

2004–2005

LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY

MINUTES OF PROCEEDINGS

No. 22

WEDNESDAY, 22 JUNE 2005

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1 The Assembly met at 10.30 a.m., pursuant to adjournment. The Speaker (Mr Berry) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 **SENTENCING AND CORRECTIONS REFORM AMENDMENT BILL 2005**

Mr Stefaniak, pursuant to notice, presented a Bill for an Act to reform the law about sentencing and corrections, and for other purposes.

Title read by Clerk.

Mr Stefaniak moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Corbell—Minister for Planning) and the resumption of the debate made an order of the day for the next sitting.

3 **MEDICARE FUNDED TREATMENTS FOR A.C.T. RESIDENTS**

The order of the day having been read for the resumption of the debate on the motion of Ms Porter—That this Assembly:

- (1) recognises the importance to the ACT community of maintaining accessibility to Medicare funded treatments and services based on objective merit rather than subjective value judgements;
- (2) notes the negative implications associated with restricting Medicare subsidisation for in vitro fertilisation (IVF) treatments on an arbitrary basis; and
- (3) affirms its commitment to accessible and affordable health services for all ACT residents, including the provision of IVF, at the discretion of the individual, in consultation with their medical practitioner—

Debate resumed.

Question—put and passed.

#### 4 FUNDING OF PEAK NON-GOVERNMENT ADVOCACY AND POLICY ORGANISATIONS

Dr Foskey, pursuant to notice, moved—That this Assembly:

- (1) recognises the invaluable contribution to public policy development by the non-government sector in the ACT;
- (2) condemns the Federal Government for its recent decision to end funding of the policy advocacy and policy work of peak environment groups around Australia, including the Conservation Council of the South East Region and Canberra; and
- (3) affirms its support for the public funding of peak non-government advocacy and policy organisations.

Debate ensued.

Question—put and passed.

#### 5 ANIMAL LEGISLATION (PENALTIES) AMENDMENT BILL 2005

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

*Papers:* Mr Stefaniak, by leave, presented the following papers:

Copy of letter to Mrs Burke MLA from the President of the RSPCA, dated 2 April 2005.

Copy of letter from Mrs Burke MLA to the President of the RSPCA, dated 5 April 2005.

Media release from Animal Liberation ACT, 22 June 2005.

Debate continued.

Question—That this Bill be agreed to in principle—put.

The Assembly voted—

AYES, 6		NOES, 7	
Mrs Dunne	Mr Smyth	Mr Corbell	Ms MacDonald
Dr Foskey	Mr Stefaniak	Ms Gallagher	Ms Porter
Mr Mulcahy		Mr Gentleman	Mr Quinlan
Mr Pratt		Mr Hargreaves	

And so it was negatived.

#### 6 MINISTERIAL ARRANGEMENTS

Mr Quinlan (Acting Chief Minister) informed the Assembly of the absence of Mr Stanhope (Chief Minister, Attorney-General and Minister for Arts, Heritage and Indigenous Affairs) and advised the Assembly that questions without notice normally directed to the Chief Minister could be directed to Mr Quinlan and those normally directed to the Attorney-General and Minister for Arts, Heritage and Indigenous Affairs could be directed to Ms Gallagher (Acting Attorney-General and Acting Minister for Arts, Heritage and Indigenous Affairs).

**7 QUESTIONS**

Questions without notice being asked—

*Speaker's ruling:* The Speaker ruled a question out of order as the subject matter of the question was sub judice.

*Dissent from Speaker's ruling moved:* Mr Stefaniak, by leave, moved—That the Speaker's ruling be dissented from.

Debate ensued.

*Closure:* Mr Quinlan (Treasurer) moved—That the question be now put.

Question—That the question be now put—put.

The Assembly voted—

AYES, 9		NOES, 6	
Mr Berry	Mr Hargreaves	Mrs Dunne	Mr Stefaniak
Mr Corbell	Ms MacDonald	Mr Mulcahy	
Dr Foskey	Ms Porter	Mr Pratt	
Ms Gallagher	Mr Quinlan	Mr Seselja	
Mr Gentleman		Mr Smyth	

And so it was resolved in the affirmative.

And the question—That the motion of dissent be agreed to—being accordingly put.

The Assembly voted—

AYES, 6		NOES, 9	
Mrs Dunne	Mr Stefaniak	Mr Berry	Mr Hargreaves
Mr Mulcahy		Mr Corbell	Ms MacDonald
Mr Pratt		Dr Foskey	Ms Porter
Mr Seselja		Ms Gallagher	Mr Quinlan
Mr Smyth		Mr Gentleman	

And so it was negatived.

Questions continued.

