the IQ apartments, the Haig apartments and many other apartments. In fact, just about all the land privately held up and down Northbourne Avenue has been developed to a very high density. It is, in fact, only the ACT government's own land immediately on Northbourne Avenue which is severely under the density which we have seen elsewhere on the avenue.

Ultimately, this light rail project is not a good investment for Canberra. The government was told in 2012 that an investment in the bus network was cheaper and provided double the economic benefits. The Productivity Commission, the Centre for International Economics, and Infrastructure Australia have also said that this idea does not stack up. Yet the government has recklessly committed to this project so it can retain power.

This is a decision which will leave a large burden on future generations of Canberra taxpayers. With almost every other infrastructure project you take on a significant asset, but here with light rail I fear that we will not be taking on an asset; we will be spending \$1 billion in capital expenditure to take on a massive liability that will be a burden for future generations of Canberrans. I urge members to support my motion.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (4.39): The government will not be supporting this motion put forward by Mr Coe this afternoon. I want to address a range of issues that Mr Coe raises in his speech. Also I want to address the broader, big picture that we need to think about when it comes to light rail in Canberra.

I note to start that Mr Coe continues to assert that buses are the preferable option along Northbourne Avenue, but we know that Mr Coe in this place has already ruled out turning the left-hand lanes north and south on Northbourne Avenue into bus-only lanes. We know he is on the record as saying that, if the Liberals had their way. That means, of course, that he wants to turn the median strip into a road. That is what he wants to do. Alternatively, the Liberal Party's position is that they do not want to actually give public transport priority at all on Northbourne Avenue.

We know that not giving public transport priority at all on Northbourne Avenue will lead to increased travel times for commuters in the morning peak. We know that it will mean a morning peak commute in the year 2031 of approximately 55 minutes for a 12-kilometre journey, and we know just how unacceptable Canberrans would consider such a morning peak commute if the Liberals—

Mr Coe: What's wrong with a road down the median?

MR CORBELL: What is wrong with a road down the median? I am glad that Mr Coe's position is to build a road down the median strip of Northbourne Avenue. We know how fundamentally wrong that is if we want to preserve the landscape corridor on Northbourne Avenue.

Let us turn to the issue of cost. The government has set out very clearly what the capital delivery cost estimate is, and that is what it is. It is a capital delivery cost estimate. It is used to inform the government's decision making. Contrary to the claims made by Mr Coe, the government's green light for this project to proceed to market is contingent on our consideration of the business case. We have considered that business case, and we have endorsed it. We have endorsed it because it shows a positive economic return to the ACT economy as a whole. It is beneficial infrastructure. It is infrastructure that returns more in benefits than it costs. And we have endorsed it because the cost estimate is consistent with earlier projections, adjusted for escalation, adjusted for risk considerations and risk contingency. That is exactly what we have done. So \$610 million plus \$173 million contingency is consistent with earlier projections for the project.

We often hear in this debate from the Liberals and others who are concerned about this project that this is an extraordinary cost for the ACT Treasury and the ACT taxpayer to bear. But it is not when you look at the context of the ACT government's infrastructure spend, either over the last 10 years or even over shorter periods of time.

Let me give you some examples, Mr Assistant Speaker. Over the last 10 years the government has invested \$3.9 billion in infrastructure. That is not recurrent expenditure; that is capital investment, infrastructure expenditure—\$3.9 billion over the last 10 years. Of that, \$1.6 billion has been spent on hospital infrastructure, on school infrastructure and on community facility infrastructure. Over the same period, over the last 10 years, we have spent over \$1 billion on road infrastructure.

You do not hear the Liberal Party and those others who are critics of the project say how dastardly the ACT government's budget position is because over the past 10 years we spent over a billion dollars on road infrastructure. But when the government suggests that we spend \$610 million plus the contingency figure on light rail, all of a sudden it is disastrous for the ACT budget position. Quite clearly, they are not looking at the context of the government's infrastructure spend.

We have also spent over that time, in comparison, only \$225 million on public transport infrastructure. Over a billion dollars has been spent on roads over the past 10 years; in the same period only \$225 million has been spent on public transport infrastructure. It is time to make the shift. It is time to address that gross and growing imbalance in terms of where investment occurs in the transport sector. And it is critical that we make better investments in public transport.

We know what the economic case for that is in terms of congestion. The bureau of resource economics has concluded that the cost of infrastructure currently is over \$100 million a year that is lost, in terms of lost productivity in the ACT economy, and that is projected by the year 2030 to grow to over \$200 million a year. So Mr Coe and the Liberals talk about the economic impact of light rail and the broader economic benefit. Where are they thinking about the economic impact of continuing business as usual, which we know is going to lead to an economic cost here in the ACT of over \$200 million per annum in the year 2030 if we just keep going with business as usual? Really, these are the failures of the criticisms of this project. These are the fundamental failures of the criticisms of this project.

Let me turn now to Mr Coe's motion, specifically in relation to his call for the government to disclose the ongoing liability, as he characterises it, that taxpayers will take on as a result of the decision to proceed with this project. The government has been very clear from the beginning that we will not enter into speculation on the availability payment, as it is known, that will be effectively the concession payment over the long term that the government will pay when this infrastructure is commissioned. And why have we said that? We have said that because to do so would be basically to tell the bidders that are going to be in a competitive process what we are willing to pay on an annual basis. We are not going to do that. It is like going to an auction and saying, "This is the price that I want," before the auction takes place.

We know it does not protect value for money for the taxpayer, we know it does not protect value for money for the community as a whole, and we are not going to disclose that figure. That figure is critical if we are to maintain a competitive process through the tendering exercise that we are proceeding with.

Indeed Mr Coe's colleagues on the Select Committee on Estimates agreed with the government. In fact they went further. In recommendation 65 of the Select Committee on Estimates Mr Coe's colleagues, and indeed the rest of the committee, in a unanimous recommendation, said that the government should table in the Assembly "after the preferred tenderer has been selected, the final cost-benefit analysis, the estimated total cost to the ACT, and the delivery model" for the project.

The government thinks that we can release some of that information earlier, and we have committed to do so, with the release of the full business case on 31 October this year. But Mr Coe seems to have blind ignorance of the position adopted by Mr Smyth and Mr Wall in the estimates committee, when they said, "No, we recognise that there are sensitivities with the release of some of this information that could compromise value for money for the community. We don't think that information should be released until after you've selected your preferred tenderer."

So Mr Coe is even at odds with his own colleagues on that side of the chamber. He is at odds with Mr Smyth and Mr Wall, who recommended that this should actually occur at the end of the competitive tendering process. But no; Mr Coe is here today saying, "No, that should happen before the tendering process." So he is in direct conflict with the views of his colleagues that were put forward in the estimates committee report.

Finally, I will turn to the issue of patronage because Mr Coe also raised that in his comments this afternoon. It was disappointing to see the report in the *Canberra Times* today because it does not capture the full patronage estimation for Northbourne Avenue. In particular, the quoted figure in that report of 7,996 passengers a day along Northbourne Avenue was actually data only provided from one point along that route. That was patronage at the Macarthur Avenue stops. The consequence of only using that data means that that report has not captured all the journeys that originated north of Macarthur Avenue—that is everything particularly between Dickson and Gungahlin—and all the patronage originating south of Northbourne Avenue, city bound, south of Macarthur Avenue through the city. There is a lot of patronage, particularly coming out of Dickson, that was not accounted for in that figure and which was drawn to the attention of the *Canberra Times*, but regrettably that was not reported in the paper this morning.

It is very important that we have a like-for-like comparison. If you were to look at the patronage figures from Macarthur Avenue in 2021, Capital Metro's estimate is that it would be 10,100—about 2,000 more than the current patronage. But that is, of course, in six years time, and that is a very reasonable and prudent estimate. If you look at patronage along the entire corridor, using all of the data available, not just one point along the route, which is the data referred to in the *Canberra Times* report this morning, you would see that the estimate that Capital Metro have is 13,700. That takes account, of course, of population growth along the corridor over the next six

years. It takes account of development along the corridor over that time. It takes account also of reasonable assumptions about mode switching that we know do occur with light rail but certainly do not occur in anywhere near the same magnitude with buses.

Those are all the factors that come into play in relation to those patronage calculations. I am pleased to be able to put those facts on the record because those reports in the *Canberra Times* this morning, unfortunately, are certainly not the full picture and are not an accurate assessment of patronage.

Finally, we have to focus on this project for the long-term growth and development of our city. It was interesting to see a presentation recently about the French city of Nantes that has built a city-wide light rail network, except for one bit. They decided that instead of building light rail for the last bit, which was about 10 or 12 kilometres—similar to ours—they were going to build a BRT route. They built a BRT route and then they realised that the buses were getting too full after a very short period of time and they had to either decide to completely replace their bus fleet with new buses, bigger buses, or—

Mr Coe: Like our buses? Like our ones?

MR CORBELL: No, like triples—or, alternatively, they admitted they were having to consider whether or not to upgrade to a light rail route along that line because the BRT was not meeting the capacity. This is a very good illustration of the long-term thinking that is needed for this form of infrastructure. It is very easy to criticise a project like this. It is very easy to play the negative game, and very easy to try and knock it down. But these big decisions are long-term decisions that influence and shape the growth and development of our city. And we have to decide what sort of city we want. Do we want a city that can grow sustainably for the long term, that can meet population growth and meet transport for the long term, that can manage congestion for the long term, or do we decide that it is all too hard? Do we decide that it is all too easy to play the short-term political game, the negative game, criticising a project or do we commit to an investment that will have wide-ranging benefits for our city for many years to come?

This government has taken the decision that this is the right investment decision for our city. It delivers a positive economic return. It is a long-term investment in better public transport that will shift people away from our overweening level of car dependence, and that is critical for the future sustainability of our city.

