



NEW SOUTH WALES



Legislative Assembly

**PARLIAMENTARY
DEBATES**

(HANSARD)

**FIFTY-FIRST PARLIAMENT
THIRD SESSION**

OFFICIAL HANSARD

Tuesday, 31 March 1998

LEGISLATIVE ASSEMBLY

Tuesday, 31 March 1998

Mr Speaker (The Hon. John Henry Murray) took the chair at 2.15 p.m.

Mr Speaker offered the Prayer.

ELECTORAL DISTRICT OF SUTHERLAND

Return of Writ: Election of Lorna June Stone

Mr SPEAKER: I inform the House that my writ issued on 2 December 1997 in accordance with section 70 of the Parliamentary Electorates and Elections Act 1912, for the election of a member to serve in the Legislative Assembly for the electoral district of Sutherland in the room of Christopher John Downy, resigned, has been returned with a certificate endorsed thereon by the Returning Officer of the election of Lorna June Stone to serve as member for the electoral district of Sutherland.

OATH OF ALLEGIANCE

Mrs Stone took and subscribed the oath of allegiance and signed the roll.

ASSENT TO BILLS

Assent to the following bills of the previous session reported:

Justices Amendment (Procedure) Bill
 Appropriation (Refunds and Subsidies) Bill
 Business Franchise Licences (Repeal) Bill
 Contractors Debts Bill
 Crown Lands and Irrigation Legislation Amendment (Removal of Transfer Restrictions) Bill
 Petroleum Products Subsidy Bill
 Road and Rail Transport (Dangerous Goods) Bill
 South-west Tablelands Water Supply Administration (Repeal) Bill
 Traffic Legislation Amendment Bill
 University of Western Sydney Bill
 Walker Trusts Amendment Bill
 Road Transport (Heavy Vehicles Registration Charges) Amendment Bill
 Road Transport (Vehicle Registration) Bill
 Stock Diseases Bill
 Fines Amendment Bill
 Evidence Amendment (Confidential Communications) Bill
 Duties Bill
 Dried Fruits (Repeal) Bill
 Marketing of Primary Products Amendment (Wine Grapes Marketing Board) Bill
 Marketing of Primary Products Amendment (Marketing Orders) Bill

Education Reform Amendment Bill
 Water Legislation Amendment Bill
 Public Health Amendment (Tobacco Advertising) Bill
 Coroners Amendment Bill
 Royal Botanic Gardens and Domain Trust Amendment Bill
 Traffic Amendment (Disqualification for Speeding) Bill
 Native Vegetation Conservation Bill
 WorkCover Legislation Amendment Bill
 Crimes Legislation Further Amendment Bill
 Law Enforcement (Controlled Operations) Bill
 Casino Control Amendment Bill
 Kooragang Coal Terminal (Special Provisions) Bill
 Visy Mill Facilitation Bill
 Contaminated Land Management Bill
 Courts Legislation Further Amendment Bill
 Crimes Amendment (Child Pornography) Bill
 Evidence (Children) Bill
 International Transfer of Prisoners (New South Wales) Bill
 Local Government Amendment (Open Meetings) Bill
 Pollution Control Amendment (Load-based Licensing) Bill
 Statute Law (Miscellaneous Provisions) Bill (No. 2)
 Summary Offences Amendment Bill
 Superannuation Legislation Further Amendment Bill
 Timber Plantations (Harvest Guarantee) Amendment Bill
 Totalizator Legislation Amendment Bill
 Environmental Planning and Assessment Amendment Bill
 Fisheries Management Bill
 Health Services Bill
 Liquor and Registered Clubs Legislation Amendment Bill
 Protection of the Environment Operations Bill
 Security Industry Bill

NATIONAL PARTY WHIP

Mr ARMSTRONG: I inform the House that Andrew Raymond Gordon Fraser was elected National Party Whip as from 31 March 1998.

DEATH OF RICHARD WILLIAM MURDEN, AM, A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY

Mr SPEAKER: I have to inform the House of the death of Richard William Murden, AM, a former member of the Legislative Assembly. On behalf of the House I extend to his family the deep sympathy of the members of the Legislative Assembly in the loss sustained.

Members and officers of the House stood in their places.

DEATH OF CLIVE GEOFFREY OSBORNE, A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY

Mr SPEAKER: I have to inform the House of the death of Clive Geoffrey Osborne, a former

member of the Legislative Assembly. On behalf of the House I extend to his family the deepest sympathy of members of the Legislative Assembly in the loss sustained.

Members and officers of the House stood in their places.

INDEPENDENT COMMISSION AGAINST CORRUPTION

Reports

Mr Speaker announced, pursuant to Section 74 of the Independent Commission Against Corruption Act 1988, receipt of the following reports:

Investigation into the Department of Corrective Services—
First Report: The Conduct of Prison Officer Toso Lila (Josh)
Sua and matters related thereto, dated February 1998.

Investigation into the Glebe Morgue, dated March 1998.

OFFICE OF THE OMBUDSMAN

Report

Mr Speaker announced, pursuant to section 31 of the Ombudsman Act 1974, receipt of the report entitled "The Savvas Report", dated December 1997.

AUDITOR-GENERAL

Reports

Mr Speaker announced, pursuant to the Public Finance and Audit Act 1983, receipt of the following reports:

Annual Report for 1997, Vol. 3, Parts 1 and 2.
Internal Report and Summary of the Public Accounts for the
year ended 30 June 1997, dated 30 December 1997.

AUDIT OFFICE OF NEW SOUTH WALES

Reports

Mr Speaker announced, pursuant to the Public Finance and Audit Act 1983, receipt of the following reports:

Government Office Accommodation, dated December 1997.
Late Submissions of Public Accounts, dated December 1997.
Department of Housing: Redevelopment Proposal for East

Fairfield (Villawood) Estate, dated January 1998.
NSW Police Service—Police Response to Calls for Assistance,
dated December 1997.
Fraud Control: Status Report on the Implementation of Fraud
Control Strategies, dated March 1998.

TREASURY

Report

Mr Speaker announced, pursuant to the Public Finance and Audit Act 1983, receipt of the report on the Public Accounts of the NSW Budget Sector for the year ended 30 June 1997, dated December 1997.

STATE CORONER

Report

The Clerk announced, pursuant to section 12 of the coroners Act 1980, receipt of the report entitled "Report by New South Wales State Coroner into deaths in custody/police operations for 1997".

PUBLIC ACCOUNTS COMMITTEE

Report

The Clerk announced receipt of the report entitled "Proceedings of the Conference on Doing Business with the World Bank and the United Nations—Sydney 10-11 November 1997", dated December 1997.

JOINT SELECT COMMITTEE ON VICTIMS COMPENSATION

Report

The Clerk announced receipt of the report entitled "The Long Term Financial Viability of the Victims Compensation Fund", dated December 1997.

COMMITTEE ON THE OFFICE OF THE OMBUDSMAN AND THE POLICE INTEGRITY COMMISSION

Report

The Clerk announced receipt of the report entitled "First General Meeting with the Inspector of the Police Integrity Commission", dated December 1997.

COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Report

The Clerk announced receipt of the report entitled "Study Tour of Organisations and Oversight Bodies comparable to the ICAC—London, Berlin, New York and Washington, February 1997", dated December 1997

JOINT SELECT COMMITTEE INTO SAFE INJECTING ROOMS

Report

The Clerk announced receipt of the report entitled "Establishment or Trial of Safe Injecting Rooms", dated February 1998

BUSINESS OF THE HOUSE

Notice of Motion

Mr SPEAKER: I direct that, following the resignation of Christopher John Downy, the former member for Sutherland, General Business Notice of Motion (General Notice) No. 22 standing in the name of the former member for Sutherland be removed from the business paper in accordance with previous practice. Any other member desiring to do so may give a fresh notice of motion at the appropriate time.

DEATH OF LEIGH LEIGH

Ministerial Statement

Mr WHELAN (Ashfield Minister for Police) [2.25 p.m.]: Robyn Leigh is a woman whose life has been scarred by tragedy. In November 1989 her daughter was brutally murdered. Since then she has lived with constant torment about what happened on that night. She has had to suffer the whisperings of ignorant and callous outsiders—that her daughter was somehow responsible for the heinous crime that occurred that night. Today that must end. Today we must lay Leigh to rest and give her mother some peace. Today I state very clearly that Leigh Leigh was an innocent victim.

In October 1996 I referred Leigh's murder to the New South Wales Crime Commission. I did this because of the myriad questions that were still unanswered. I did this because to have done anything else would have been unfair to Robyn Leigh—and others—who had raised many issues

that warranted further investigation. I did this because as a parent I could not imagine anything worse than what happened to Leigh on that night.

Ultimately, two references were given to the Crime Commission. The first was a review of the police investigation. The second was a complete re-investigation of the murder. In relation to the first reference—the review of the investigation—I advise the House that I have referred the report of the Crime Commission to the Police Integrity Commission. Last night I received preliminary advice from Police Integrity Commissioner Urquhart, who advised me that the commission shall conduct an investigation into certain aspects of the conduct of police in the investigation of the murder of Leigh Leigh. Commissioner Urquhart supported the recommendation of the Crime Commission that the relevant report not be made public at this stage. I advised Robyn Leigh of my actions concerning this report, and she supports the action I have taken. Consequently, I shall make no further comment about this reference or report until the PIC investigation is concluded.

Last week I spent some time with Robyn Leigh, her lawyer, John Boersig, and her friend Hilda Armstrong—a pillar of strength through the hell that has been the last nine years. It was a difficult and emotional day for all of us. None of us can really imagine how traumatic this would be for a mother—for a parent. Over several hours Robyn, John and Hilda worked their way through the commission's report into Leigh's death. I wanted them to help me determine whether or not the report should be publicly released. Ultimately we agreed that I should advise the management committee of the Crime Commission that, subject to a few deletions, the report should be released.

The report I will table today is the result of an exhaustive, 17-month investigation by the Crime Commission. In the course of the investigation the commission interviewed 139 people, including some who were not interviewed during the original investigation. A total of 44 Crime Commission hearings were held involving police and civilian witnesses. Fourteen listening device warrants and two telephone intercept warrants were obtained. Forensic reports were obtained from Professor McConkey, head of the School of Psychology at the University of New South Wales; Professor Starmer of the Pharmacology Research Unit at the University of Sydney; Dr Rod Milton, a forensic psychiatrist; and Professor Stephen Cordner, the Director of the Victorian Institute of Forensic Medicine and Professor of Forensic Medicine at Monash University.

The Crime Commission examined police records and documents provided by John Boersig and the Newcastle Legal Centre and amassed its own substantial holdings during the inquiry. The Crime Commission's principal finding was that Leigh Leigh was killed by Matthew Webster, acting alone. The facts presented to the court leading to his 20-year sentence were consistent with the commission's findings. The commission found there were other offences, including assaults and minor drug offences, committed on the night of 3 November 1989. However, the commission concluded that police "did not act inappropriately in relation to the charging of other persons". When a crime as terrible as this occurs we all search for answers, for reasons; we want someone to blame. I know that Mrs Leigh is trying to digest the report. I am grateful that she has people like John and Hilda to help her get through. I know that she needs to know that something good will come from something so appalling.