**8 PAPERS**

Mr Hargreaves (Minister for Urban Services) presented the following papers:

Illegal dumping—Extracts from the Canberra Liberals' web page—News—

Wednesday, 12 January 2005.

Saturday, 9 April 2005.

Wednesday, 11 May 2005.

Tuesday, 7 June 2005.

**9 TIMOR LESTE**

Mr Gentleman, pursuant to notice, moved—That this Assembly:

- (1) reasserts the importance to the City of Canberra of the Friendship Relationship with the District of Dili, and in the spirit of mutual respect and cooperation with the people of Timor Leste;

- (2) notes the progress made in talks between the Australian Government and the Government of Timor Leste over maritime boundaries and Timor Sea resources last week;
- (3) recognises:
  - (a) that the development of Timor Sea resources has the potential to contribute significantly to Timor Leste's development and economic self-sufficiency;
  - (b) that industrial development will provide an economic future for Timor Leste, guaranteeing skills and income for the nation's people; and
  - (c) the importance of sovereignty to Timor Leste in the negotiation of a permanent maritime boundary; and
- (4) urges the Australian Government to conduct ongoing negotiations in good faith, and to consider the economic and political sovereignty of Timor Leste as of paramount concern during negotiations.

Debate ensued.

Mr Smyth (Leader of the Opposition) moved the following amendment: Omit paragraph (4).

Debate continued.

Question—put.

The Assembly voted—

AYES, 6		NOES, 9	
Mrs Burke	Mr Smyth	Mr Berry	Mr Hargreaves
Mrs Dunne		Mr Corbell	Ms MacDonald
Mr Mulcahy		Dr Foskey	Ms Porter
Mr Pratt		Ms Gallagher	Mr Quinlan
Mr Seselja		Mr Gentleman	

And so it was negatived.

Question—That the motion be agreed to—put and passed.

## 10 A.C.T. POLICING LEVELS

Mr Pratt, pursuant to notice, moved—That this Assembly:

- (1) expresses its:
  - (a) deep concern that the level of ACT Policing as revealed in the Estimates hearings and despite the Government's persistent denials, deteriorated quite dramatically since this Government came to power; and
  - (b) concern, as a consequence, about the pressures on an overstretched police force to do its job protecting the community; and
- (2) calls on the Government to take immediate action to effectively increase ACT Policing strengths.

Debate ensued.

Mr Hargreaves moved the following amendment: Omit all words after “That this Assembly”, substitute:

“recognises that:

- (1) ACT Government expenditure on policing has increased from \$68.2m in 2001-02 to \$94.4m in 2005-06;
- (2) in the 2005-06 financial year, ACT Policing will receive an additional \$4.67m which consists of \$1.1m towards increased police numbers, \$200 000 for the Belconnen Police Station feasibility study, \$100 000 to establish the child protection register and \$3.27m in certified agreement indexation;
- (3) ACT Policing strength has increased by a minimum of 40 FTE positions (based on the premise of a constable being employed at three-quarters of the permissible experience band) between 2001-02 and 2005-06;
- (4) recently announced Budget initiatives will see this strength increase by a further 20 FTE positions, taking the minimum number of new FTE positions provided since the Stanhope Government was elected to 60; and
- (5) the move to intelligence-led policing has resulted in a significant reduction in crime in the ACT.”.

Debate continued.

Question—That Mr Hargreaves’ proposed amendment be agreed to—put.

The Assembly voted—

AYES, 8		NOES, 7	
Mr Berry	Mr Hargreaves	Mrs Burke	Mr Pratt
Mr Corbell	Ms MacDonald	Mrs Dunne	Mr Seselja
Ms Gallagher	Ms Porter	Dr Foskey	Mr Smyth
Mr Gentleman	Mr Quinlan	Mr Mulcahy	

And so it was resolved in the affirmative.

Question—That the motion, as amended, be agreed to—put.

The Assembly voted—

AYES, 8		NOES, 7	
Mr Berry	Mr Hargreaves	Mrs Burke	Mr Pratt
Mr Corbell	Ms MacDonald	Mrs Dunne	Mr Seselja
Ms Gallagher	Ms Porter	Dr Foskey	Mr Smyth
Mr Gentleman	Mr Quinlan	Mr Mulcahy	

And so it was resolved in the affirmative.

## 11 ADJOURNMENT

It being past 6 p.m.—The question was proposed—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 6.28 p.m., adjourned until tomorrow at 10.30 a.m.

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**MEMBERS' ATTENDANCE:** All Members were present at some time during the sitting, except Mr Stanhope\*.

\*On leave

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**Tom Duncan**  
Clerk of the Legislative Assembly