MR RATTENBURY (Molonglo) (4.54): I will not be supporting Mr Coe's motion today and the reason for that—and it is reflected in the amendment that I have circulated—is that Mr Coe's motion fails to take account of announcements the government has already made but also it is simply not practical in terms of timing. And that is the basis on which the amendment is written. I move the amendment circulated in my name:

Omit all words after “That this Assembly”, substitute:

“(1) notes that:

- (a) the ACT Government has committed to publicly release the full business case for the Capital Metro project on 31 October 2014, to coincide with the formal call for industry expressions of interest; and
- (b) the annual availability payment for the light rail service is subject to industry bids and it would be premature to speculate on the price before the completion of the tender process.”.

I intend to keep my remarks fairly short today because Mr Coe of course has given his stump speech today in terms of why he dislikes light rail and we have prosecuted that here many times. I will focus simply on the intent of my amendment. I am sure I am going to hear the speech again. I look forward to it because I will be able to perhaps cite it back at him with some ease.

But the reason for my amendment today is that I think Mr Coe has made some significant comments today about the lack of transparency on the project. I think that is simply not the case. The government and I have been very transparent on our decision-making process and in particular, as Minister Corbell has touched on, the government has undertaken to release the full business case on 31 October. No other government in Australia is doing this. The government has made a commitment to full transparency.

Minister Corbell has explained exactly the reasons for that timing. The fact that Mr Coe wants it right now and not in a mere 4½ weeks time is not the government’s problem. The government have a timetable. We have been very clear to the community. We are doing something very transparent. Mr Coe and anybody else will have the ability to go through it in considerable detail when it is released. I think that that is a reflection on our commitment to making sure that the community has confidence in this project.

The second part is that the government cannot provide answers that do not exist. This goes to Mr Coe’s actual motion. As Mr Corbell has touched on, and I intend to reinforce, any availability payment, as one part of my amendment says, is:

... subject to industry bids and it would be premature to speculate on the price before the completion of the tender process.

Mr Coe wants us to give a figure today. But no figure exists. There is not a figure because the tender process has not taken place. As is clear with the public-private partnership process and going to industry for a range of bids, the government is clearly seeking to get the best value for money for Canberra taxpayers in delivering this important infrastructure project. If we were to go out there and say the price per year that we expect to pay is going to be X, then I can almost guarantee that is where industry is going to bid. It makes perfect sense. Nobody, when they go out for a contract bid, puts out what they expect to pay in that specific sense because they would simply eliminate any prospect of competitive tension.

What the government have done has of course been transparent in our expectations about capital costs. Again there is room there for industry competition and innovation, but we have certainly been transparent with the community about the best modelling the government have been able to do.

On that basis, I have moved the amendment. I think it sums up what Mr Coe is trying to get out, because the release of the business case on 31 October will provide answers to a lot of the information that is being sought. The annual availability payment will be disclosed when it is possible to disclose it. But right now it does not exist and so it is not possible to disclose it. I commend my amendment to the Assembly.

MR COE (Ginninderra) (4.58): We are happy to wrap up the debate as well, if that is the will of the Assembly. Of course, the opposition will not be supporting Mr Rattenbury's amendment. It is interesting that he should be the person moving this amendment rather than the Minister for Capital Metro. It goes of course to: what is the genesis of capital metro in Canberra? Who is in fact the person who is driving this entire project? Who is it that has twisted the Chief Minister's arm into spending up to a billion dollars in capital expenditure to simply deliver what has already been delivered by the bus system?

It is interesting hearing Mr Corbell talk about the *Canberra Times*. He bags out the article today with regard to bus patronage. His case is that it is not 8,000 people who are riding on the buses at the moment; it is 10,000. But in actual fact what he is saying is that the number of people that are going to be riding the tram, because it is a tram and not a bus, is even fewer.

The minister's defence of light rail is: all the people who are riding on the bus are going to switch across to the tram. If all the people that are currently riding the bus are simply going to move over to the tram, in effect you are no better off. You have not got cars off the road. The emissions will in fact be worse. The emissions will be worse as a result of what the government is doing here. The minister's desperate defence of light rail is that there are 10,100 people using the bus and in 2021 there will be 13,000 people riding the tram.

The entire case for light rail, according to the minister's desperate defence of capital metro, is: we are going to have 3,000 people more on public transport down Northbourne Avenue in a city of 365,000. That is his desperate defence of spending up to a billion dollars, the biggest capital works project ever in the ACT. All he can do is try to inflate the bus numbers to make it more plausible that 13,000 people are going to ride the tram. It is a ridiculous defence.

In actual fact I thought he would like the number 8,000 because then he could say nearly double the number of people who are currently riding the bus are going to be riding the tram. That would show some vision. It would show that perhaps this business case is going to be built on something transformational. But no, Minister Corbell's defence is that the same people who are riding a bus will switch across to the tram and he can tick the box when it comes to a government with Shane Rattenbury as a minister.

It is all very well for the government to say that they have only just made a decision on this. However, the Chief Minister and Minister Rattenbury came out of the press conference in November 2012 triumphantly saying that they were going to deliver light rail. For months Minister Corbell has been talking up light rail as an inevitability, and now he claims they have only just made a decision based on the business case.

It is all very well for Minister Corbell to talk about the economic case behind light rail, but how is it then that he has totally ignored the economic case for bus rapid transit which is double the economic return of light rail? If it is all about the economy why are they not going with BRT which had double the return on investment? That is of course the very criticism that Infrastructure Australia, the Centre for International Economics and the Productivity Commission have had of this minister and of this government.

Finally, the latest in this string of disasters for the government is that the government claims that they have made a decision on light rail. Yet on Monday night robocalls were going out in Canberra polling on behalf of the ACT government about light rail. Why are the government spending even more of taxpayers' money on polling whether people like the idea of light rail if they have in fact committed to going ahead with this? This is taxpayers' money. It is an insult to all the ratepayers in Canberra, to all the businesses struggling with payroll tax, to all the businesses struggling with increased rates, that this government is still doing robocalls to poll people about their opinion on light rail.

I would ask that someone from the government—whoever the responsible minister is, whoever commissioned this poll—publicly says who commissioned it and how much it is costing. Further to that, if they want to say what the cause of it is, that might be handy as well.

What we have heard today is that the government will not disclose information because we want to have a contested option. The government already disclosed the \$610 million figure and the \$173 million contingency. If that is not showing your hand, I do not know what is.

This project has been a shambles from the very beginning and I have no confidence whatsoever that anything Minister Corbell is in control of is going to go according to best practice. I urge members to vote down Mr Rattenbury's amendment and vote for the motion as stated in the notice paper.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 9

Mr Barr	Ms Gallagher
Ms Berry	Mr Gentleman
Dr Bourke	Ms Porter
Ms Burch	Mr Rattenbury
Mr Corbell	

Noes 8

Mr Coe	Ms Lawder
Mr Doszpot	Mr Smyth
Mrs Dunne	Mr Wall
Mr Hanson	
Mrs Jones	

Question so resolved in the affirmative.

Question put:

That the motion, as amended, be agreed to.

The Assembly voted—

Ayes 9		Noes 8	
Mr Barr	Ms Gallagher	Mr Coe	Ms Lawder
Ms Berry	Mr Gentleman	Mr Doszpot	Mr Smyth
Dr Bourke	Ms Porter	Mrs Dunne	Mr Wall
Ms Burch	Mr Rattenbury	Mr Hanson	
Mr Corbell		Mrs Jones	

Question so resolved in the affirmative.

ACT Emergency Services Agency—management

MR SMYTH (Brindabella) (5.10): I move:

That this Assembly:

- (1) notes the various problems that exist within the Emergency Services Agency (ESA) and its component organisations, including:
 - (a) allowing a toxic culture to occur in the ACT Ambulance Service (ACTAS);
 - (b) failure to investigate bullying in ACTAS, which led to a Provisional Improvement Notice by the ACT Work Safety Commissioner;
 - (c) allowing bullying in ACTAS, which led to a complaint lodged to the Fair Work Ombudsman;
 - (d) failure to upgrade the ACTAS's VACIS electronic case management system;
 - (e) ongoing six year failure to procure new uniforms for ACTAS personnel;
 - (f) failure to procure fully working defibrillators;
 - (g) allowing a bullying, sexist and misogynistic culture to exist in the ACT Fire and Rescue Service;
 - (h) issues concerning the deployment of a "bronto" from NSW during the Sydney Building fire;
 - (i) concerns regarding the integration of the four ESA component organisations;
 - (j) the incomplete enterprise bargaining agreement for ESA staff; and

- (k) concerns over the centralisation of the ESA Commissioner's powers; and
- (2) calls on the Minister to, on the first sitting day in November 2014, detail how he has addressed these issues.

This is a very important motion, because it goes to basic services, and in many cases lifesaving services, that should be a priority of any government. Instead, we have almost a sense of *deja vu*, because at about this time last year, I moved a similar motion except that there were many different issues.

The saga of mismanagement and lack of ministerial responsibility continues. For those who have forgotten last year's motion, it looked at things like inside the ACT fire and rescue service first responder medical training and pay, which has not been resolved; the draft terms of reference for a capability review to be carried out by JACS, which disappeared and have never been seen again, still to be resolved; the effectiveness of cross-crewing between urban and rural vehicles; the requirement for a second Bronto, which, in the light of the Sydney Building fire earlier this year, remains unresolved; and post-incident debriefs and counselling for members of the services, which many members tell me are still inadequate, and therefore are still unresolved. And there was replacement of the out-of-date PODs; they were suddenly revamped and became immediately usable, so there is one—one out of the first six.