On that November night a birthday party occurred. An unsupervised party, at which alcohol and drugs were freely available to kids, got out of hand. The unsupervised party, at which young women were verbally and physically abused, resulted in the death of a normal, vivacious schoolgirl. It was an unsupervised party that, despite these things, would probably have been unremarkable except for its brutal outcome. We must learn something from what happened that night. We must ensure that kids out there, and their parents, heed the tragedy which occurred on that night. We must ensure that the Police Service in 1998 is a much different organisation from what it was in 1989. Some will ask whether the Crime Commission inquiry was worth it. Let me state unequivocally that I believe it was. I have confidence that the commission's inquiry was exhaustive and thorough and that its findings will answer many questions. By leave, I table the report.

Mr TINK (Eastwood) [2.32 p.m.]: On behalf of the Opposition I join with the Minister for Police in extending sympathies to Robyn Leigh and the family of Leigh Leigh in this terrible tragedy. When the announcement was first made that the Crime Commission had come to a conclusion on this matter I stated publicly that I thought the appropriate course was for the Minister to report to the Parliament on the circumstances. That he has done, and on this occasion I support him in that. It is my understanding that there are outstanding matters to go before the Police Integrity Commission, and the outcome of those matters is awaited with interest. There were shortcomings in this circumstance, as I

understand it, and it is important to get to the bottom of those matters without further prejudice from any comment that might be made in this place.

DISTINGUISHED VISITOR

Mr SPEAKER: Order! I draw the attention of members to the presence in the gallery of the Chief Minister for the Northern Territory, the Hon. Shane Stone. I welcome him to the Legislative Assembly of New South Wales.

PETITIONS

Governor of New South Wales

Petitions praying that the office of Governor of New South Wales not be downgraded, and that the role, duties and future of the office be determined by a referendum, received from **Mr Blackmore, Mr Brogden, Mrs Chikarovski, Mr Collins, Mr Debnam, Ms Ficarra, Mr Glachan, Mr Hartcher, Mr Hazzard, Mr Humpherson, Dr Kernohan, Mr Kerr, Mr MacCarthy, Mr Merton, Mr O'Doherty, Mr O'Farrell, Mr Phillips, Mr Photios, Mr Richardson, Mr Rozzoli, Mr Schipp, Mr Schultz, Ms Seaton, Mrs Skinner, Mr Smith, Mr Tink.**

Land Tax

Petitions praying that land tax on the family home be repealed and that the land tax threshold on investment properties be doubled from \$160,000 to \$320,000, received from **Dr Macdonald and Mrs Skinner.**

Lightning Ridge Doctor

Petition praying that another doctor or doctors be procured for Lightning Ridge, received from **Mr Beckroge.**

Lithgow Hospital Day Centre

Petition praying that a day centre be maintained on the grounds of the new Lithgow Hospital, received from **Mr Clough.**

Israel Heroin Addicts Program

Petitions praying that the heroin addicts program in Israel be evaluated with a view to establishing a similar program in all States of Australia, received from **Mr Cruickshank and Mr Watkins.**

Greater Murray Area Health Services

Petition praying that in the Greater Murray health service area the hospital boards and local autonomy be restored, the local hospitals and community health centres not be further downgraded, the provision of specialist services to country areas be expanded, and the planned private hospital in Griffith be constructed, received from **Mr Cruickshank**.

Camden District Hospital

Petition praying that the maternity ward and birthing centre at Camden District Hospital be retained, and that the hospital be retained as a general hospital, received from **Dr Kernohan**.

Wagga Wagga and Albury Radiotherapy Clinics

Petition praying that the Minister for Health endorse the Patspur Pty Ltd proposal to establish radiotherapy clinics at Wagga Wagga and Albury, received from **Mr Schipp**.

Ryde Hospital

Petition praying that Ryde Hospital and its services be retained, received from **Mr Tink**.

Firearms Legislation

Petition praying that recent amendments to firearms laws and associated regulations be repealed and that the Government discuss with representatives of firearm groups more effective and amiable firearm laws, received from **Mr Armstrong**.

Police and Community Youth Clubs

Petitions praying that, in line with the Inspector General's report of 1993, permanent dedicated police officers be retained at police and community youth clubs, received from **Mr Blackmore** and **Mr Souris**.

Murrurundi Policing

Petition praying that the three police officers appointed to the Murrurundi police district be retained in that district and not deployed elsewhere, received from **Mr Souris**.

Industrial Relations Act

Petition praying that the Industrial Relations Act be amended with regard to the manager or supervisor of public baths, received from **Mr Jeffery**.

Countrylink Luggage

Petitions praying that State Rail maintain a luggage booking facility on Countrylink services, received from **Mr Cruickshank**, **Mr Schipp**, **Mr Souris** and **Mr R. W. Turner**.

Oxley Highway

Petition praying that the existing section of the Oxley Highway between Tobins Camp and the intersection with Knodingbul Road is of an inferior standard and requesting a feasibility study into relocating that section to the route of the old highway and Knodingbul Road, received from **Mr Jeffery**.

Manly Wharf Bus Services

Petition praying that plans to move bus services from Manly Wharf to Gilbert Park be abandoned, received from **Dr Macdonald**.

Railway Station Staffing

Petition expressing concern about reduced staffing hours at Cheltenham, Beecroft, Thornleigh, Normanhurst, Waitara, Warrawee and Turramurra railway stations, and praying that the Government honour its 1995 election promise to adequately staff railway stations, received from **Mr O'Farrell**.

Lakes Way Link Road

Petition praying that the Government reinstate its commitment to the construction of the link road from the new Bulahdelah Mountain bypass to the Lakes Way, received from **Mr J. H. Turner**.

Transmission Structures

Petition praying that telecommunication carriers not be allowed to erect transmission structures within close proximity to residential homes, schools, child-care centres, hospitals, and aged-care centres, received from **Mr Brogden**.

Coffs Harbour Jetty

Petition praying that a platform be constructed on Coffs Harbour jetty for the purposes of jetty jumping, received from **Mr Fraser**.

Northside Storage Tunnel

Petition praying that plans to construct a storage tunnel from Lane Cove to North Head be abandoned, and that the allocated funds be used to find a long-term sustainable solution to sewage disposal, received from **Dr Macdonald**.

Cyprus Hellene Club

Petition praying that the Cyprus Hellene Club, in Elizabeth Street, Sydney, be retained as an Aboriginal history and heritage centre, received from **Ms Moore**.

Cessnock Waste Dumping

Petition praying that waste from Sydney not be dumped in the Cessnock local government area, received from **Mr Neilly**.

Exeter Quarry Application

Petition praying that consent be refused for a new quarry at Exeter, received from **Ms Seaton**.

Animal Experimentation

Petitions praying that legislation be introduced to prohibit the use of impounded animals for experimentation, received from **Mr Amery** and **Ms Hall**.

Pig Hunting

Petition praying against proposed changes to legislation to ban the use of dogs in pig hunting, received from **Mr Schipp**.

National Parks Fees

Petition praying that changes to the fee structure for entry to national parks be rejected, received from **Mr Jeffery**.

QUESTIONS WITHOUT NOTICE

**INDEPENDENT COMMISSION AGAINST
CORRUPTION MINISTER FOR FAIR
TRADING INVESTIGATION**

Mr COLLINS: My question without notice is directed to the Premier. Given that the Minister for Fair Trading has admitted lying five times to an officer of the Crown because it was "simple and expedient", why has the Premier not sacked the Minister? Why have the standards of the Premier's Government sunk so low that Ministers who lie and deliberately deceive continue to enjoy his confidence?

Mr CARR: We propose to wait until after the ICAC inquiry. The notion that we would dismiss the

Minister in the middle of that defies logic, commonsense or anything else.

Mr Amery: Who said that?

Mr CARR: That is not me speaking; that is a quote. Let me give it to the House again, "We propose to wait until after the ICAC inquiry. The notion that we would dismiss the Minister in the middle of that defies logic, commonsense or anything else."

Mr SPEAKER: Order! I call the Deputy Leader of the Opposition to order.

Mr Amery: Who said that?

Mr CARR: Nick Greiner said it.

Mr Photios: He is a liar!

Mr CARR: Nick Greiner is not a liar! By the way, I notice in passing that Nick Greiner is about the only one not mentioned as an alternative Liberal leader in today's papers. Even Bruce Baird, who has not been heard of for a decade, gets 10 per cent of the poll—half what the Leader of the Opposition gets.

[Interruption]

She did rather well.

Mr SPEAKER: Order! I call the honourable member for Ku-ring-gai to order. I call the honourable member for Ermington to order.

Mr CARR: We would not criticise the lady.

Mr SPEAKER: Order! I call the honourable member for Gordon to order.

Mr CARR: She did rather well in that poll. But even our old mate Rod McGeoch got 10 per cent.

Mr Hazzard: On a point of order. Standing Order 84 requires that members be referred to by their names or by their electorates, not as "the lady". I ask that the Premier be directed to conform to the standing orders of the House.

Mr SPEAKER: I am sure the Premier heard the point of order.

Mr CARR: I am advised by the Commissioner of the Independent Commission

Against Corruption that the report will not be published before the Easter break.

KNIFE-RELATED CRIME

Mr TRIPODI: My question without notice is to the Premier, Minister for the Arts, and Minister for Ethnic Affairs. What is the State Government doing to tackle the growing problem of knife-related crime in New South Wales? What powers will New South Wales police have to address this crisis?

Mr SPEAKER: Order! I call the honourable member for Eastwood to order.

Mr CARR: The growing problem of knife crime in our society has led to the tragic and untimely deaths of too many innocent victims.

Mr SPEAKER: Order! I call the honourable member for Wakehurst to order.

Mr CARR: None have been more tragic than the deaths of two men who gave their lives because they believed in a safer place, in a community where their families could live without fear. I speak, of course, of Constable David Carty and Constable Peter Forsyth—heroes in their all-too-short lives. Nothing can make up for their passing, but it is up to all of us to ensure their legacy is a safer community. The time has come for this Parliament to make a fundamental decision about how we want our streets, our neighbourhoods and our lives to be. Now is the Parliament's chance to join the community in saying that we support our police, we reject violence, and we want to live in a safe New South Wales, not somewhere like a crime-ridden United States of America. My Government met the challenge on guns, and we will not water down the strongest gun laws in Australia, despite the signals being sent by the Leader of the National Party. We must now address the growing problem of knives in the community and how police can best be empowered to deal with that challenge. Today I announced my Government's plan to help police tackle gang and knife problems.

Mr SPEAKER: Order! I call the honourable member for Vacluse to order.

Mr CARR: Police will be provided with new statewide powers, and a new offence will be created involving a prohibition on the carrying of any knife in a public place or school. Police will be given the power to confiscate knives and any other weapons they find.

Mr SPEAKER: Order! I call the Deputy Leader of the Opposition to order for the second time.

Mr CARR: Police will also be given the power to search for knives and other weapons where police have reason to suspect that a person is carrying these deadly weapons. Being in a known knife crime hot spot may itself constitute reasonable suspicion. This search can be performed by way of frisk or metal detector.

Mr SPEAKER: Order! I call the honourable member for Gordon to order for the second time.

Mr CARR: Refusal to allow a search will also constitute an offence and will carry a \$550 fine. The reasonable suspicion test is similar to the test applied by police when they search for drugs under the Drugs Misuse and Trafficking Act. Those who might oppose these measures should consider this question: why should a police officer be able to search for deadly drugs but not for deadly weapons? There is no logical reason why that should not be so: police should have and will have this power. Persons who carry knives will have to establish that they require the knives as part of their occupation, for the preparation or consumption of food, for lawful recreational activities such as fishing or for any other reasonable and lawful purpose.