In the ACT Ambulance Service, we were speaking about the culture within the service. That is still unresolved. The status of cardiac monitor and defibrillator problems appears to be almost resolved; we will see in time as the battery replacement program continues. But you would have to say that, this long after lifesaving equipment was issued, it is very sad that we have now had almost a year of problems with these machines. There were disciplinary processes. I know of at least three ambulance officers, two of whom I understand have moved on, who sat idle for almost a year because this minister could not get the processes right. It resulted in complaints to WorkSafe ACT, complaints to the Fair Work Ombudsman, and complaints before ACAT. Some of those are still not resolved. And since we last had this debate, last year, WorkSafe has had to issue a provisional improvement notice to the ESA because they were not following practices to take care of workers who were being bullied.

Then there is the ACT State Emergency Service. There was the issue of the replacement of the deputy officer. And we had to go out and get truck licences for SES members because they bought trucks that were too heavy when they were equipped and had a full crew, which took them over the legal load limit. Again, this really does throw out questions about procurement and the accuracy of the way things are carried out under this minister.

Then there is the ACT Rural Fire Service. There was the replacement of the deputy officer as per section 53 of the act. While that deputy officer resigned, there was a new deputy officer, and then he was taken off line to go and do the strategic bushfire management plan. Then we had the fiasco of the payment of close-call on-call allowances: it was announced they were gone; then it was re-announced that they were being consulted on; then it was re-announced that it was all going to go away.

There is still a question about the availability of trained incident management officers, whether we have the appropriate number so that we have 24-hour coverage during the fire season. There were funds for training in the ACT Rural Fire Service. There was the acquisition of a second bulk water carrier and movements of fire tankers that were sent from the most dangerous sector in the ACT, the west and north-western front, to one of the quieter sectors. Apparently ministers did not know and, I think, did not care less.

Then there is today's motion. The saga continues. And it is a saga now. It is a saga of mismanagement and disinterest from a minister who is infatuated with building his train set instead of having his priorities right in providing essential services and ensuring that they are always available to the people of the ACT.

The saga of the minister allowing a toxic culture to occur in the ACT Ambulance Service goes on. We had questions this week. We find out that with the report that was due in August, the task is now so big that the individuals conducting the review asked that it be extended to the end of the year. How bad is the toxic culture inside the Ambulance Service, and why is it allowed to get to this level? Why did it take so long for a minister to respond? Because he is distracted.

There was the failure to investigate bullying in ACTAS, which led to the provisional improvement notice, but they have not even investigated a claim because it was not in writing. That is in contradiction of one of the guidelines that the government has, but not necessarily the guidelines that the department ran off. Isn't it great to have conflicting guidelines where you can pick and choose when one applies to you and when one does not on an issue as important as bullying? Again, this is a minister who is distracted.

There were complaints lodged with the Fair Work Ombudsman, again much to the shame of the service and I think against the reputation of a minister who has allowed that to happen despite repeating warnings and questions from individuals about what was going on inside the service.

Then there is the failure to accurately upgrade the VACIS electronic case management system. The minister came back and gave some additional information. I got one of the numbers wrong; I do apologise. But he has not told people whether the issue has actually been resolved, whether our paramedics are still using paper records instead of electronic records inside the system. Again, it goes to procurement. I understand that staff were brought in to fix it from interstate, so the question is about another procurement issue.

Then there is the ongoing six-year failure to procure new uniforms for ACTAS personnel. The minister was quite gleeful in his excuse for this one: it was not really his fault; the firms went broke. Imagine the minister coming back here and telling us that the firm they had procured to deliver capital metro had gone broke. What is your procurement process like when you cannot even pick a firm that is solid enough to deliver uniforms to the Ambulance Service? Maybe once is an accident, but to have it happen twice, and six years later still not have uniforms for our paramedics, is just a disgrace. Again, it shows a minister who is not paying attention to the detail that he should.

There is the failure to procure fully working defibrillators. Whoever heard of buying a lifesaving system that did not work, and took months and months to resolve the issues when it was well known around the world, through recalls and bulletins, that these machines were not working? It goes to the oversight that is going on in emergency services, and it goes to the heart of a minister who obviously is not interested enough to say, "Just fix this."

Then there is allowing a bullying, sexist and misogynistic culture to exist in the ACT fire and rescue service. This is just appalling. A fire officer who makes a complaint, I understand, is still awaiting resolution of some of the issues that were raised, yet the individual responsible for filming that officer in a cubicle gets a payment on the way out because he was stressed. That is how the ESA operates under this minister. If anybody thinks it is appropriate to pay an officer of emergency services who put a recording device in the female toilets because he was stressed, they have really got to question the leadership being shown by this minister.

Then there are the issues concerning the deployment of a Bronto from New South Wales during the Sydney Building fire earlier this year. Again we have conflicting stories here. I have now got three individuals who have told me that the story the minister tells is not correct—that the commissioner did go onto the fire ground, he did tell the incident controller to move the pumper, he was rebuffed and he then went outside and apparently told the police officers that the Fire & Rescue officers were not fighting the fire properly because he knew better.

Then there is an issue of whether or not a new Bronto was ordered from Sydney, a replacement Bronto. We have arrangements. If they need a high-lift platform in local areas, we will often lend it to them from our service. That is a great thing. Cooperation across the borders is a good thing, because fire does not know or recognise borders. But there is now some doubt in my mind as to what the minister told the Assembly yesterday. We will pursue that.

This is the litany that just grows and grows. It started years ago, before many members were here. The minister had to ditch \$5 million worth of payments for FireLink, another procurement which collapsed and failed.

There is big concern in many of the services about the integration of the four ESA component organisations, despite the minister's guarantee that it would never happen on his watch. What we are hearing are those words: "Yes, but behind the scenes we need to do this, and behind the scenes we need to ensure that." Volunteers in the RFS particularly are concerned that they will simply be swallowed into Fire & Rescue, which is not what they volunteered to do.

Then we get to the incomplete enterprise bargaining agreements for ESA staff, particularly the Ambulance Service. It was hilarious yesterday in question time. The minister answered "soon" to the very first question, as to when it would be completed. But then he read his brief and realised that it had been completed. It had gone to be signed off. You could see the shock on his face. It turned to glee; it turned to light. He had a real answer. He did not know. He was distracted.

He is not doing the job. Ministerial responsibility has been abandoned by this minister and I believe it puts the people of the ACT at risk.

Then there is concern over the centralisation of the ESA Commissioner's powers. The emergency services act is quite clear. It was done in this way because it is impossible to employ a commissioner who has experience in all four services—in urban fire and rescue, the ambulance service, rural fire services and state emergency service activities. It is impossible, I suspect, to find an individual who has worthwhile experience in all four of those services and would be able to have an appropriate operational role in those services should a disaster occur. That is why we have a commissioner who runs the Emergency Services Agency and we have four service chiefs. The chiefs have the expertise. We currently have in the act a very clear delineation in what the commissioner can do. Something has been circulated from the commissioner, certainly to RFS and other areas, saying that this will be changed, and I believe that protection will be eroded.

That is why the incident over the Sydney Building needs to be resolved. We have already got a commissioner who is interfering. I have a great deal of respect for his expertise coming out of New South Wales RFS; that is his field of expertise. Go and be the RFS service chief. But we should leave the professionals to do their job. Yes, direct them to go and put out the fire. Do not tell them how to put out the fire. Yes, go and attend the medical emergency. If you are not a paramedic, do not tell me how to do my job. That is the problem here.

It has taken almost 12 minutes just to read the litany. That in itself is an indictment of these ministers. All of these incidents are true. All of these incidents are accurate and I suspect there will be more.

Indeed, recently there were changes made to the communications centre out there at Fairbairn. The problem there is that we had in one room both the ambulance officers and the fire officers. They could overhear each other's conversations. I understand a wall or partition has been put up and some other space has been taken in the communications centre. But if, for instance, as occurred in November-December last year, we have fires in New South Wales, we send crews there, and we are running the operations or keeping an eye on them from here, running a dedicated incident team in one of those rooms, one of those rooms is now gone. So if we have a number of incidents occurring at the same time, we have now got less space to break them down into groups so that they can function.

This was the problem. Full credit to the Canberra national airport for the building that they built; they built it to the specifications the government gave them. But it was cut down because of budget savings, and we are now going to pay a price for it.

That is the litany. It goes way back. It goes for years. It will continue to go for years until we have a minister who accepts ministerial responsibility and concentrates on what he must do. He must prioritise his work. He has got to do the basics first and he has got to do the basics well.

On the issue of emergency services, if those basics are, in some cases, lifesaving basics or property saving basics, we must have a system that works for the people of the ACT. This is a minister who has lost planning twice. He has lost it again to Mr Gentleman. It was an interesting decision there. It is a minister who does not concentrate on basics and does not do them well. It is a minister who does not seem particularly interested in ESA.

He is there for the photo shoot. We had the advice from Ms Berry that ministers only turn up for photos. This is the photo shoot ESA minister. He is there for the photos when the new tankers arrive, the good gear is there or there is a building to open. But to allow this toxic culture to occur in the ACT Ambulance Service for now almost two years is a disgrace. And I have spoken to a number of fire officers who are still concerned that they have not been cleared, that the issues regarding misogynistic, sexist and bullying behaviour in the fire and rescue service still hang over them because they have not been cleared, because this minister has not done his job properly.

That is the problem for these officers. They are in stressful jobs as it is. They go to places that most of us do not want to go to. They do jobs that most of us would not dream of doing as a regular job. And they do them incredibly well, to their credit. But they are being let down by this government, and in particular by this minister, who has ignored his responsibilities, who has abrogated his responsibility, because he has got more interesting toys like train sets to play with. (*Time expired.*)

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (5.25): I move the amendment to Mr Smyth’s motion which I have had circulated in my name:

Omit all words after “That this Assembly”, substitute:

“(1) notes that, in relation to the Emergency Services Agency (ESA) matters:

- (a) a review into the ACT Ambulance Service (ACTAS) culture, announced last year, is well underway and expected to be completed later this year. This review has involved wide ranging engagement with staff and stakeholders and will include recommendations to support the organisation going forward;
- (b) contrary to claims made by the Opposition, ACTAS is not using an outdated electronic patient care record system. VACIS version 2.3.1 is the latest electronic software version to record patient care;
- (c) the Government is working closely with ACTAS personnel and the relevant union to rectify delays in procuring new uniforms caused by successful tenderers going into liquidation and, more recently, supplied equipment not meeting prescribed standards;
- (d) 56 Phillips, MRx Cardiac Monitor Defibrillators were procured under an open tender process by ACTAS in 2012-13. After a recall by the manufacturer of the monitor batteries, a progressive rollout of new batteries was undertaken and has been completed;

- (e) a *Women in Emergency Services Strategy* is currently under development to improve the attraction, development and retention of women in emergency services;
 - (f) there are several enterprise bargaining agreements in the ACT currently being finalised, including for the ACT Ambulance Service. Agreement has been reached in principle and no concerns have been expressed by the relevant stakeholders; and
 - (g) the Government will be proposing important amendments to the *Emergencies Act 2004* to ensure effective co-ordination and accountability of the ESA Commissioner and ESA Chief Officers to ensure co-ordinated emergency responses; and
- (2) further notes that the Government has committed to a number of initiatives since 2012-13 to support our emergency services, including:
- (a) \$18.867 million for the development and delivery of the West Belconnen co-located Ambulance and Fire & Rescue Station;
 - (b) \$17.95 million for the South Tuggeranong Fire & Rescue Station;
 - (c) \$20.852 million for the Aranda co-located Ambulance and Fire & Rescue Station;
 - (d) \$7.401 million for the Territory Radio Network and Computer Aided Dispatch Replacement Program;
 - (e) \$9.524 million for stage two of the ACTAS Sustainable Front Line Resourcing Model;
 - (f) \$3.463 million for the replacement of ESA Cardiac Monitor/Defibrillators;
 - (g) \$2.223 million for vehicle replacement;
 - (h) \$19.298 million in ESA base funding (including funding for workers' compensation premium);
 - (i) \$17.266 million over four years to supplement Commonwealth Fire Payment funding; and
 - (j) \$4.087 million for ACT Fire & Rescue Platform on Demand staffing."

Mr Smyth's motion today relates to culture in the ACT Ambulance Service, ACT Fire & Rescue and matters dealing with the proposed work associated with integration into the ESA, the commissioner's powers and enterprise bargaining. Mr Smyth asserts all of these things as fact but so many of the elements of his motion today are just wrong. They are just false. I do not whether he deludes himself into believing them to be true or whether he is lying. I am not sure which one it is—

Mr Smyth: On a point of order, the minister knows the forms and he should withdraw.

MR ASSISTANT SPEAKER (Dr Bourke): Withdraw, please, Mr Corbell.

MR CORBELL: I withdraw, Mr Assistant Speaker. But whether he deludes himself into believing these or whether he knows that what he claims is untrue is really the issue at play here. Mr Smyth's motion attempts to detract the focus of the community from all of the significant achievements of our emergency services and the commitments the government has made to support and enhance the ESA's functions and capability.

Today I am going to start by addressing what the government has done to support our emergency services, in particular what I as the minister have sought and received support of the government on to ensure that our emergency services can do their job. The government has significantly invested in emergency services and this was recognised by the Auditor-General in her bushfire preparedness audit report last year, where she noted the government had increased the ESA's recurrent funding from the level of \$44.8 million in 2004-05 to \$104.3 million in the most recent financial year, a 133 per cent increase in funding.

With that funding we have ensured, as a government, that there are new ambulances, new vehicles for Fire & Rescue, RFS and SES, specialist and command vehicles for the emergency services fleet, as well as investing in more firefighters on the ground, more front-line ambulance officers. We have also invested in the provision of new and upgraded emergency services facilities and equipment. This has been demonstrated through the new state-of-the-art ESA headquarters at Fairbairn, the very well-received and supported multipurpose ESA training centre at Hume, the construction at Hume of the helibase and hangar facility to support rural fire aviation operations, a new ACTRFS station for the Tidbinbilla brigade, upgrades to the Rivers and Jerrabomberra stations, over 50 community fire units in the ACT, to name just a few.

But these investments have also included significant funding to implement stages 1 and 2 of the ACT Ambulance Service sustainable front-line resourcing model which has seen a total growth of 51 front-line and support staff in the Ambulance Service as well as, of course, the government's commitment to ongoing cultural growth through initiatives such as the women in the emergency services strategy initiative.

Since 2012-13 this Labor government has made further significant funding investments in our emergency services, including capital funding of over \$18 million for the development and delivery of the west Belconnen co-located ambulance and Fire & Rescue station. Name me any firefighter in the ACT who does not think that is a fantastic facility to be based in. There has been \$17.95 million for the south Tuggeranong Fire & Rescue station to improve fire response times for people who live in the Lanyon valley in particular, \$20.8 million for the Aranda co-located Ambulance and Fire & Rescue station which will see a state-of-the-art fire and rescue facility in Aranda and will mark the completion of stage 1 of the station's upgrade and relocation program.

There has been \$7.4 million for the territory's radio network and computer-aided dispatch replacement, \$9.5 million for stage 2 of the ACTAS sustainable front-line resourcing model, \$3.4 million for the replacement of the ESA's cardiac monitors and

defibrillators, \$2.2 million for vehicle replacement, \$19.2 million in base funding, \$17.2 million to supplement commonwealth fire payment funding, \$4 million for ACT Fire & Rescue platform-on-demand staffing, \$315,000 in capital upgrade program funding, \$772,000 for maintenance of the high-availability phone system upgraded communication centre dual site, backing up and investing in that critical 000 call-taking capability, \$424,000 for ESA Fairbairn incident management works upgrades, and \$455,000 to maintain the extended care paramedic program.

This is not a government that neglects our emergency services. This is a government that invests, and invests significantly, in supporting the front-line capability of our emergency services, and I will not have that record ignored by those on the other side of this place, because they know it. They know it.

When Mr Smyth was the Minister for Police and Emergency Services, what did we have? The dysfunctional Emergency Services Bureau, the completely dysfunctional, under-resourced, under-capability Emergency Services Bureau. That is what we had, that legacy that led into 2003 and everything that flowed from that terrible incident.

Let me address the points of criticism in Mr Smyth's motion. First of all, we know that the ACT Ambulance Service as an organisation is delivering high-quality services. We know that it has grown significantly in a short period in terms of its size and service demand, and it is now having to cope with a change from growing from what has been characterised as a small cottage organisation to a large, complex ambulance service.

But let us have a look at what Mr Grant Lennox said when he reviewed outcomes of the implementation of his last report. He said:

Ambulance demand has continued to increase, most recently demonstrated by 34,000 responses in 2007-08 to 43,000 responses in 2012-13. Over the same period ambulance crews now travel a further 500,000 kms per annum responding to cases and the busy communications centre now handles over 144,000 inward and outward calls per annum.

Mr Lennox went on to point out:

Response performance shows that Canberra—

that is right, Canberra—

has the best Code 1 response times at the 90th percentile ... of all capital cities
...

Further:

... this reflects extremely positively on ACTAS and should be a source of great confidence to the ACT community for community safety levels.

That is what the independent reviewer of our Ambulance Service had to say about the emergency response capability of the ACT Ambulance Service as a result of this government's investments.

A review of organisational culture is in progress. This is not a negative process. It is an indication of an organisation that has matured significantly to robustly discuss its features, issues and challenges. It is the sign of an organisation that is open, that is committed to moving forward and planning how to change as it has changed in response to significant growth in demand. It provides an opportunity for us to understand how culture operates in a growing and diverse service, and the review will help future-proof the organisation. It is a challenging process but it is a positive process, and one that I strongly support.

Let me turn to claims about failures to investigate bullying in the ACT Ambulance Service. The government did not fail to have bullying incidents investigated. It is an untrue claim by Mr Smyth. For the sake of clarification, the matter that Mr Smyth refers to was reviewed under the provisions of the ACTAS enterprise agreement.

My directorate has advised that in the last three years ACT WorkSafe has received just one—that is right, just one—complaint of alleged bullying in relation to the ACT Ambulance Service. WorkSafe investigated this complaint, and my directorate was formally advised of it in November last year. The WorkSafe investigation into that complaint found that reasonably practical steps had been taken by JACS and ACTAS to ensure the relevant policies and procedures were in place. However, WorkSafe found that the process undertaken by the Ambulance Service in considering the complaint was not of an equivalent or higher standard as that provided for in the work health and safety code of practice. As a result, an improvement notice was issued.

My directorate subsequently engaged an independent investigator to comply with the recommendations made by WorkSafe. An independent review has now been completed, and the conclusion was that no bullying was found to have occurred. No bullying was found to have occurred. The improvement notice is no longer in force.

Mr Smyth also claims that I have allowed bullying in ACTAS which has led to a complaint lodged with the Fair Work Ombudsman. I can advise that my directorate has no record of complaints of bullying being made to the Fair Work Ombudsman—another false claim on the part of Mr Smyth.

Mr Smyth talks about failure to upgrade the ACT Ambulance Service's VACIS electronic case management system. Mr Smyth really should pay attention to what I tell him in question time because, contrary to his claims in this motion, the VACIS electronic case management system that is used by the ACT Ambulance Service is the latest available version. I do not know how many times I have to tell Mr Smyth this, but it is still in his motion today. Even in his motion today he continues to assert that it is not the latest version. It is the latest version. I can advise Mr Smyth that version 2.3.1 is the newest software version available and that software version 3 of VACIS is not used by any ambulance jurisdiction in Australia because it still remains under development and is not due for pilot deployment until February 2015. Mr Smyth once again makes claims that he clearly should know are not true.