Mr SPEAKER: Order! I place the honourable member for Davidson on three calls to order.

Mr CARR: If they cannot, the knives will be taken from them. They may be returned only on application to the local area commander. If the person is under the age of 18 this application can be made only by his or her parent or guardian. The carrying of a prohibited weapon could result in a two-year gaol term. The carrying of other knives will result in a \$550 fine. Of course, any attempted or actual use of a knife is punishable by longer gaol terms. In addition, to break up gangs in public places, police will be given power to give a direction to any person who is obstructing, harassing, intimidating or causing fear to others. If this behaviour continues and the direction is ignored, this will constitute an offence punishable by a \$220 fine.

To break the gang code of silence, police will be given the power to require a person to give his name and address if they believe on reasonable grounds that that person may be able to assist in the investigation of serious crime. The person who is

searched or who provides his name and address will have the right to demand the name and place of duty of the relevant officer. These broad powers will be constantly monitored and then reviewed by the Ombudsman after twelve months. The Government will also codify and consolidate police powers into a single Act of Parliament.

Mr Photios: A police state!

Mr CARR: The member for Ermington says that the Government is creating a police state. It is not; it is giving police the powers they need to reduce the density of knife ownership in the community and thereby save lives. During this period the Police Service will establish a training program to educate officers in the powers they already have and will have. There is a clear need to review the operations and enforcement of the Prohibited Weapons Act, and that review will take place. Once that is completed, within a six-month deadline the Government will commence a knives and weapons amnesty to encourage the surrender of weapons in the community. That amnesty will be especially promoted in our schools: there is no place for knives in our schools.

Following the review of the Act, the Police Service will advise on the need for a knife buy-back scheme. To specifically honour commitments I made to John Carty and Jackie Forsyth, the Police Service will also establish a working party to consider ways to improve the safety of police officers. The working party will consider issues such as the carrying of firearms; the use of capsicum spray and extendable batons off duty; the training for police, including defensive tactics; and travelling to and from work in uniform. The new powers are nothing less than a comprehensive set of reforms designed to help police help us. Violence exists. It always has, but that does not mean we give in to it. It means we fight even harder—against knives, against guns, against drugs and against violence.

INDEPENDENT COMMISSION AGAINST CORRUPTION MINISTER FOR FAIR TRADING INVESTIGATION

Mr ARMSTRONG: My question is directed to the Minister for Fair Trading. Given the Minister's admission that he lied five times to an officer of the Crown, how can we ever believe another word he says? How can he possibly continue as Minister for Fair Trading, supposedly protecting consumers against misleading and deceptive conduct and false representation?

Mr LANGTON: In accordance with established practice I have no intention of discussing matters which are before the Independent Commission Against Corruption.

Mr SPEAKER: Order! I place the honourable member for Ermington on three calls to order.

Mr LANGTON: I will not discuss those matters until such time as the commissioner has reported to Parliament.

BLIGH ELECTORATE CRIME

Ms MOORE: My question is directed to the Minister for Police. In view of the dramatic increase in street violence, drug dealing and antisocial behaviour in Kings Cross, Darlinghurst, Surry Hills and Redfern, when will the Minister provide adequate uniformed police foot patrols to protect the community?

Mr WHELAN: I remind the honourable member, and advise the House, that the region commander for the Bligh electorate, Ken Moroney, met with the honourable member recently in relation to her concerns about crime in her electorate.

[Interruption]

Mr SPEAKER: Order! The member has asked a question. The Minister is entitled to have his answer heard in silence.

Mr WHELAN: The area commander would have told the honourable member that 135 police are currently stationed in the area administered by the Kings Cross local area command. She would have also been told that over the past six months Local Area Commander Adams has conducted six high-profile operations targeting street and antisocial behaviour and that those operations resulted in a significant number of arrests and charges. He would also have told the honourable member that the Kings Cross place management project is co-ordinating a whole-of-government approach to fighting crime. She would also have been advised that a police bus is being utilised in Taylor Square, Central Railway, Centennial Park, Oxford Street and other locations according to need, that foot patrols are rostered on Oxford Street, a beat intelligence response team supplements mobile crews, that the Surry Hills local area command—

Mr Scully: Do you recall this?

Ms Moore: No, I do not.

Mr WHELAN: You may not have been listening. You might have been doing what you are always doing—talking! Perhaps you should just listen.

Mr SPEAKER: Order! The member for Bligh will have the opportunity to ask a supplementary question at the appropriate time if she wishes to do so.

[Interruption]

Mr SPEAKER: Order! The member for Bligh should understand that she will have the opportunity to ask a supplementary question if she is dissatisfied with the Minister's response. I ask her to desist from interjecting while the Minister is answering her initial question.

Mr WHELAN: The honourable member would have been advised on these issues last night. The Surry Hills local area command recently conducted seven high-profile operations resulting in numerous arrests and charges. Staffing is at authorised levels. In addition, relations between the police and the gay and lesbian community in the honourable member's electorate are more respectful and co-operative than ever before, and police are working with the gay and lesbian community to prevent violence and crime.

Regrettably, the honourable member's electorate and other suburbs are in high-crime zones. The Government's policy is to put police where crime is worst. That is a very simple proposal, and your electorate and other high-crime zone areas are the beneficiaries of the Government's record \$1.3 billion expenditure and the record number of police in this State. New South Wales now has in excess of 500 additional police.

Mr SPEAKER: Order! The Minister will direct his remarks through the Chair.

PUBLIC TRANSPORT SAFETY

Mr GAUDRY: My question is directed to the Minister for Transport, and Minister for Roads. What improvements have been made in safety on public transport?

Mr SCULLY: I am pleased to inform the House that this Government is increasing safety on our public transport system.

Mr SPEAKER: Order! I have already placed two members on three calls to order. I have also requested Opposition members to cease acting in the

way they acted a moment ago. Any member who continues to act in that way will be placed immediately on three calls to order.

Mr SCULLY: The Government believes in encouraging more people to use public transport and to use it as often as possible. If people can be encouraged to leave their cars at home and to take the train or bus, it means less congestion on our roads and less air and noise pollution. It is also an important step towards leaving a better world for our kids. By ensuring the safety of passengers the Government is sending the signal that public transport is a viable alternative to the car. As for our trains and buses, the Government has a strong message for the community: public transport is there for passengers, not for thugs and vandals.

Members may be aware that the Government began installing video surveillance cameras on 200 State Transit Authority buses across Sydney and Newcastle in December last year. The purpose of trialling 200 surveillance cameras was to ascertain whether the introduction of cameras increased driver and passenger safety by acting as a deterrent to hooliganism and criminal activity. I am pleased to inform the House that all of the 200 surveillance cameras are now in place. The trial will run until June this year. However, I am pleased to inform the House of some early results of the trial and those results are good news for bus commuters.

The State Transit Authority has advised me that since the introduction of the cameras it appears that the number and seriousness of incidents has declined. The cameras have already been used to supply evidence on the occasions that incidents have occurred. On four occasions video footage of incidents has been supplied to the police. Two of those incidents—one involving an alleged assault on a driver and the other involving an alleged fight between two passengers—are under police investigation. In each case video footage from the security cameras has been made available to assist police inquiries. In another case a driver was able to use footage to prove that allegations made against the driver by a passenger were false.

These results are encouraging and reflect the results of a preliminary trial of a prototype camera conducted last year. I will report back to the Parliament with more details as the bus security camera trial continues. In addition, a joint State Transit Authority and New South Wales Police Service initiative called Operation Bus Stop involves police highway patrol officers routinely stopping buses and checking with the driver that everything is in order. An officer walks through the bus observing

passenger safety and behaviour. Also, buses are routinely stopped at random breath testing stations and drivers are breathalysed. With these measures—safety cameras, police inspections and random breath testing of drivers—the Carr Government is delivering greater safety to bus passengers and to drivers.

I am pleased to inform the House that rail commuters are also benefiting significantly from the Government's commitment to safety on public transport. The Government has already equipped a number of CityRail stations with closed-circuit television cameras, high-intensity lighting and emergency intercoms. By next year 62 CityRail stations will be fitted with all these security measures as part of the Government's safe stations program. Some stations already have many cameras which act as a deterrent to criminal or violent behaviour. This approach is already yielding results. At Cabramatta station the introduction of closed-circuit television and high-intensity lighting has resulted in the number of incidents slashed from 30 per month under the coalition Government to three per month under this Government. Big tick!

The Government has no intention of stopping there; it wants to do more towards making public transport safe. This Government is the first government in Australia—with all due respect to the Northern Territory—to demonstrate its commitment to confront vandals and thugs. From 1 July it will be flooding the CityRail network with an extra 200 CityRail security guards. This major achievement shows that the Government is absolutely committed to improving safety on our trains and buses. From 1 July there will be two security guards on every CityRail train service in Sydney, Wollongong and Newcastle. Members opposite do not like that news because they know that the Government is dealing with safety on our transport system.

Mr SPEAKER: Order! I call the honourable member for Pittwater to order.

Mr SCULLY: CityRail security guards will wear high-visibility, blue CityRail security vests and work in pairs. They will be in direct contact with the CityRail protective services security control which in turn has a direct link to the police. The Government recognises that major events require special measures to ensure that public transport patrons are safe. The Royal Easter Show is an important test event for the 2000 Olympics and, just like the Olympics, it is a public transport event. To encourage people to use trains and buses, the Government is putting 380 security guards on patrol for the period of the Easter show. They will be on

CityRail trains and stations and at major bus stops on the special Easter show bus routes. That is a total of 290 extra security guards to ensure the safety and security of our kids, mums and dads, and all the show goers during the Easter period.

Mr Cochran: On a point of order. My first point is that the Minister should not be using question time to make what is clearly a ministerial statement when there are obviously other questions to be answered. My second point is that the Minister's answer is far too lengthy and is absorbing time that could be used by honourable members to ask constructive questions.

Mr SPEAKER: Order! I do not uphold the point of order.

Mr SCULLY: The honourable member for Monaro should be ashamed of himself for not being interested in the safety and security of mums and dads.

Mr Cochran: On a point of order. If the Minister wants to make an attack on me he should do so by way of substantive motion.

Mr SPEAKER: Order! No point of order is involved.

Mr SCULLY: This is a serious issue and I will not provoke the honourable member for Monaro further.

Mr SPEAKER: Order! I remind the honourable member for Ermington that he is on three calls to order.

Mr SCULLY: The Government is absolutely committed to doing all that it can to ensure that people feel safe on our buses and trains, particularly when they travel to the show. The Government expects them to use public transport and the least we can do is maximise their sense of safety by flooding the system with security guards at bus stops and stabling yards and on stations and trains. There will be 180 security guards on 80 CityRail stations with 150 security guards conducting train patrols from 7.00 p.m. each night until the last service, and more security guards will be patrolling CityRail stabling yards to deter vandalism and graffiti. I will be surprised if members opposite do not strongly support the Government's initiative in that regard.

All these measures are designed to ensure passenger safety and security and to encourage people to get out of their cars, to get back on our buses and trains, to improve congestion and air

quality and to use public transport services. As time draws closer to the Easter show, I encourage everyone to hop on a bus or train which will take them to the front gates of the new showground.

Mr SPEAKER: Order! I call the honourable member for Pittwater to order for the second time.

Mr SCULLY: As Minister for Transport I must confess my family and I will travel by train to the Royal Easter Show.

Mr Cochran: On a point of order. By giving such a long answer the Minister is preventing other honourable members from asking questions. His answer has taken too long. The Minister should be told to sit down.