Mr Smyth also makes claims about the ACT Fire & Rescue Service. For the purposes of time I will deal quickly with only a couple of other matters. I previously advised

the Assembly that the government is committed to ensuring that ACT Fire & Rescue reflects the broader community it serves, and it is the case at the moment that there are only seven women in a workforce of 348. There have been allegations of inappropriate behaviour in Fire & Rescue by a small number of Fire & Rescue personnel.

My directorate engaged an external provider to undertake an independent review into the adequacy of responses to two human resource matters involving women in Fire & Rescue. These two human resource matters were subsequently reported in the media.

Mr Smyth's motion, in the same way it has attempted to do with the ACT Ambulance Service, suggests that the culture of our emergency services and those working within it condone inappropriate behaviour by allegedly allowing bullying, sexist and misogynist behaviour. The government rejects those claims absolutely. Both the ESA Commissioner and I have rejected the suggestion of a culture of bullying and misogyny in ACT Fire & Rescue.

I am advised that ACT firefighters understand inappropriate material and behaviour is not acceptable in fire stations and workplaces, and I have never suggested that the workforce as a whole are either bullies or misogynists, because they are not. They are hard-working, good people and unfortunately a small number within their ranks have been engaged in unacceptable behaviour.

Finally I turn to the issue of claims about integration, because this is just a myth, a complete myth. I must reiterate on the public record, as I have before: the government is committed to maintaining responsive front-line services, and there is no integration of the four services being considered by government, as has been suggested by Mr Smyth. There is no suggestion of integration of the four services. Any claim to the contrary is simply mischief-making on the part of the Liberal opposition.

The government has a strong record in the delivery of better emergency services, better emergency services response capability, more people on the ground, more ambulance officers, more firefighters, better training facilities, better vehicles, better response capability, better policy and procedures, better capital infrastructure. That is our commitment to the community. We have delivered and we have an emergency services agency that is nothing like what existed a decade ago, nothing like when we came to office, nothing like 2003 and all the terrible events of that terrible day. It is a professional, capable, well-trained, well-resourced organisation and will meet the needs of our community well into the future. (*Time expired.*)

MR RATTENBURY (Molonglo) (5.40): This is clearly a very important topic, the provision of emergency services in the ACT, particularly the ACT Ambulance Service, which we know has come under considerable question in recent years in terms of increasing utilisation of its services but also of course other areas of the Emergency Services Agency and its component parts that Mr Smyth has spoken of in his motion. I think what we see here today, the way I read Mr Smyth's motion, is that he has a series of concerns. He has sought answers for those and he particularly seeks the minister to address those issues and provide information on them.

Mr Corbell, in both his speech and his amendment, has provided a level of explanation. I cannot imagine Mr Smyth necessarily agrees with all of that, but his motion seeks to draw out that information. Mr Corbell, in providing the amendment, I believe, has sought to address the issues that Mr Smyth has raised. He has provided a level of information. On that basis I will be supporting Mr Corbell's amendment today because it provides the information or at least it responds to the questions that Mr Smyth has posed, which I think is the objective of Mr Smyth's motion, if one takes it on face value and reads the text as it stands.

I am sure there will be continued debate about that because, as I said, both based on the interjections and Mr Smyth's earlier comments, I am not sure that he accepts Mr Corbell's explanations or necessarily agrees with them. But that is perhaps inevitable at some level. So we will no doubt hear further on these matters. I will be supporting Mr Corbell's amendment today.

MR SMYTH (Brindabella) (5.42): I thank members for their various contributions to the debate. As anticipated, the minister's defence seems to be, "No, I'm not distracted by capital metro because of these additional funds I got from the budget for all these wonderful projects." The logic seems to be that it is okay to have a toxic management culture because you can now suffer in a new building rather than the old building. The logic seems to be that it is okay for employees to suffer from misogynistic behaviour because they can suffer in a new fire station instead of the old fire station. The logic seems to be that it is okay to suffer from bullying because it is happening in the new fire station and not the old fire station. The logic seems to be that if you suffer from sexist behaviour, well, you should be lucky because you have got a new fire house in which it can take place.

It seems to me that it is okay if the defibrillators did not work when you went to an emergency situation and it is okay that the upgrades to VACIS did not work. The minister still has not answered the question: did the upgrade actually work? Has it been resolved? He ignores that. It is okay after six years that you do not have new uniforms for the Ambulance Service—but don't worry; you have got a new ambulance station to sit in for all this to happen around you. If you are in the Ambulance Service you can wait for your new pay increase because you can wait in the new ambulance station. Therefore, it is okay. It is okay if your work conditions are so bad that you had to go to WorkSafe to seek a provisional improvement notice to be put in place across all these new and old ambulance stations. That is okay.

And it is okay if you had to go to the Fair Work Ombudsman because you were not getting a fair go in the ACT Emergency Services because this minister is distracted by light rail. That is okay too because you can wait for that in the new ambulance station as well. It is okay if three or four of your colleagues have been suspended for a year or more because, if they are lucky enough to return to work, they get to go back to a new fire station or a new ambulance station. The minister clearly does not care about natural justice because he is too busy trying to save a minute on the trip from Gungahlin to Civic to be concerned about your life and your health. What a joke this minister is. What callous disregard he has for his employees whom he is responsible for in the ACT Fire and Rescue Service, the ACT Ambulance Service, the ACT Rural Fire Service and the ACT State Emergency Service.

The best excuse, of course, is that it was the previous Liberal government's fault 13 years ago. It is the first time he has used this one, but apparently the 2003 fires are our fault as well. Clearly, the minister forgets the 2001 fires and the review of those fires, and the 109 recommendations from that review which were not implemented by him or his government or the string of ESA ministers. You want to be very, very careful, minister. It was interesting that the minister stood up and within seconds had gone straight to the slur because he did not have a case and he did not make a case.

This is a minister who is distracted. He said that we have had teething problems and it was a cottage industry growing up. What a disgraceful thing to call the professionals of the ACT Ambulance Service. Just because it got a bit bigger, it went from being a cottage industry to a real industry. They will hold that against you for a long time. Mr Corbell says, "It's not my fault because I got more money." Again, it is the standard Labor excuse: we have spent more money; therefore it must be better. What about the outputs? What about the outcomes? What about the service delivery? No, they are not interested.

Members interjecting—

MR SMYTH: Well, we will see. It is very interesting, Mr Assistant Speaker. The minister has ignored all of these issues—

Members interjecting—

MR ASSISTANT SPEAKER (Dr Bourke): Mr Smyth, sit down. Stop the clocks. Members, there is too much noise going on. Mr Smyth, resume.

MR SMYTH: Thank you, Mr Assistant Speaker. The minister says, "It's not my fault." He is not interested. He says, "There is nothing to see here." So when does the notion of ministerial responsibility kick in? Depending on which of the amendments he moved, and there are two amendments—again, talk about attention to detail; the minister dropped an amendment and then had to come back and drop another amendment because he got the wrong motion and some of the amounts were wrong. He is a minister who is not paying attention. People can stand as ministers and say, "I have got all this money," but often it is not about the money. The Auditor-General's report into gastroenterology said there was plenty of money; it just was not working properly. Yes, there have been additional funds here, and those funds are welcome, but if it is still not working properly it does not matter how good the brand new tanker is, how bright and shiny the new fire station is, how many solar panels you have got on the roof or how many tonnes of carbon you have saved. If you are the subject of bullying in the workplace it can be a living hell.

This is the minister that allowed the toxic culture in the ESA to fester and grow for almost a year after he was warned that it existed, until he was dragged kicking and screaming to get a review. That review started in October or November last year. Here we are in September and we still have not got the answer, because he then could not find somebody to do the review. Full credit to the TWU rep who stood up and they found a decent group to go and do the review. The problem now is so big that they have not had time to complete the review and they have extended it out to almost Christmas.

That is the legacy of this minister. It is just unacceptable to say, “You should be grateful because you’ve got a new fire shed,” when you have been bullied at work. It is just unacceptable to say, “You should be grateful because you’ve got a bright new shiny fire truck,” when you are a victim of bullying or sexist or misogynistic behaviour. It just shows how out of touch this minister is. He is more interested in all the noughts after the numbers that he spends. He is after the hundreds of millions of dollars that he can spend rather than the individual wellbeing of the officers in his charge.

He is the minister responsible for all of the staff in ESA. He is the minister responsible for reporting to this place and he seemingly does not care. It is funny when you hear a minister say, “I’ve delivered things like the Tidbinbilla fire shed.” How late was the Tidbinbilla fire shed, minister, and how many questions did it take until it occurred? How many estimates reports did I grill you on it until it finally happened? He said, “We built the Rivers fire shed.” That is right. There is a gap at the back of the shed and the doors were too narrow, and the toilets did not work properly. You could not turn in the toilets because it was not built properly. Claiming things like that as some sort of achievement shows what a shallow minister we have.

If you look at all of the capital works that this minister delivers, whether it be from Gungahlin Drive through to the Molonglo fire shed, to Rivers, to Tidbinbilla—to any of the places that he lists—I think it took 13 years for this minister to finally deliver a project under budget, early and on scope. That has got to be some sort of record in Australian politics—that you can be a minister for 13 years and it takes 13 years until you deliver a single project. That is this minister. This is a minister who is distracted. He is distracted by the big numbers. He is distracted by travelling the world stage. He is distracted by transformational projects. He is distracted and he is not up to the job of running ESA.

I could read that litany from 28 October last year and then add to it the litany that I have referred to today. You can be dismissive of all those issues that I have raised, but people have brought them to me; they are of concern to them and their workplace. Your dismissive answers to the questions this week, minister, have been noted by those who were there, who know the truth of what happened, and your dismissive approach and your lack—

MR ASSISTANT SPEAKER: Mr Smyth, you will address the chair.

MR SMYTH: Through you, Mr Assistant Speaker, the dismissive approach of the minister is noticed by those who have watched question time, read the transcripts and seen how the minister behaves. They know you for who you are and they are concerned that their services are being run down because you are not up to the job.

MR ASSISTANT SPEAKER: Mr Smyth, you will address the chair.

MR SMYTH: Through you, Mr Assistant Speaker, they are concerned about the place that they work in. They are concerned about the jobs that they love. They are concerned about the community they serve. They just want to get on with their job. What they want, minister, is some leadership and my fear for them is they will never get it from you.

MR ASSISTANT SPEAKER: Mr Smyth, you are warned.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 9		Noes 8	
Mr Barr	Ms Gallagher	Mr Coe	Ms Lawder
Ms Berry	Mr Gentleman	Mr Doszpot	Mr Smyth
Dr Bourke	Ms Porter	Mrs Dunne	Mr Wall
Ms Burch	Mr Rattenbury	Mr Hanson	
Mr Corbell		Mrs Jones	

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Mr Coe: Mr Assistant Speaker, a point of order, on your earlier ruling. It was a tad bizarre. I think you warned Mr Smyth while he was speaking. If that is the case, would you please provide some guidance to the Assembly as to why you warned Mr Smyth?

MR ASSISTANT SPEAKER: Thank you, Mr Coe. Standing order 42 requires that every member desiring to speak shall rise and address the Speaker. I brought that matter to Mr Smyth's attention on two separate occasions prior. That is why I warned him.

Mr Coe interjecting—

Mr Corbell: On a point of order, Mr Assistant Speaker. Mr Coe, in commenting on your ruling just then, described it as amateur hour. This is clearly a reflection on the chair and is grossly unparliamentary. I would draw that to your attention and ask you to consider whether or not Mr Coe should be asked to withdraw the comment and apologise to the chair.

MR ASSISTANT SPEAKER: Thank you, Mr Corbell. Mr Coe, would you withdraw?

Mr Coe: I do so.

Volunteering

MS PORTER (Ginninderra) (5.58): I move:

That this Assembly:

(1) notes the:

- (a) valuable role played by over one-third of ACT residents who volunteer;
 - (b) opportunities volunteering brings for greater community participation;
 - (c) contribution made by volunteers to improved social, economic and environmental wellbeing in the ACT;
 - (d) strategic role played by Volunteering ACT in co-ordinating opportunities for volunteers;
 - (e) inclusion of three days per year of Community Service Leave in ACT Government Enterprise Bargaining Agreements; and
 - (f) developing trends to more ad hoc, project based volunteering; and
- (2) calls on the ACT Government to review and update the ACT Volunteering Statement to take account of developing trends and challenges.

I am pleased to bring this motion to the Assembly today, on the role of government in supporting volunteering. As you know, volunteering is something that has always been close to my heart. As a child in the UK, I was a volunteer for the Red Cross, and that experience has stayed with me, translating into a lifelong advocacy for and involvement in volunteering.

Last week I had the pleasure of representing the ACT government at the International Association for Volunteer Effort 2014 world conference, the 23rd world conference, on the Gold Coast. The theme of the conference was “volunteering: today’s imperative”. As you can imagine, there was a wide range of new information that emerged, and concerns were raised over the developing trends and challenges

By raising this motion today, I hope to highlight the volunteering opportunities and challenges in the ACT. The ACT is faced with challenges similar to the rest of the nation; in fact, throughout the world. As you are all aware, the ACT has a population of nearly 390,000, but it services a far greater population if you consider the role it plays as a regional hub. Even though we have a highly educated community with a relatively high standard of living compared to other jurisdictions, there is no doubt that, like other jurisdictions, we also face a high cost of living, with about 40,000 people experiencing considerable disadvantage. One in nine households relies on government allowances and pensions as the main source of household income.

We are also faced with a growing ageing population which, as you know, reduces the level of workforce participation and increases the level of income inequality. And we are faced with the current federal government’s policies which we all know have the potential to further entrench disadvantage.

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.

MS PORTER: As I was saying, we are faced with the current federal government policies which we all know have the potential to further entrench disadvantage. Despite our small size, it is pleasing to know that over a third of ACT residents actually volunteer, which is similar to the national average. I can provide some more figures. According to research undertaken by Volunteering ACT, more women than men volunteer, with the most common age groups being 35 to 44 for women and 45 to 54 for men. Seven in 10 volunteers are female, and half are in the 55 to 74 age group. Half are retired, a quarter are in full-time employment, and three-quarters are tertiary qualified.

The two main reasons given for volunteering are to give something back to the community and to make a difference. Although volunteering is related to feelings of wellbeing, work and family reasons sometimes mean that people stop volunteering—particularly the case for people aged 24 to 44.

The ACT government value the significant contribution of volunteers. We recognise that volunteers have an essential role in the wellbeing of our community, and in many ways volunteering embodies the finest qualities of a healthy community. As we know, some of what volunteers deliver are essential services to the community which greatly improve the social, economic and environmental wellbeing of citizens in the ACT. Such benefits fit into the government's priorities of improving the liveability and opportunity of the ACT and into the Community Services Directorate's strategic theme of increasing participation for all members of the ACT community.

We also know that volunteering delivers significant social and health benefits. It combats depression and builds self-confidence, which is good for your health at any age but it is especially beneficial in older adults. Those who volunteer have a lower mortality rate than those who do not, even when considering factors like the health of the participants.

A recent study at the University of Adelaide estimated that volunteering is now worth more than \$200 billion a year to the Australian economy, surpassing even the mining, agriculture and the retail sectors. Research has consistently shown that voluntary work also builds social capital and cohesion through people's participation, networking and shared values around human rights, equality and civic engagement. As stated earlier, the ACT government understands this and values the contribution volunteering makes to the ACT.

Mr Assistant Speaker, as you are aware, the government supports and conducts a range of volunteering programs and opportunities in areas as diverse as the environment, health, sport and recreation, and education and tourism, and this support is guided by a high-level ACT volunteering statement. Just to give an example, more than 400 volunteers—including university students, retirees, parents, carers and full-time workers—support the work of the Canberra Hospital and community health aged day care programs. This support occurs through a range of programs, including trolley service to the wards, hospital guides, a library service, and hand and foot massages to oncology patients.

This is a small thing but it really is an important thing, and I have had this experience when my husband was recovering from his brain tumour operation in a Sydney hospital some years ago. A volunteer came on a daily basis and massaged his feet. Ian said it was hugely beneficial and, needless to say, he remains grateful to that volunteer to this day.

Mr Assistant Speaker, right across the ACT there are many diverse volunteering programs and activities organised locally by community based organisations, across all the many areas that individuals and families are involved in on any given day of the week. Volunteers and organisations are also supported by Volunteering ACT, the peak body for volunteering in the ACT, which receives ACT government funding and is a foundation member of Volunteering Australia, as we know. Importantly, the ACT government includes community service leave provisions in its enterprise bargaining agreements, where employees can access three days a year paid leave for volunteering.

Between April 2011 and January 2013, 69 ACT public service employees took paid leave to volunteer, totalling 159 days. Now, this is a very small number, Mr Assistant Speaker, and we need to ensure that all ACT public servants are aware that this leave is available as well as the benefits that volunteering can bring to them. I am sure that we can increase this figure. My own staff take their volunteer days to volunteer for the organisations of their choice.

Corporate volunteering helps organisations to meet their corporate social responsibilities, as well as developing their staff by providing them with opportunities to learn new skills and identify pathways into community involvement. The Community Services Directorate has portfolio responsibility within the ACT government for volunteering, promoting volunteering opportunities on its website and providing funding for the work of Volunteering ACT.

In 2012 the directorate established a corporate volunteering program, with the help of Volunteering ACT. The program saw 20 Community Services Directorate employees take part in two volunteering projects. The projects included assisting in the construction of a sensory garden at the Pegasus Riding School for the Disabled in May 2012 and the support of the MS Society of Australia for International Volunteer Day in December 2012. Projects were selected by Volunteering ACT in consultation with the Community Services Directorate.

Other ACT agencies such as ACT Health also run successful corporate volunteering programs, and it is hoped that more directorates will take up the reins. Over the past two years, the Community Services Directorate has funded an inclusive volunteering program to support vulnerable people into volunteering placements and increase their participation in the broader community. This program has helped organisations to engage with volunteers with a disability, people from culturally and linguistically diverse backgrounds and Aboriginal and Torres Strait Islander people.

Despite a reasonably high rate of volunteering in the ACT, Canberrans give the lowest median number of hours per volunteer in Australia: so many people but fewer hours. Both the community sector and the ACT government are witnessing the same trends

in volunteering that are being observed nationally. As I said before, these trends can be seen reflected around the world. There is a shift towards ad hoc and project based volunteering. Volunteers report being time poor due to family and work commitments, which disinclines them to ongoing volunteering or regular volunteering on a day to day basis, choosing more episodic and project based volunteering.

In the Community Services Directorate, corporate programs are more likely to succeed when there are dedicated people to advocate for the program. In a tight fiscal environment, this has become a challenge. The ACT government is in the early days of considering other innovative funding models for social outcomes, such as institutional investor and philanthropic models.

Considerable attention is being directed to the human services blueprint, an approach to service system transformation, which is being trialled in my electorate in the west Belconnen region of Canberra and which involves the government and community sectors working together to integrate local services, including governance, funding, service coordination and data sharing. This work will necessarily include the valuable contribution of volunteers.