Mr SPEAKER: Order! No point of order is involved.

Mr SCULLY: Honourable members must appreciate the importance of these Government initiatives. For many rail passengers it will be the first time they will have travelled by train on the new \$90 million rail loop to Homebush Bay that will take them to the magnificent new Olympic Park Station. The increased security measures I have outlined—security guards on trains, at stations and at bus stops, security cameras on buses and at rail stations, and the Government's Safe Station program—send a strong message to the community that our buses and trains are the safest way to travel around Sydney, and especially to the Easter Show.

WESTERN SYDNEY HEALTH SERVICES

Mrs BEAMER: My question without notice is directed to the Minister for Health. What progress is being made to improve health services for the people in greater western Sydney?

Dr REFSHAUGE: I thank the honourable member for Badgerys Creek for her question and for her interest in health services in the greater west, she having been a major consumer of those services.

Mr SPEAKER: Order! The honourable member for Newcastle will desist from reading maps in the Chamber.

Mrs Skinner: Tell us about Nepean Hospital.

Dr REFSHAUGE: I will tell the House about Nepean. The redevelopment of Nepean Hospital, the \$85 million Macarthur health strategy, the new services at Liverpool Hospital and construction of new community health centres show clearly that this

Government is having to correct coalition problems. In a few weeks the Government will achieve yet another significant milestone: construction of the new \$63 million Blacktown Hospital.

Mr SPEAKER: Order! I call the honourable member for Georges River to order. I call the Deputy Leader of the Opposition to order for the third time.

Dr REFSHAUGE: This new hospital, which will be built on land in front of the existing building, will care for its first patients in the year 2000. This hospital will have the latest picture archiving information system, which was trialled at the Westmead Children's Hospital and which was a contentious issue for some time. I guarantee that this system will be used, as it uses the latest digital technology and eliminates the need for X-ray films. The new Blacktown Hospital yet again demonstrates the bricks and mortar of the Carr Government in building up the State's health care system. The coalition closed, wound down or privatised 30 public hospitals and did not budget properly for the New Children's Hospital.

Mr SPEAKER: Order! I call the honourable member for North Shore to order.

Dr REFSHAUGE: This Government is building hospitals. Under the same capital program significant parts of Mount Druitt Hospital are being rebuilt. Already established on its grounds is the 16-bed palliative care unit. The Carr Government is providing greater health funding where people live. Since 1994-95 the budget for south-western Sydney has increased by more than \$100 million. The Carr Government is delivering to the people of the south-west. Record numbers of patients are being treated. For example, last year Liverpool Hospital admitted 11,500 patients more than in 1994-95.

Mr SPEAKER: Order! I call the honourable member for North Shore to order for the second time.

Dr REFSHAUGE: The Carr Government is enabling people to have their treatment locally. Obviously, Liverpool Hospital required more staff to treat those patients and the complement was increased by approximately 700. Liverpool is now a teaching and referral hospital, which means that people will not need to travel, as they once did, to receive specialist services. Occasionally, for some specialist services people are required to travel to the city, but residents of the south-west will not have to travel for such services because the Liverpool teaching hospital will provide those

services. That was clearly demonstrated with the opening of the cardiac surgery unit at Liverpool Hospital.

In the Penrith area, funding to the Wentworth Area Health Service has increased by nearly \$200 per year per person. Nepean Hospital, the major hospital for the Penrith area, is undergoing a \$59 million redevelopment, the first project being the building for women and children. The latest technology is being used to demolish the existing building and construction is on time and on budget. The new four-storey building will contain antenatal and postnatal wards, a delivery suite, a birthing unit, a neonatal intensive care unit, a ward for children and adolescents, an outpatient area, a gynaecology ward, administrative offices and academic teaching facilities.

In addition, construction of Nepean Hospital's cancer care centre is well advanced. More than \$85 million has been allocated for the Macarthur Health Network, which includes major redevelopments and refurbishment of Campbelltown and Camden hospitals. The honourable member for Camden is ecstatic that the maternity unit has been kept at Camden Hospital. I certainly accept her gratitude to the Carr Government. The new Tahmoor community health centre is expected to be completed later this year. The Government is undertaking a multimillion dollar upgrade of the Westmead Hospital Emergency Unit. Extra funding has been provided for the Fairfield Hospital intensive care unit and paediatric services. I thank honourable members from electorates surrounding Fairfield for their support in ensuring improvements to such an important hospital in Sydney's west.

These are just some of the major advances and commitments delivered by the Carr Government to the people of Sydney's greater west. For far too long the coalition ignored those people. For seven long years hospitals were closed, wound down or privatised. The Carr Government is rebuilding those hospitals despite Federal Government funding cuts. The Carr Government has increased funding and provided decent health care to the people of the greater west.

Mr SPEAKER: Order! I call the honourable member for Wakehurst to order for the second time.

Dr REFSHAUGE: This Government is securing future health care for the people of the greater west. It is making sure that the neglect, cutbacks, winding down and constant attacks on every hospital by the coalition have been stopped.

The Carr Government is rebuilding hospitals and helping the greater west to the tune of \$1 billion.

INDEPENDENT COMMISSION AGAINST CORRUPTION LOUIS BAYEH INVESTIGATION

Mr O'FARRELL: My question is directed to the Premier. Has the honourable member for Londonderry made a number of representations in Parliament on behalf of Louis Bayeh? Will he confirm that the honourable member for Londonderry and the Government's Staysafe chairman, Paul Gibson, is under investigation for his links with Mr Bayeh?

Mr CARR: On Saturday, 28 March, the Independent Commission Against Corruption announced an inquiry into "Mr Louis Bayeh and whether he has provided any benefits or rewards to any members of the New South Wales Parliament". The ICAC has not advised me, and I suspect has not advised the honourable member for Northcott, about the identity of the member of Parliament.

BACK-TO-SCHOOL ALLOWANCE

Mr CRITTENDEN: My question without notice is to the Minister for Education and Training, and Minister Assisting the Premier on Youth Affairs. What has been the response to the New South Wales Government's back-to-school allowance?

Mr SPEAKER: Order! I remind honourable members that a number of them, including the honourable member for Ermington, are on three calls to order.

Mr AQUILINA: The back-to-school allowance program has been an outstanding success.

Mr SPEAKER: Order! I call the honourable member for Lane Cove to order.

Mr AQUILINA: The Government recognises the extra drain on the family budget that comes with the new school year. The pressure on families to meet the wants and demands of schoolchildren is greater than ever. Even the basics can be costly. The Carr Government is helping to ease the burden: it is giving something back to New South Wales families. While the Opposition carps and complains and tries to sort out whether to keep or scrap the allowance, public acceptance of the back-to-school allowance is overwhelming. More than 80 per cent of the almost 63,000 callers to the back-to-school

allowance call centre supported the allowance and were pleased with the service provided by the Department of Education and Training. Only 0.3 per cent said they were unhappy. The graph speaks for itself.

Mr O'Doherty: On a point of order. The Minister may need pictures to understand this, but he is not allowed to display them in the House.

Mr SPEAKER: Order! The Minister may allude to a chart, but he should not display it in the manner he did a moment ago.

Mr AQUILINA: Some of those endorsements of the Government's initiative on the back-to-school allowance speak for themselves. There have been many endorsements from just about every electorate in the State. I refer to Linda from Ballina. Does the honourable member for Ballina know Linda?

Mr SPEAKER: Order! The honourable member for Ballina need not respond to that question.

Mr AQUILINA: Linda from Ballina said:

As a single mother of two school aged children it was certainly a pleasant surprise. I will certainly be using the money wisely towards schooling costs.

Not to be outdone, Harriet of Tyagarah, also in the electorate of Ballina, said:

. . . thank you for the \$50 you sent me for my son Roland and in anticipation of the \$50 you will send for my son Kai.

Trisha from Batemans Bay said:

As a sole parent of three school-aged children, two of whom are teenagers, it is not always easy to fund all the girls' educational requirements, and the contribution you have made has made a huge difference.

Jane from Caringbah in the electorate of Cronulla said:

I had not expected to receive, nor had I sought, any money towards Andrew's schooling costs and I am really pleased to have this assistance. I really do appreciate your government's sensitivity—

Mr Photios: On a point of order. The standing orders of the House require a Minister who is quoting from documents to make that documentation available or define or designate where it comes from. At the moment the Minister is using possibly fictitious names and there is no evidence that even three people support his back-to-school allowance.

The Minister should be required to ascertain the validity of those documents.

Mr SPEAKER: Order! I do not uphold the point of order.

Mr AQUILINA: I would be very happy to table the documents. I looked in vain for one from the honourable member for Ermington's mum. Joy of Picnic Point, Debbie from Beverley Hills, Pauline from Manly Vale, Janice from Coolamon and Janet from Beecroft—

Mr D. L. Page: How many sisters have you got?

Mr AQUILINA: Sadly, I have none. I wish I did. Narelle from Frederickton, Dagmar from Bowraville, a mother from Wentworthville and Alison from Niagara Park—the list goes on and on. I even have an endorsement from the electorate of the honourable member for Ku-ring-gai, from Jane of Hornsby Heights.

Mr SPEAKER: Order! The Minister will cease referring to correspondence.

Mr AQUILINA: The payments have been made on time and, for the vast majority, ahead of the original schedule. The overwhelming community support for the allowance stands in stark contrast to that of the Opposition.

[Interruption]

Mr AQUILINA: All we ever hear from the honourable member for Ku-ring-gai is waffle, flip and flop. The Opposition's position, and that of the honourable member for Ku-ring-gai, on the \$50 back-to-school allowance has become a joke. The honourable member waffles on. One minute he is saying something and the next minute he is saying something else. We do not know what the stance of the Opposition is in relation to this popular program.

[Interruption]

Did you cash the cheque?

Mr SPEAKER: Order! I call the honourable member for Ku-ring-gai to order for the second time.

[Interruption]

Mr SPEAKER: Order! I call the honourable member for Ku-ring-gai to order for the third time.

Mr AQUILINA: The honourable member for Ku-ring-gai refuses to answer. Did you cash the cheque?

Mr SPEAKER: Order! I have now called the honourable member for Ku-ring-gai to order three times. I ask the Serjeant-at-Arms to remove him.

Mr Hartcher: On a point of order. The Minister for Education and Training was repeatedly baiting the honourable member for Ku-ring-gai across the Chamber. He asked, "Have you cashed the cheque?". The honourable member for Ku-ring-gai was not interjecting, in violation of your ruling, but responding to questions put by the Minister for Education and Training. It is the Minister who is out of order.

Mr SPEAKER: Order! I will hear no more on the point of order. The point taken by the honourable member for Gosford is perfectly correct, but a member who is being baited is under an onus to restrain his interjections. I have always sought to maintain the decorum of the House by ordering the removal of any member who continues to defy the Chair after having been called to order three times. During question time the Chair overlooked a number of interjections by the member for Ku-ring-gai. He has now been called to order twice in rapid succession, and there is little the Chair can do to maintain the decorum of the House other than to order that he be removed. I ask the Serjeant-at-Arms to remove the honourable member for Ku-ring-gai for the duration of question time.

[The honourable member for Ku-ring-gai left the Chamber, accompanied by the Serjeant-at-Arms.]