Madam Speaker, at the world conference delegates heard from speakers and participants in plenaries and workshops from over 26 countries and from a number of backgrounds, including business, academia, practitioners, managers, all levels of government, former members of the judiciary and representatives of the United Nations, to mention a few. They called on us to challenge ourselves as volunteers and those who work with volunteers, as well as challenge the media, governments and businesses to recognise the value of volunteer effort and its power for change.

In closing, I believe we need to challenge ourselves here in the ACT. Therefore I call on the government to review and update the ACT volunteering statement to take account of developing trends and challenges in the 21st century. I commend my motion to the Assembly.

MS LAWDER (Brindabella) (6.10): I rise to support Ms Porter's motion today. I am very pleased to have the opportunity to speak about the importance of volunteers in our community, and the difference they make to so many.

We all know that with busy lives it can be hard to find time to volunteer, but we should never underestimate the valuable role that is played by volunteers in our community. Volunteers make a valuable contribution to society in both economic and social terms. Volunteers allow organisations to allocate their often-limited finances elsewhere.

The ABS general social survey conducted in 2010 estimated 6.4 million adults, or 36 per cent of the population, do voluntary work each year across Australia. Willingly giving time to do work for an organisation or community group on an unpaid basis can be rewarding for the individual, and it can extend and enhance their social networks.

Volunteering activities occur in a wide range of areas. You can volunteer as a guide at Old Parliament House, be a Lifeline phone counsellor or assist newly arrived Canberrans through refugee support programs. You can volunteer to coach a junior sporting team or help with reading programs at your child's school. There is no limit to the kind of volunteering projects which are available.

Last year, during the centenary year, Volunteering ACT ran a 100 volunteering stories campaign, which called on volunteers and organisations to share their volunteer stories. I would like to share one of them with you today. It is a story from Elizabeth Tracey, a volunteer at Ronald McDonald House, where I also volunteer. Ms Tracey said:

I have volunteered in Canberra across several organisations for over 26 years and have found it to be extremely rewarding. My time, however, with Ronald McDonald House has actually been life changing. Having spent long periods of time staying in hospital based accommodation with an ill family member and experiencing the stress and trauma that goes along with having them airlifted interstate in an emergency, I will forever be grateful to the people I met along the way, complete strangers who assisted and supported me in those situations. Coming up to the first year anniversary for RMH in Canberra and welcoming the 200th family to the House, it continues to be an absolute privilege to help and support the families of critically ill children, which RMH do 24 hours a day, seven days a week, 365 days a year, and to be able to give something back along the way. "Volunteers are the Heart of the House"—I couldn't be more proud than to say that I am one of them.

In addition to Ronald McDonald House Canberra, I personally have had interaction over the past few weeks with a wide range of other organisations that rely heavily on volunteers, and these read like a cross-section of our community: Tuggeranong Hawks Football Club, Tuggeranong United Football, Conservation Council, Lake Tuggeranong Carers, Diversity ACT, ACT Shelter, ATODA, Public Health Association of Australia, Marymead, Barnardos, Fadden P&C at the Fadden Primary School fair, the Tharwa Preschool for the Tharwa fair, Leukaemia Foundation for Lifecycle, Communities@Work, Tuggeranong Community Council, my local community fire unit, and many more. These are organisations that rely heavily on volunteers that are doing great work in our community day in and day out.

The stories from Volunteering ACT's project last year gave just a tiny glimpse of volunteers in our community—the passion they have and the time they give over countless years. There is also evidence that volunteering can boost happiness, decrease depression and help you live longer. As Winston Churchill once said, "We make a living by what we do, but we make a life from what we give."

I join with Ms Porter in acknowledging the valuable role played by over one-third of ACT residents who volunteer, and I look forward to the review and updating of the ACT volunteering statement. We are pleased to support this motion today.

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Corrective Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for Sport and Recreation) (6.14): I thank Ms Porter for bringing

forward this motion today, because it does give us a great opportunity to acknowledge the roles of volunteers in our community—something I know that Ms Porter is particularly passionate about.

Here in Canberra we see a great contribution from volunteers. In some ways it is almost impossible to measure and to put some sort of quantification on it. There are so many things in our community that simply would not happen if the volunteers, in their many forms, were not out making the contributions that they do.

Every day, Canberrans contribute their time towards a range of activities and services that help build the fabric of our society. I would like to take this opportunity to talk about just a few examples today. You cannot do justice to perhaps the full spectrum of volunteering activities but I will touch on a few. Ms Lawder mentioned quite a few organisations that she was aware of. I am sure we could all put together a long list as we have the great fortune of meeting them in the course of our business.

Certainly in the environment space there are many ways in which people work to support our environment, and it is a good thing that they do—everything from the Friends of Grasslands to Frogwatch, the National Parks Association and SEE-Change. They do advocacy and policy work, as well as hands-on environmental management and monitoring.

A great example of this is the waterwatch program that has been funded by the ACT government. What we see there is that, by government putting in a little bit of money, the volunteers make it go a long way. In that case we have approximately 160 volunteers monitoring 200 sites across the ACT and region.

In a similar vein, I am also especially grateful to the ParkCare and Landcare groups who support the objectives of TAMS in taking care of our nature reserves. The 21 ParkCare groups and 16 Landcare groups make such a significant contribution in addition to the work that TAMS can deliver, as well as bringing a level of community custodianship to these areas and an incredible level of knowledge. Volunteers they may be, but that should be no reflection on the quality and level of expertise that some of the ParkCare and Landcare groups have. Their knowledge of their local patch is really extraordinary, it is very impressive and is certainly something to be admired.

Of course, our bushfire volunteers are a similar group. They give a high commitment of both their time and expertise. And let us never forget that they put themselves in a level of personal danger in order to protect our community. They work closely with the Emergency Services Agency and TAMS to prepare for each bushfire season, and we are always grateful for their contribution and their dedication.

My interaction with volunteers through TAMS has been extensively recently. I go to events run by volunteers many times each week, and this constantly reminds me of the time and effort put in by the community. That goes across a whole range of areas. I have already mentioned the ParkCare and Landcare groups, but even recently the Friends of Curtin Shops, who I met with on site, raised a series of issues that they wanted to see addressed. They did not just ask the government to do it, but also offered to put in their own time and effort to help improve and maintain their local

shops and give it a real community feel. They have been doing a range of things at the Curtin shops, and particularly in getting ready for their 50th birthday party in October, which I know all members have been invited to.

With the recent ministerial reshuffle I have had more to do with another group, although I had been aware of their activities for some time—the Friends of the Arboretum, a group that has been running for a number of years and which is very successful. They do a huge amount of marketing work for the arboretum, and recently produced a book—the *Arboretum Book*. The friends are now doing tree audits, counting and evaluating each tree, and also helping with art projects at the arboretum. The thing they are perhaps best known for is guiding people around the arboretum, sharing their passion and sharing their knowledge of that institution.

Having recently also, as part of the ministerial reshuffle, taken over the sport portfolio, this is one area where again it is just impossible to quantify the contribution of volunteers every single weekend and, for that matter, through the week quite a bit as well. Volunteers are out there making an enormous contribution, and giving people right across the age spectrum the opportunity to participate in sport and recreation events.

Quite recently I know a couple of members went to the game that Tuggeranong United played in the FFA Cup, up against Melbourne Victory. It was a big deal. More than 5,000 people turned up for the game. I was there right until the end. In fact afterwards I was chatting to a few people, and once the crowd had cleared the volunteers turned up, and they started picking up all the rubbish that had been left behind. Some of them were what can only be described as young girls. I suspect they were 14 or 15, and obviously part of Tuggeranong United, through to much older members of the club. It was great to see them doing that at what was otherwise essentially a large-scale football match.

There are many other areas in the social sphere across the community. I have in recent times taken to saying that people who say Canberra is boring simply are not trying. There are so many community groups to be involved in, whether it is some of the areas I have already mentioned or some other areas.

I refer to the various medical support groups that exist in our community across the full spectrum of human conditions, be they carers or perhaps people more specifically fundraising for a particular condition or providing a support group for a particular condition. Ms Lawder mentioned some of those in the list she spoke of. There is simply an enormous level of contribution going on out there.

Volunteering delivers quite a range of benefits to the community, both the expertise and time that people put in while filling the gaps that government and other agencies cannot easily fill or which perhaps are not well filled by government. And there are the community organisations who promote volunteer activity and advocate to the government and put the case on behalf of volunteers.

It is hard to sum up all of that, having made those few brief remarks. I will conclude by saying, as I am sure all of us will in this place, that we simply thank those that give

of their own time. It is, of course, rewarding for volunteers as well, and I think people know that. But invariably people's starting motivation is to give something to the community and that is a fine thing to be doing. I thank all of the volunteers across the city for their contribution.

MR GENTLEMAN (Brindabella—Minister for Planning, Minister for Community Services, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (6.21): I wish to thank Ms Porter for the motion and speak in support of it in regard to the importance of volunteering for the ACT community.

The principles that guide volunteering in the ACT are that volunteering is recognised, valuable, diverse and supported. These principles are still very relevant today. With these principles in mind I would like first to acknowledge and thank all volunteers for their service to the Canberra community. There are over 2,500 not-for-profit and community organisations in the ACT, most of which engage volunteers. They help people of all ages and abilities to be part of our community. This includes volunteering in sports, in schools, providing essential services to people in need and supporting people at risk.

I note that volunteering is not always visible and that much of the work is done behind the scenes. Our community is immensely richer because of the contribution of thousands of volunteers. I would like to take this opportunity to thank all Canberrans who engage in volunteering activity for the richness they bring to our community.

It is worth remembering that volunteering is a reciprocal relationship, with volunteers also gaining from the experience. It is important to acknowledge Volunteering ACT's strategic role in coordinating opportunities for volunteers. They are constantly creative in how they do it, and I will mention two recent examples.