Mr AQUILINA: Eleven months since the Government announced the scheme, a full two months after the first payments were sent to parents, and more than \$44.5 million having been cashed, the Opposition is still struggling to decide whether it wants to keep or scrap the program. The Government is fully committed to the \$50 back-to-school allowance and will not be scrapping it. It is about time the Leader of the Opposition worked out what he will do. When will the Leader of the Opposition tell parents what he plans to do with their \$50? On 17 February the Leader of the Opposition was reported on ABC radio as refusing to say whether he advised that the \$50 back-to-school allowance be paid to parents at the beginning of next year if he becomes Premier. He stopped short of saying whether a coalition government would axe it.

Two days later the honourable member for Ku-ring-gai told 2UE listeners he refused to confirm that a coalition government would abolish the allowance, while indicating that the payments could go direct to the schools but not to the parents. But he said, "We have no plans to scrap the allowance." If they proceed down this path they will incur the wrath of many parents, including Jenny, from Mannering Park, Swansea, who wrote telling me:

We spent our \$100 cheque on buying shoes, shirts sports shorts, socks and pencils. I support the idea of this money being given directly to parents rather than schools.

Giving the money directly to schools has taken it away from parents. If the Opposition is going to scrap the allowance by giving it to schools, it should tell parents that is what it plans to do. What will the Leader of the Opposition tell Amnon of Burwood-Strathfield, who wrote to the Premier saying:

Thank you for the \$50 you gave to my mummy. She bought me a pair of school shoes for \$45. I like them very much.

A lovely letter. I will be pleased to table it.

Mr Hazzard: On a point of order. The Minister is being tediously repetitious and also has failed to identify the writers of the letters. I quote from *Decisions from the Chair*, at page 54:

A member reading a letter must indicate by whom it was signed.

The Minister has mentioned numerous letters. He should let the House know who signed each of these letters, and he can do that by tabling the letters.

Mr SPEAKER: Order! The member for Wakehurst would be aware that the Minister is not reading the whole of the correspondence. He has referred to the letter and to its author. It is a matter for him whether he chooses to table the documents.

Mr AQUILINA: That is a lovely little letter. I have very little more to add. Once again, a negative, knocking Opposition that criticises everything is criticising a welcome initiative by the Carr Labor Government. The coalition has nothing positive to say, no policies, no plans, no ideas, and, if it had its way, no back-to-school allowance either.

INDEPENDENT COMMISSION AGAINST CORRUPTION MINISTER FOR FAIR TRADING INVESTIGATION

Mr PHILLIPS: Did the Minister for Fair Trading, and Minister for Emergency Services, when he was opposition transport spokesman, erroneously

attack former State Rail chief Ross Sayers over a taxpayer-funded \$1.50 devon and tomato sandwich and announce he would be sacked by the Labor Government? Given the Minister's persecution of Mr Sayers, why does the Minister not now have the decency to resign after admitting that he lied five times?

Mr LANGTON: I stand by my previous answer.

REGIONAL DEVELOPMENT

Mr CLOUGH: My question is directed to the Minister for Regional Development, and Minister for Rural Affairs. What steps is the New South Wales Government taking to encourage economic growth in regional and rural New South Wales?

Mr SPEAKER: Order! I remind members that the time for questions will have expired when the Minister has completed his answer. It would be regrettable if I had to exercise my discretion again and direct that a member be removed.

Mr WOODS: There could not be a better person asking this question than the honourable member for Bathurst, who understands the needs, motivation and aspirations of people living in regional and rural areas. The Government shares his views, I share his aims, and people in regional and rural New South Wales will be supported by the Government and the new ministry.

In just four months I have been to about 30 country centres and the results have already come in. The State Government provided an assistance package to help secure Lockheed Martin's telecommunications satellite project for Uralla, a \$25 million investment that will create 50 highly skilled jobs and strengthen industry links with the University of New England. It should be remembered that Queensland was competing to get the project for Rockhampton, but we secured it for regional New South Wales. The Government saw opportunities to maximise growth and employment in western Riverina, conduct an audit of the impediments to growth, and release a five-point action plan.

Mr Photios: On a point of order. There is acute disinterest in the answer. I cannot hear it.

Mr SPEAKER: Order! I remind the member for Ermington that he is on three calls to order.

Mr WOODS: That comment by the honourable member for Ermington only reflects the

Opposition's disinterest in regional and rural New South Wales. In western Riverina we conducted an audit of the impediments to growth and released a five-point action plan to encourage new investments. These ranged from the rapid release of residential land, to help lower housing costs, to improved training through the local TAFE. As a result, industries in the area have committed up to \$206 million in investment and in the creation of 1,600 jobs over the next 10 years. Last week there was some very good news, particularly for me. Gilbertson's meatworks at Grafton closed just days before Christmas last year leaving 250 workers out of a job and without access to their rightful entitlements. Of course, the Federal coalition did nothing and left these workers without a cent to their names. At one stage Ian Causley tried to blame workers for the closure. The Federal coalition just does not care, nor do coalition members opposite.

But the Carr Labor Government took a strategic and targeted interventionist approach, and the results are clear to see. We developed an assistance package to help secure a sale of the abattoir to Ramsay Meats. Just last Wednesday I was able to announce that our negotiations have been successful and the abattoir will reopen. It means that the wages of 200 workers will again flow into the pockets of local families and through the doors of small business. I want to give brief but honest thanks to Stuart Ramsay for his leadership and dedication to the industry, the workers and the region.

The project conducted in Griffith will form the basis for the regional development directions statement to be released soon. The statement will focus on three key areas: increasing the rates of growth in strong country centres; helping small towns cope with major structural changes; and reversing the negative perceptions of rural lifestyle. The statement is about strategic intervention, because strong economic growth in the regions is good in its own right and in the national interest.

Mr Clough: On a point of order. This answer is very important to rural New South Wales. Members of the Opposition are wandering around the Chamber making a lot of noise. I cannot hear the answer.

Mr SPEAKER: Order! That comment could well apply to both sides of the House. The Minister will be heard in silence.

Mr WOODS: These policy options are foreign to members opposite. We have seen how they behaved in government, and the lesson from

Canberra is both instructive and informative. Former Minister John Sharp cut the entire regional development budget of \$150 million. In doing so he said the national Government has no role in regional development. That is a lesson which seems to have been followed blindly by those opposite. The Leader of the Opposition issued a press statement on 25 January this year which provides a guide to some of the coalition's intentions about regional development. He described my appointment to the regional development and rural affairs ministry as the worst case of political pork-barrelling witnessed in this State for some time.

The Leader of the Opposition went on to describe my ministerial office at Bathurst as a waste. The Premier opened that office just last week. I noticed behind a little fellow outside the office—it was clear that he was a Liberal Party member because he had tickets on himself—an army-type camouflage tent. As I walked past the tent it occurred to me that the colonel may be in it. It struck me, as I tried to look inside the tent, that at any moment out could jump a Peter Collins with blackened face and muscles bulging—popguns blazing. That did not happen. It is clear from comments made by the Opposition that we have had the first insight into the Opposition's policy on development—or its anti-development policy. If given the opportunity the coalition would close the Bathurst office and follow John Sharp's lead in abolishing regional development strategies.

No budget, no department, no Minister, no brains—that is the coalition's policy. Once again the attack on the bush will go unchallenged by the weak leadership of the Leader of the National Party, whose lone contribution to policy has been to launch the party's slogan for the next election: country first. That slogan harks back to the days when the National Party was a vital and relevant third force in politics, a day long since passed. The *Dubbo Daily Liberal* is not known as a bastion of Labor Party ideals, but its editorial of 16 March 1998 stated about the National Party:

They forget where they come from and who they represent.

They are more inclined to toe the coalition line rather than stand up for the bush.

It's one of the reasons why the Nationals are on the nose in the bush, particularly from their traditional supporters.

I see a few heads shaking. I know, however, that the Leader of the National Party knows those words to be true, because he was with me—

Mr SPEAKER: Order! I place the honourable member for Coffs Harbour on two calls to order.

Mr WOODS: The Leader of the National Party was with me at an international reception at the Tamworth country festival at which the Mayor of Tamworth slammed the National Party and the coalition. The Leader of the National Party, a man generally of a fairly ruddy complexion, went as white as a ghost. In fact, because he was standing in front of a white wall, one could see only his suit hanging—which was an improvement. I agree with the traditional National Party supporters, and I think the backbench of the National Party does, too. The sitting members of Parliament representing the seats of Dubbo, Murrumbidgee, Lismore, Oxley, Murray and Murwillumbah are all going at the next election, not to mention National Party representation in the upper House. One-third of the National Party membership is going, and that is because of weak leadership. The weakness of the Leader of the National Party is noted and members are embarrassed by the slide of the National Party into policy irrelevance and insignificance of stature. "Country first", says the Leader of the National Party. If he needs some dinky catchphrase to remind him how to think, he is in even more trouble than I thought.

Mr Peacocke: On a point of order. The Minister's answer is no more than a turgid diatribe. I request that you ask him to bring his answer to a conclusion, because it is much too long and is not appropriate.

Mr SPEAKER: Order! The time for questions has expired.

Questions without notice concluded.

BUSINESS OF THE HOUSE

Order of Business

Mr WHELAN (Ashfield—Minister for Police) [3.45 p.m.]: I seek the leave of the House to permit two condolence motions to be dealt with forthwith. I indicate to the House also that the Government intends to vote for the resolution of the Deputy Premier, Minister for Health, and Minister for Aboriginal Affairs relating to health, but will also move a suspension of standing orders to enable the motion of no confidence of the Leader of the Opposition to be dealt with later. I note that is likely to happen at the conclusion of the condolence motions relating to the late Peter Forsyth and the

late Deputy Commissioner Bev Lawson, at approximately 8.30 p.m. I advise honourable members also that the House will not sit on Holy Thursday.

Leave granted.

**DEATH OF Mr BERNARD MORGAN KELLY,
SOUTH MAROUBRA SURF LIFE SAVING
CLUB VICE-CAPTAIN**

Mr CARR (Maroubra—Premier, Minister for the Arts, and Minister for Ethnic Affairs) [3.46 p.m.], by leave: I move:

That this House expresses its deepest sympathy to the family, friends and colleagues of Bernie Kelly, South Maroubra Surf Life Saving Club Vice-captain, who died while rescuing swimmers at Maroubra Beach.

For more than 90 years the men and women of Surf Life Saving New South Wales have patrolled our beaches. The death of Bernie Kelly—Vice-Captain of South Maroubra Surf Life Saving Club—earlier this year was a tragic reminder of the risks our lifesavers take every day of the summer season. Today I move that the House record its sense of this great loss and extend its deepest sympathy to Bernie's friends, family and colleagues. Australia is a nation of modest doers. Bernie Kelly was a doer and he was modest about his contribution. Bernie joined the South Maroubra Surf Life Saving Club 22 years ago and he saved more than 200 people. He worked as a customs officer and maintained his fitness by swimming 20 kilometres a week in pool training. On 19 January this year Bernie died minutes after rescuing three teenagers caught in a rip while swimming outside the flags on Maroubra Beach. When it became clear that the teenagers were in trouble Bernie was the first in the water.

I knew Bernie and his family through my involvement as patron of the club. I knew his father, John Kelly, as a pharmacist at Maroubra who had a shop near my former electorate office. Bernie was a happy, unpretentious bloke whose beaming face was a feature of the Sunday afternoon annual general meetings of the club at the south Maroubra clubhouse. He was brave and cheerful, and did his duty. He toured with his club around the world and he was a tireless fundraiser, raising thousands of dollars for the club. Bernie was a champion lifesaver with many awards, including a 20-year continuous 100 per cent patrol attendance record award. That award celebrated 20 years of volunteering his time, helping to keep our beaches safe and protecting an Australian way of life. That is what Bernie was part of—an Australian approach to life, Australian volunteerism. Bernie was warm and loyal. He was

someone who, his colleagues testify, could always be relied on. If there were awards for friendship, Bernie would have won them all.

Bernie's death highlighted growing concern about the number of people ignoring the basic lessons of water safety, risking their own lives and the lives of their rescuers. Sadly, the skill and dedication of men and women such as Bernie Kelly have made many of us forget that the beach can be a very dangerous place. We must not take their commitment for granted and place them at risk. We owe to Bernie's family and his memory more vigorous action on water safety. That is why following his death my Government launched a new water safety package to encourage people to swim safely at our beaches and in our waterways.

Tragically, Bernie made the great sacrifice. His death at the young age of 37 was an enormous blow to his club, the community of Maroubra and the lifesaving movement. Bernie's contribution to surf lifesaving cannot be underestimated. The people of Maroubra have lost one of the best guardians of their safety. It is hard to imagine the club without Bernie's smiling presence, but I know that his memory will live on in the regard and fondness of his colleagues and friends, in those he helped over more than 20 years of lifesaving, and in the young lifesavers who continue to follow his approach. To Bernie Kelly's family, friends and colleagues we extend our heartfelt condolences.

Mr COLLINS (Willoughby—Leader of the Opposition) [3.50 p.m.]: I join with the Premier in expressing my condolences on the tragic death of Mr Bernie Kelly and the deaths of others who will be remembered this afternoon and to thank them for the contributions they have made to protect the lives of ordinary Australians. As the Premier has mentioned, Bernie Kelly suffered a massive heart attack after saving three teenage swimmers who were swimming outside the flags. Despite attempts by his fellow lifesavers to revive Bernie, he was pronounced dead on arrival at the Prince of Wales Hospital.

Bernie Kelly epitomised the Australian spirit. Over 22 years of service to the South Maroubra Surf Life Saving Club he saved many lives and freely gave of his time to the younger members of the club. Bernie Kelly was a champion lifesaver. Over his 22 years he won 17 Surf Life Saving Association awards, including the inaugural Sydney Life Saver of the Year award in the 1992-93 season, and represented South Maroubra Surf Life Saving Club in Australia, New Zealand, South Africa and Sri Lanka. As part of his fitness and training regime,

Bernie would swim 20 kilometres a week in pool training.

I am told that Bernie was an unassuming man and would have hated the fact that more than 1,000 people packed the Holy Family Church and lined Maroubra Road as his cortege filed past. However, this was an indication of the great respect of the community for Bernie Kelly. The mateship displayed since his death is encouraging for us all. The surf lifesaving community is determined to ensure that Bernie Kelly's death was not in vain. I am pleased to learn that a Bernie Kelly Memorial Fund has been established and that it will direct additional funds to upgrading equipment.

Bernie Kelly's tragic death comes at a time when New South Wales and Australia have experienced one of the worst summers for drownings and record numbers of rescues. More than 2,000 people were rescued from Sydney's surf beaches this summer, almost all by volunteers like Bernie Kelly. His tragic death has highlighted the need for greater swimmer education programs and has focused community attention on the enormous public service that the Surf Life Saving Association and its members provide. This summer 26,000 potential incidents were prevented by lifesavers warning people to swim between the flags. However, Bernie's death has highlighted the need for increased resources so that swimming areas can be expanded and greater monitoring can be provided.

Bernie Kelly died preserving a national legend. For 22 years he freely gave of his time to ensure that other people could enjoy their summer days swimming safely. Bernie Kelly will be sadly missed at South Maroubra Surf Life Saving Club and all those who swim at Maroubra. His energy and passion for surf lifesaving were, to put it plainly, enormous. It is the responsibility of us all to recognise the enormous service which the thousands of Surf Life Saving Association members provide and to make their jobs easier. On behalf of the coalition, I want to convey my deep sympathy to all of Bernie's friends and family, especially to his mother, Betty, his father, John, and his younger brother, Mark.

Mr OAKESHOTT (Port Macquarie) [3.53 p.m.]: I also wish to pass on my personal condolences to the family and friends of Bernie Kelly. I do so as an active patrolling member of the Port Macquarie Surf Life Saving Club—I suspect as the only active patrolling member in this Parliament—though I did not personally know Bernie Kelly. His death is symbolic of the danger involved in the work that surf lifesavers do along

the eastern coast of New South Wales. Bernie's death is a timely reminder of not only the service that all involved in surf lifesaving clubs provide but of the dangers that we face on a daily basis.

The death of Bernie Kelly is a stark reminder to all in the community of the importance of the work done by volunteer lifesavers, and a reminder to all that when they go to the beach in summer or at any time of the year they must take notice of advice or instructions given by volunteers performing patrol duties. As a member of this place, I personally would like to pass on my condolences to the family and friends of Bernie Kelly. Also as a member of the surf lifesaving community, I pass on the condolences of the surf lifesaving clubs in New South Wales.

Mr KERR (Cronulla) [3.54 p.m.]: Bernie Kelly was well known to members of the Cronulla, North Cronulla, Wanda and Elouera surf clubs. He epitomised all that was best in surf lifesaving, in turn epitomising all that is best in the Australian way of life. The surf lifesaving movement is at once practical and sacrificial, combining deep reservoirs of camaraderie and public service. The Premier mentioned the annual general meeting of Bernie Kelly's club. Each year in recent times the annual reports of the four surf lifesaving clubs in my area have contained the words "no lives lost". However, each season that statement is made increasingly against the odds, because members of the public do not swim between the flags and do not observe simple instructions given to them by surf lifesavers. Each weekend, especially on public holidays, we see members of the surf lifesaving movement prepared to lay down their lives, not for their friends but for perfect strangers, some of whom do not observe the simple rules that can make our beaches safe. I would like to express, on behalf of my electorate, condolences to Bernie Kelly's family and friends.

Mr HAZZARD (Wakehurst) [3.56 p.m.]: As shadow minister for sport and as a member representing a surfside electorate, I well understand and appreciate the great role that lifesavers play in our society. Bernie Kelly stood out amongst those lifesavers as a man who had given selflessly for many, many years to his local community. The Opposition would like to convey its condolences, but as shadow minister for sport I also should like to convey my condolences to Bernie Kelly's family.

There can be no greater sacrifice for any family than the life of someone within that family to the cause of saving the lives of others. Australia has a long history of volunteerism. We know that it extends through all levels and reaches of Australian

society. Surf lifesaving is right at the forefront of provision of voluntary services. As the honourable member for Cronulla said, the annual reports of our surf lifesaving clubs contain words such as "no lives lost while on active patrol". That usually will be a reference to those rescued or potentially in need of rescue, often people who ignore the directions of surf lifesavers and put those lifesavers at risk by swimming outside the flags.

Of course, there are the odd occasions when someone gives his or her life in the most dire circumstances—in this case rescuing some teenagers who were swimming outside the flags. The Opposition conveys its heartfelt condolences to the family of Bernie Kelly. We make it clear that we support the lifesaving movement throughout New South Wales. As a coalition, we will do everything possible to support the lifesaving movement of New South Wales.

Motion agreed to.

DEATHS OF COLIN EATHER, PETER ESTCOURT, TED HUGHES AND DAVID QUINLIVAN

Mr CARR (Maroubra—Premier, Minister for the Arts, and Minister for Ethnic Affairs) [3.59 p.m.], by leave: I move:

That this House expresses its deepest sympathy to the family, friends and colleagues of Col Eather, David Quinlivan, Ted Hughes and Peter Estcourt, firefighters who died while fighting bushfires in New South Wales.

On the day that marks the official end of one of the longest bushfire seasons on record, we remember those who lost their lives. With today's hot weather, let us hope we will not see further outbreaks. Today I am sure all honourable members will join with me in placing on the record the enormous loss sustained and our deepest sympathy for the families, friends and communities affected by the tragedy of the bushfires. Every summer we rely on the goodwill of those 70,000 volunteers in brigades across the State. Four of them paid the ultimate price—their lives—in this terrible season.

Group Captain Col Eather, aged 45, of Marrangaroo rural fire brigade, and Captain Ted Hughes, aged 42, of Wallerawang rural fire brigade, died fighting a blaze near Lithgow on 2 December 1997. Peter Estcourt, a young volunteer from Grays Point brigade, died one month before his twenty-first birthday—on 7 December—after fighting a blaze at Menai. Senior Deputy Captain David Quinlivan, aged 45, of Wingello rural fire brigade, lost his life on 1 January 1998 in the Wingello State Forest.

Our thoughts and prayers are with the families of these brave men—genuine heroes, Australians of whom their country is enormously proud. Again their fate draws our attention to volunteerism, which is part of the Australian way of life. As I said during the earlier condolence motion, that is the sort of volunteerism one sees in the bush fire services. I said at the commemoration at the South Maroubra Surf Club that if Bernie Kelly had grown up in a rural area it is certain that his spirit would have led him to join a bush fire brigade as did the men we honour today. It is that same spirit that makes people form teams and commit themselves to protecting the community when it is at risk.

While the crew of eight volunteers fought brush fires on Scotsmans Hill near Lithgow, freak winds swept the fire from the gully floor to the top of the ridge, engulfing them. In a flash their lives were threatened. Ted Hughes was a plant operator with Lithgow council and had worked with the Wallerawang brigade for 13 years. At his funeral a close friend, Bob Rowlandson, said:

His family, his mates, the fire service and his Holden Kingswood were his life.

Ted is survived by his wife, Debbie, and two sons, Graham and Michael. Col Eather was a coalminer and owned a small farm. He was passionate about the bush fire service and may have been responsible for setting up the Marrangaroo brigade by saying, "This community needs a brigade", and throwing himself into it. That is a terrific spirit! Of course, when people such as Col Eather make such a decision they know that in a bushfire their lives could be at risk in a flash, as a change in the wind can change the direction of the fire. The mayor of Lithgow, Gerard Martin, said that the two men were as brave as soldiers going into battle—and he was right. Both men were well known in the town, both were from families that go back a long way in the area. Their deaths devastated the close-knit community.

Peter Estcourt was 20 years old when he lost his life last year after collapsing during mopping-up operations following the Menai inferno. Peter was a qualified crew leader. He joined the Grays Point brigade five years ago, following in his father's footsteps. His father said:

Peter lived for the brigade. When he died he was doing something he loved—helping other people and the community.

Peter died the day after he completed a hospitality and tourism course at Loftus TAFE. The death of this young man, embarking on his adult life having completed his training, was a tragic blow to his

parents, Gary and Petra, and his four brothers and sisters. We all think of them today. Deputy Fire Captain David Quinlivan died when the water tanker he was driving was overrun by fire. Turning the tanker around to bear the brunt of the flames, David saved the lives of his colleagues but lost his own life. He is survived by his wife, Leanne, and their three children, Geoffrey, Crystal and Carley. David's 77-year-old neighbour Arthur Byrnes said he had never had a better mate. He said:

He was a bloody good bloke. Always doing things for people and the community and never asking for a penny. There's going to be a few besides me who are going to miss him.

During the blaze seven of David's colleagues suffered serious injuries. Gale and Frank Pritchett and Mike Neale are still in hospital; Andrew Neale, Mike Young, John Luke Jnr and Roger Robinson continue their painful recovery at home. I visited most of them while they were in hospital and saw the consequences of their burns. Burns are terrible injuries; the skin is burnt to a crisp. Our thoughts and prayers are with the injured and the families of those who lost their lives, and we continue to support them in every way we can.