First, they have partnered with the Australian Institute of Project Management to link up certified project managers with not-for-profit organisations. It is called the skilled volunteering community network program and it provides the services of a project manager to the community organisation on a volunteer basis. Second, earlier this month Volunteering ACT was successful in securing commonwealth funding under the natural disaster resilience program to engage emergency volunteers and develop their volunteer management services.

Most people would recognise that the government has a role in supporting volunteering. The ACT government does this in a number of ways, including funding Volunteering ACT. The ACT government also promotes volunteering through its public service enterprise bargaining agreements and providing opportunities for public servants to volunteer. In this regard I can report that in the previous two financial years the number of volunteer days for emergency services increased by 143 per cent while leave for other types of volunteering increased by 12 per cent. This is a great start and with greater awareness this will continue to improve.

It is worth noting that many Canberrans give their time to support public events and activities. The National Multicultural Festival and the Nara Candle Festival are among many public events that contribute to Canberra's vibrancy. These events and activities

could not be held without the valuable assistance of volunteers. It is pleasing to know that the private sector is providing opportunities for employees to access volunteer leave.

There are challenges in maintaining and increasing the number of people who volunteer in the ACT. Although the ACT has a reasonably high rate of volunteering, our highly educated population face significant time pressures from work, family or study commitments. This has been confirmed by research undertaken by Volunteering ACT.

While we know the principles in the volunteering statement still reflect our strong commitment to volunteering, the challenge for the future will be finding new ways for people to contribute to our community that fit within our busy lives. In the first instance let us continue to promote the positive benefits of volunteering and look for new ways to engage Canberrans. This could include exciting opportunities to connect new audiences with volunteering, particularly young people. Social media could play an important role in this regard.

In closing, I wish to reaffirm the ACT government's commitment to the statement and recognise that we have a role to play in growing and maintaining volunteering in the ACT.

MS PORTER (Ginninderra) (6.26), in reply: I would like to thank all the speakers that have spoken in support of this motion this afternoon. I acknowledge Ms Lawder's experience in her former community role and her experience in volunteering herself.

The examples Ms Lawder gave about the commitments that are necessary to volunteer for the organisations she listed served to demonstrate clearly the challenges we face. Many of the organisations she mentioned require volunteers to be available on a regular basis. Volunteers that are time poor who can only volunteer for short periods or from time to time cannot necessarily volunteer for these organisations.

Mr Rattenbury gave the example of volunteer firefighters and Ms Lawder mentioned the community fire units of which she and I are both members. These volunteers need to be on hand constantly during the fire season, of course, but also need to keep their skills up to date and refreshed, and must devote many hours to training.

Fortunately, there are opportunities such as Greening Australia where volunteers can join with others to make a huge difference to the environment when they have a free weekend. Volunteering of this kind is very good for people who are busy, such as members here. I would encourage all members here to look at the Greening Australia website and familiarise themselves with those opportunities.

I am sure, as the minister said, there are many opportunities for all of us to volunteer, if we look for them. I am very grateful that the minister acknowledged that there are many challenges and that we do need to look at the volunteering statement in light of the changing volunteer workforce and the environment of volunteering in the 21st century.

Motion agreed to.

Adjournment

ACT Training Excellence Awards

MS BURCH (Brindabella—Minister for Education and Training, Minister for Disability, Minister for Multicultural Affairs, Minister for Racing and Gaming, Minister for Women and Minister for the Arts) (6.28): I move:

That the Assembly do now adjourn.

I briefly want to pay tribute to the recipients of the 2014 ACT Training Excellence Awards. With over 77 years of recognition of hard work and commitment, the awards honour Canberra's leading apprentices, trainees, vocational students, trainers, employers, schools and registered training organisations. They complement the government's commitment to building a well-trained, skilled and flexible workforce.

The percentage of ACT VET graduates gaining employment after training is the second highest in Australia and the percentage enrolled in further study is the highest in the country. Quality training provides benefits not only for the students but also for the community and economy.

The recipients of this year's ACT Training Excellence Awards were: ACT Apprentice of the Year—Jessica Baczynski from Cataldo's Salon; ACT Apprentice (Trainee) of the Year—Mark den Hartog from DHL Express; ACT Vocational School Student of the Year—James Kumar from the University of Canberra Senior Secondary College, Lake Ginninderra; ACT Vocational Student of the Year—Rebecca Lyons Wright from the Academy of Interactive Entertainment; ACT Aboriginal and Torres Strait Islander Student, Trainee or Apprentice of the Year—Sally Moylan from the Canberra Institute of Technology; ACT School-Based Apprentice of the Year Certificate II—Veronica Plunkett from St Francis Xavier; ACT School-Based Apprentice of the Year Certificate III—Eylish Perry from Melba Copland Secondary School; ACT VET Teacher-Trainer of the Year—Judith McDonald from St Clare's College; ACT VET in Schools Excellence Award—St Edmund's College; ACT Small Registered Training Organisation of the Year—Australian Business Academy; ACT Large Registered Training Organisation of the Year—Canberra Institute of Technology; and ACT Large Employer of the Year—National Mailing and Marketing Ltd.

Some of the recipients will go on and represent the ACT at the Australian Training Awards to be held in Adelaide in November. I wish them all the best of luck. To all those that were nominated and involved in the awards, congratulations.

Gungahlin Anglican Church

MR COE (Ginninderra) (6:31): I rise to speak about the role that the Gungahlin Anglican Church plays in our community. On Saturday, 20 September Mrs Dunne, Dr Bourke and I had the privilege of attending their 21st birthday celebration at the Forde campus of Burgmann Anglican School.

The church is one of the oldest organisations in the relatively young Gungahlin district. Whilst Gungahlin was on NCDC plans for many years, it was not until the 1990s that Gungahlin was truly born. The church, founded in 1993, had its early days meeting in a house in Palmerston, with a core group including the Heywards, Pitchers, Browns and Reverend Robert Holland, who acted as the honorary priest. In the early days the rector was Vicki Cullen, and at the 21st birthday celebration she recalled the challenges and opportunities of those early days. She recalled the church office in the house she and her husband had purchased when they moved to Palmerston. She also recalled the move of the Sunday service to the Ngunnawal community centre.

Vicki also discussed the ongoing campaign that she, the congregation and the diocese ran for an Anglican school to be established in the growing district. In 1998 this dream became a reality and the foundation stone for Burgmann Anglican School was laid in November that year by Bishop George Browning, who was also in attendance at the 21st birthday celebrations. Several months later, in February 1999, the school commenced and the Gungahlin Anglican Church moved their Sunday service to the new school classrooms at what was to become the Valley campus of Burgmann.

Several years later, in 1999, Reverend Malcolm Richards became the rector and he, working alongside the founding school principal, Paul Browning, brought the Sunday services to the school. For several years the church shuffled between classrooms as the congregation and school grew together.

In 2005 the school finished construction of the Grace Chapel and that would become the new home of the church. Soon after, Malcolm Richards took up a position with CMS NSW and Michael Dasey became the senior minister of the church. Several years later, in 2011, the school commenced operation of their campus in Forde, which allowed for an additional Sunday morning service to be established in the north of Gungahlin.

Today, the rector and other staff of the church work in close cooperation with the principal of Burgmann, Steven Bowers, and the rest of the school community. Of course, there are so many people and tasks required to operate a modern and growing church. In addition to the ministry and staff, there are people who help with communion, music, packing up and setting up, welcoming teams, people on cleaning rosters, home group leaders, administrators, pastoral carers, website operators, audiovisual operators, and many other roles.

I would like to pay tribute to the leadership of Michael Dasey, Andrew Taylor and Tracey Jacob; wardens Neil Kaines, Heather Millard and Stephen Gale; parish councillors David Brooking, the treasurer, Andrew and Christine Ford, David Rajasekaram, James Bradley and Daniel Griffiths.

I would like to thank the church for the role they play in our community. I would also like to commend them for the lovely celebration they hosted at the Forde campus of Burgmann. We heard some wonderful musical tributes and encouraging and informative words about the development of the church. I wish the church community all the best for their future. For more information about the church, please visit their website at www.gungahlinanglican.org.au.

Macgregor Primary School

MS BERRY (Ginninderra) (6.34): Tonight I rise to recognise the fantastic work and community of Macgregor primary and to wish the school a very happy 40th birthday. Macgregor primary is a diverse school in an area of Canberra that is lucky to have community members from all over the world. The school itself has students of 70 different nationalities and many students who are from non-English-speaking backgrounds.

Early last year the school leadership noticed that parents of students from non-English-speaking backgrounds were having trouble getting involved in the school community. To combat this they started a small multicultural morning tea where parents were invited to bring a dish that reflects their culture and share with other parents. The first morning tea was attended by around five families. There have now been seven morning teas which always draw a crowd of at least 20 to 30 parents who are keen to share their cultures and have a chat about the school.

It is important to involve all parents in the lives of our schools. When schools, families and community groups work together to support learning, children tend to do better in school, stay in school longer and like school more. At the most recent morning tea I spoke to parents about important issues like NAPLAN; learning support and after-school care. I know the teachers and leadership at the school also enjoy the opportunity to have a cuppa and an informal chat with parents who are often unfamiliar with the system.

The morning tea also supports parental empowerment in schools by strengthening the relationship between parents. As every parent in the chamber knows, even when you have the newsletter on the fridge, the children often come home with a different story about what day events are on. Having a strong network of other parents can sometimes be what saves you from the midnight runs to Kmart to pick up costumes for book week or from failing to sign yet another permission slip. And on top of that, the food that the parents prepare for these morning teas is delicious.

It is this kind of proactive collaboration between parents and teachers and school leadership that makes Macgregor the great school it is. I look forward to many more multicultural morning teas and celebrating more milestones for the school in Macgregor in the years to come.

Question resolved in the affirmative.

The Assembly adjourned at 6.37 pm.