During those fires I witnessed the real spirit that drove those men to sacrifice their lives. Friends, neighbours and work mates rebuilt their shattered communities, with everyone doing their bit, working together and risking their lives. That is something that is seen time and again in this State. It was seen in Thredbo last year and again this year when Bernie Kelly lost his life at Maroubra Beach. Mike Young, one of the firefighters injured in the Wingello fire, summed up the quiet heroism of this country's thousands of volunteers. He said:

Everyone did the right thing at the right time. If I was placed in the same situation again, I would not change anything . . . The reason we had that survival rate . . . was that training took over . . . We just did what we were taught.

That is the same message I heard at Thredbo, which the honourable member for Monaro would recall. The teams at Thredbo said:

Our training worked. The disaster plan snapped into place. We worked as one unit whatever the uniform. We all knew what we had to do.

I do not believe any other country can boast a volunteer spirit, a rural fire service, or a surf lifesaving service such as we have in this State. What a comment that is on the ideals of citizenry that can inspire Australians, and what a reminder it is of how fortunate the community is to have these volunteers and of what an awful lot we owe them. We thank them, we pay tribute to them today, and

we extend our heartfelt condolences to their families and friends.

Mr ARMSTRONG (Lachlan—Leader of the National Party) [4.06 p.m.]: On behalf of the Opposition I second the Premier's condolence motion. I join the Premier in expressing my condolences, and those of the coalition, on the deaths of the bush fire fighters Mr Col Eather, Mr David Quinlivan, Mr Ted Hughes and Mr Peter Estcourt. Those men laid down their lives in the disastrous bushfires in December 1997 and January this year. David Quinlivan was the Senior Captain of the Wingello volunteer bush fire brigade. He died in January this year when his tanker was engulfed by flames in a forest near his town. At the same time seven others were seriously injured. I extend our sympathies to his wife, Leanne, and their children, Geoff, Crystal and Carley.

Peter Estcourt of the Grays Point fire brigade was only 20 years old when he died in early December last year. He joined the volunteer bush fire brigade in Bundeena five years ago, following in the footsteps of his father, Gary. His older brother, Gary Jnr, and sister, Lisa, are also volunteer fighters. His death came only a day after he had successfully completed a hospitality and tourism course at Loftus TAFE. His father paid the greatest tribute when he said:

Peter lived for the brigade. When he died he was doing something he loved—helping other people and the community.

Ted Hughes and Colin Eather died in the horrendous fires that threatened Lithgow last December. Col Eather, who owned a small farm at Marrangaroo and was one of the area's most experienced firefighters, is survived by his wife, Debbie, and two young daughters. Ted Hughes fought fires with his crew for 13 years and was described as a quiet, generous man with a keen sense of humour. He is survived by his wife, Debbie, and their two sons, Michael and Graham. Both men were killed when they were mopping up a small brush fire in the hills above Lithgow. A ferocious wind change brought the fire front towards them, and they stood little chance. The deaths of those men have left a scar on their friends and families, which, unlike the bush in which they died, will never heal. Over the years country New South Wales has been virtually made by various volunteers. I am talking about volunteer bush fire fighters, State Emergency Service volunteers, and those who volunteer to run show societies and race clubs and to raise money for hospitals and so on. The people of country New South Wales are examples of members of the broader public who make generous contributions to the community.

Admittedly, volunteers are becoming thin on the ground in this day and age as people are much busier and have many other responsibilities, particularly running families in difficult times and when money is short. The 70,000 firefighting volunteers who still come forward—an outstanding feature of the firefighting service—indicate the enormous pride of country people and their loyalty to helping one another to deal with crises at the hand of nature, which are guaranteed to recur. I exhort this Government and all other governments to support volunteer firefighters. They deserve that support as they protect the community. The deaths of these firefighters should not go unnoticed and should not be in vain. They should serve as a reminder that we all need to recognise them in real terms, to minimise the possibility of future deaths and to maximise State fire prevention programs. May they rest in peace.

Mr CLOUGH (Bathurst) [4.11 p.m.]: I join with the Premier and the Leader of the National Party in paying tribute to those firefighters who lost their lives in the bushfires prior to Christmas. Two firefighters were killed in my area: Col Eather and Ted Hughes. Though the deaths in themselves were a tragedy, the manner in which they died and the effect their deaths have had on the entire community are matters of concern. As I was travelling home about 2.00 p.m. on the day the fires started there was evidence of fire in Scotsmans Hill near Lithgow. It was not until some time later in the evening that I got the message that two firemen had been killed. Two of the most experienced volunteer bush fire fighters in the district had been overcome by a swift change in the direction of the fire. I understand that Col Eather died almost immediately and that Ted Hughes spoke to one of his colleagues in the last few seconds of his life. He said, "I am gone" and then died. The city of Lithgow was not only shocked but tragically affected by the deaths.

The bushfire in Lithgow was unusual. People driving between Lithgow and Bathurst can see obvious signs of bushfires on the mountains on the right-hand side. Bushfires are unpredictable. Sometimes they follow the same path as previous fires. However, the fire in which these two firefighters were killed was different. It burnt out parts of streets, it leapt homes and burnt the trees and grass on the other side of them. I do not know how the Hermitage area and the northern parts of Lithgow did not suffer enormous losses. The fact remains that country New South Wales depends upon volunteer bush fire fighters. I pay tribute to the Government for the provision over the past three years of an enormous amount of equipment, including modern vehicles.

Last Saturday I had the pleasure of attending the opening of the new Blayney bushfire headquarters immediately to the rear of the New South Wales Fire Brigade premises. At the function more than 30 awards were handed out to people with service of more than 35 and 50 years. One 92-year-old father of a serving councillor in Blayney shire had 56 years service in the bush fire brigade. All the other recipients of awards had at least 35 years service providing protection against fire for those who rely on bush fire brigades for a basic service. I pay tribute to the New South Wales Fire Brigades, which work with the volunteer bush fire brigades. There is no thought of amalgamating the New South Wales Fire Brigades and the volunteer bush fire brigades because each of them serves a different purpose.

I pay tribute to the Commissioner of the New South Wales Rural Fire Service, Phil Koperberg, whom I have known since 1974 when he was the fire control officer at Blue Mountains City Council and I was a member of Bullaburra brigade. Phil is very knowledgeable and purposeful and he is a good commander of fire services in New South Wales. Everything that has been said about Col Eather and Ted Hughes is true. They gave their time willingly and in this instance lost their lives doing so. I have already sent my condolences to the families of Col Eather and Ted Hughes. My sympathy goes also to the families of the two firefighters killed in other areas. One never knows how a bushfire will react. When I lived in the Blue Mountains a bushfire passed through my place at a fairly rapid pace. It was frightening. At the rear of my home was a deep valley. After the fire went through at a fairly rapid pace not one blade of grass in the valley had not been burnt and not one tree was not on fire. However, 18 inches away on the right side of the fire, near my back fence, the flowers were not even singed. Bushfires are remarkable but dangerous. I am happy to support the remarks of the Premier and other honourable members.

Mr COCHRAN (Monaro) [4.17 p.m.]: I support the Premier, the Leader of the National Party and the honourable member for Bathurst in expressing deep sympathy to the families and friends of our brave bush fire fighters Col Eather, David Quinlivan, Ted Hughes and Peter Estcourt. New South Wales Fire Brigades is a unique institution and one of which the people of this State are proud. Volunteer bush fire fighters know from the time they are recruited and throughout their training and service that there is always the hidden risk of death from the unknown. These firefighters paid the ultimate price for being volunteer bush fire fighters, despite their experience and training.

The sympathies we express are bipartisan. They go beyond the realms of politics; they unite the House. This motion provides honourable members who do not represent areas in which firefighters live with an opportunity to express their sympathy to the members who do represent such electorates. Honourable members who represent those areas feel as though they lost a little of their lives when they lost these brave firefighters. Modern equipment is supplied to bush fire fighters to save lives, to make firefighting operations more effective and efficient and to suppress fire. Bush fire brigades were formed by land-holders who had the suppression and mitigation of bushfires as a common interest. They also provided social interchange. The common purpose provided the community with an opportunity to reduce the level of risk as a result of bushfires.

The role of bush fire brigades has now been greatly expanded. The demands placed on volunteers, such as those we mourn today, have been greatly increased. The responsibilities of commanders in the field, those who make decisions on behalf of others, have also been greatly increased. The decision makers take great risks and that places a heavy onus and responsibility upon their families. Now is not the time to analyse the cause of the deaths of these firefighters, but as shadow minister for emergency services it would be remiss of me not to mention that I have been asked questions about the effectiveness of communications in the fire ground. I shall address that matter at a later stage.

It should be acknowledged that no blame is to be laid on the effectiveness of communications. In fact, my readings reveal that since 1966 every coroner's report, every parliamentary inquiry and every community report has acknowledged that communications have failed in New South Wales bush fire services and that something needs to be done. To its credit, the Rural Fire Service is addressing the issue. The National Party, because of its representation for more than 80 years of country areas, has had a close association with the Rural Fire Service, or the Bush Fire Brigades as it was formerly known. An intimate relationship developed and members knew the names of virtually all the firefighters in their brigades.

I have no doubt that the honourable member for Bathurst and the honourable member for Southern Highlands had similar close associations with brigade members in their electorates, including those members whose lives have been lost. The necessity to debate motions of this kind and to

extend our sympathy to those who have given their lives in the service of the community is a source of grief to all members. I join with the Premier, the Leader of the Opposition and all members in expressing sincere sympathy to the family, friends and colleagues of the five firefighters who lost their lives. I urge the House to take whatever action is needed to improve the conditions and safety of our volunteer firefighters.

Ms SEATON (Southern Highlands) [4.22 p.m.]: I join with other honourable members in expressing condolences to the family, friends and loved ones of David Quinlivan, Senior Deputy Fire Captain of the Wingello Volunteer Bush Fire Brigade, who lost his life tragically on New Year's Day while serving his community. While many of us were at home enjoying the company of our friends and families on that day, a brave group of men and women from the Wingello brigade were dealing with a fire in Wingello Forest. All of us who know the dangers faced by members of the Rural Fire Service know also that as they don their uniforms and head for their vehicles to defend our lives and property no-one can predict their future. That is the essence of their bravery and commitment.

The Wingello brigade found itself trapped by a rapidly advancing fire. Dave Quinlivan, one of the most experienced and accredited drivers in the State, positioned his tanker in the best possible way to ensure the safety of his crew, who prepared to leave the vehicle and make their way to safety. Dave lost his life in the tanker. In the following days I visited many of the surviving crew members, all of whom have been slowly recovering from severe and life-threatening burns: Gale and Frank Pritchett, John Luke Jnr, Roger Robinson, Mike Young, Mike Neale and Andrew Neale. I know everyone in this Chamber will join with me in wishing them well in their continuing progress towards recovery.

While safeguarding the lives of his crew, Dave Quinlivan lost his life. The loving family he has left behind—his wife, Leanne, and their three children—can be very proud of a wonderful husband and father who was much loved in the community. Dave Quinlivan was in charge of the Wingecarribee Shire Council mobile library service and was a friend to many schools, seniors and others isolated from essential library services in the villages and towns of the southern highlands. Recently I visited students at Avoca school, which was one of many schools on Dave's mobile library round. The students were working on a special project to commemorate and honour Dave Quinlivan: the purchase of a library collection. That is something of which I am sure Dave Quinlivan would have approved.

I also place on record further expressions of sympathy from Basil Smith, Wingecarribee fire controller, and note the sincere appreciation he has expressed to the Rural Fire Service and to Mr Koperberg for the support received by Mr Quinlivan's family and by the survivors. I acknowledge the sincere support of the southern highlands community, the 500 volunteer firefighters in the area, and all members and staff of Wingecarribee Shire Council who knew and worked with Dave Quinlivan. To his family—his wife Leanne and children, Carley, Crystal and Geoffrey—I express my condolences. I know I speak for every member of this place in honouring a very brave man who always put his community first. His service to his fellow citizens, which was genuinely and generously given, is the heart and soul of every community. The southern highlands community and Dave Quinlivan's family have lost a very special person, but we are enriched by his example and by his precious memory. I commend the motion.

Motion agreed to.

CONSIDERATION OF URGENT MOTIONS

Dr REFSHAUGE: I understand that it has been agreed that my motion should proceed.

Question—That the motion for urgent consideration of the honourable member for Marrickville be proceeded with—agreed to.

FEDERAL HEALTH FUNDING

Urgent Motion

Dr REFSHAUGE (Marrickville—Deputy Premier, Minister for Health, and Minister for Aboriginal Affairs) [4.26 p.m.]: I move:

That this House:

- (a) condemns the Howard Government for initiating a national health crisis by refusing to adequately fund public hospitals;
- (b) condemns the New South Wales Opposition for its failure to support the fight to maintain Medicare;
- (c) condemns the Federal health cuts that have undermined the security of the sick, the elderly and the vulnerable in our community; and
- (d) supports the Carr Government's ongoing campaign for increased Federal health funding and acknowledges the support of Victorian Premier, Jeff Kennett; Queensland Premier, Rob Borbidge; South Australian Premier, John Olsen; Western Australian Premier, Richard Court; Tasmanian Premier, Tony Rundle; Northern Territory Chief Minister, Shane Stone; and all State and Northern

Territory health Ministers, who have backed the Carr Government's fight for increased Federal health funding.

At no time has the future of Medicare been so uncertain. At no time have public health services faced such a sustained attack from a Federal government. At no time has the Leader of the Opposition in this State been as isolated as he is today. He and his Federal coalition colleagues are the lone voices supporting John Howard's secret plan to destroy Medicare. The Leader of the Opposition and the shadow minister for health are fundamentally and unequivocally opposed to a better funding deal for the States. While the resistance of the Leader of the Opposition to public health care is clearly intentional, the same cannot be said for the honourable member for North Shore. In a fit of candour the would-be health Minister has admitted that she does not know the first thing about the Medicare agreement.

That chilling admission from the honourable member for North Shore was made on 27 February on radio 2GB when she said, "Well, I don't know the detail of the Medicare agreement." Whether motivated by malice or plain stupidity, the New South Wales coalition is entirely out of step with its interstate colleagues. Against the tide of reason, the Leader of the Opposition and the honourable member for North Shore have thrown their support behind John Howard's emasculation of our public health system. The Prime Minister and his health Minister have initiated a national health crisis by slashing health funding to the States and refusing to adequately fund public hospitals across Australia. Federal health funding to New South Wales has been slashed by more than \$130 million, resulting in thousands of patients being denied treatment.

The Commonwealth dental health program has been abolished, resulting in an increase of more than 30 per cent in dental waiting lists. In addition, approximately 300 dentistry jobs have been lost forever. The pharmaceutical benefits scheme has been cut to the bone by John Howard. The sick, the elderly and the vulnerable have been put at most risk because they no longer have access to the most appropriate drugs for treatment of their different conditions. The Prime Minister is saying to those people, "Damn the side effects, just take the cheapest drug." John Howard has cheated the thousands of Australians who can no longer afford private health insurance. As more and more patients flood our public hospitals, John Howard pumps more and more money into private health insurance. This is despite his admission that the \$1.7 billion private health initiative has all but failed.

As much as \$600 million has already been squandered on this folly and another \$1.2 billion is to be wasted in the next two years. Meanwhile, every time private health insurance decreases by 1 per cent another 3,000 patients join the waiting lists in New South Wales and the cost to New South Wales taxpayers increases exponentially. Already public hospitals in New South Wales have been forced to cover more than \$500 million in additional health costs as a result of the decline in private health insurance. While claiming he supports Medicare the Prime Minister has been withholding compensation to the States for decreases in private health insurance, in direct contravention of the current Medicare agreement. The Howard axe now looms again over Medicare.

John Howard and Michael Wooldridge steadfastly refuse to acknowledge the warnings from the States and the Northern Territory over the growing crisis in health care. The coalition governments in the States and the Northern Territory are screaming the loudest, but John Howard and Peter Collins are not listening. I say to them, "Listen to what your coalition colleagues are saying." On 6 November last year South Australia's Dean Brown said:

And the Federal Ministers need to understand if they thought they had a problem out in the community with aged care I can assure you that the problem in health care is even greater.

On 7 November he said:

The public health system will deteriorate rapidly unless the Federal Government gets it right.

Dean Brown also said of John Howard and Michael Wooldridge:

I don't think they understand what's going on in hospitals. I really don't.

On 5 November Queensland's Mike Horan said:

. . . It's the States who are out there doing all the work, it is the States who are bearing the brunt of declining private health insurance, of an ageing population, of increasing costs of medical technology . . .

Victoria's health Minister, the Liberal Rob Knowles, stated:

The Federal Government's \$1.7 billion private health insurance incentive scheme has failed . . .

None of the States and Territories want to see money going into private insurance if it is not relieving pressure on the public system.

After the Premiers Conference on 21 March the Premier of Victoria, Jeff Kennett, said:

We have been substantially let down because the door's been slammed in our face.

On 11 March Tasmania's Liberal Health Minister, Peter McKay, said of the Health Ministers' meeting:

It is bitterly disappointing that we come here and find all we do is argue a lot of Treasury nonsense.

On 20 March Tasmania's Premier, Tony Rundle, said:

If there's not a satisfactory resolution today on this health funding issue, goodness me, we're going to have our hospitals needing intensive care I think.

The health Minister in the Northern Territory, Denis Burke, described the Commonwealth's actions as breathtakingly stupid. He also described them as not only disturbing but quite extraordinary. At every turn the New South Wales coalition has been humiliated by its counterparts in every State and in the Northern Territory. The New South Wales Liberals are completely out of touch. Through their silence the Leader of the Opposition and the honourable member for North Shore stand condemned. Let this House record their objection to increased Federal health funding. Let me make it clear that this debate is about whether the New South Wales coalition will change its mind and support increased health funding.

Will the New South Wales coalition be the only political party, apart from the Federal coalition, not to support increased funding? Every coalition Government in this country supports increased health funding from the Federal Government. Will the New South Wales coalition stand up for patients? Will it support Medicare? If what the coalition has said to date can be believed, every person in New South Wales should know that, if elected, it will abandon the interests of patients. Medicare needs to be protected—and not only in words. Medicare needs adequate funding because it is not only a New South Wales system; it is a national system. Only through adequate funding will the Prime Minister be able to live up to his pre-election commitment to maintain Medicare. It is a sad reality that by undermining our public hospitals through savage funding cuts the Howard Government is signalling its intention to destroy Medicare.

I thank the Premiers and health Ministers of the other States for joining with New South Wales to make sure that Medicare is preserved and that the

public health system is able to continue. It is very clear that this is not a problem for New South Wales alone, although there is no doubt that New South Wales is doing better than any other State because it has been able to put extra funding into its public hospitals. One thing is clear: Michael Wooldridge, the Federal Minister for Health, stated clearly at the beginning of this Medicare agreement that a Federal Government had increased funds to health. At the beginning of that Medicare agreement the State of New South Wales took funding out. He made it clear that the Carr Government has increased funding. Michael Wooldridge's message is clear: the Liberals in New South Wales cannot be trusted on health funding. Michael Wooldridge made it clear that the Liberals in New South Wales cut health funding.

Mrs SKINNER (North Shore) [4.36 p.m.]: Honourable members have heard another breathtakingly dishonest presentation by the Minister for Health when speaking to a motion that will not stand scrutiny. The health crisis has not been caused by the Commonwealth Government; it has been caused by the Minister for Health in this State and by the Carr Government. I refer honourable members to the *Bulletin* Morgan Poll published on 17 March, entitled "The Carr Government's Report Card". One of the questions asked was, "Do you think the Carr Government is doing a good job or a poor job handling these issues?" There are no bonuses for guessing the issue in respect of which the Government polled the worst and the issue in respect of which 81 per cent of the respondents to the poll believed the Carr Government was doing a poor job. That issue was hospitals! A record 81 per cent! Did respondents to the poll say that the Commonwealth Government is doing a bad job? No, they did not. They said the Carr Government and the Minister for Health were doing a bad job. They know that the Minister is a huge liability to the Carr Government and that he cannot get it wrong.

Mr Mills: You are right! He cannot get it wrong.

Mrs SKINNER: I am sorry, he cannot get it right. Let me list some of the reasons why people have no confidence in the Minister, why they know that he is causing the crisis in New South Wales. A record number of people in New South Wales are waiting for elective surgery. The figure increased to 51,704 at the end of February. That compares with 44,707 when the Minister was appointed. At that time he and the Premier considered that it was so important to get the number down to 20,000 that they claimed the promise was written in blood and said they would resign if waiting lists were not

halved. The Minister would have us believe that the sudden increase in waiting lists is due to the Commonwealth Government. Everyone knows that his arguments are totally flawed. If his claim were correct waiting lists should have soared when the coalition Government was in office because the number of people dropping out of private health insurance had been consistent and steady since 1984. The former Federal Labor Government and the former Minister, Carmen Lawrence, consistently refused to provide any additional funding to compensate for the decline in private health insurance.

Nevertheless, despite that, the coalition Government in New South Wales managed to contain waiting lists, managed to achieve the lowest waiting times in Australia, and managed to bring the health budget in on budget. Where is the Labor Government now? Nearly 52,000 people are waiting for surgery. Shame on the Government. Nearly 5,000 have been waiting for more than 12 months, up from 2,200 when the Minister came to office. People living in marginal electorates, where the Government is so shaky, know those who are waiting, and they know that their relatives and friends on those lists have been waiting an exceptionally long time. The average waiting time for surgery in this State jumped from 1.4 months to 2.7 months, according to the latest waiting-list figures put out by the Government. Yet the Minister fluffs around with the truth. He says that New South Wales has the best waiting-list figures in the country. The Minister inherited the best in the country from the former coalition Government and has gone backward ever since. On the latest figures available, at the beginning of this year 118 emergency patients each day were lying on trolleys in corridors for at least eight hours waiting for hospital beds after being seen by doctors. This hospital crisis has been caused by this Minister, not by the Commonwealth.

The next part of this ridiculous motion asserts that the New South Wales Opposition does not support the fight to maintain Medicare. What a lot of nonsense. No proof is supplied by the Minister, and I can tell the House that his assertion is untrue. The Minister quoted half a sentence that I uttered in an interview on radio this month. He failed to say that I was cut off mid-sentence. If he had listened to the rest of the sentence he would have heard me say that despite the fact that I did not know about the detail, I knew the general thrust. If the Minister wants me to know the detail, I would be very happy to receive a copy of the 1,000-page confidential report, but I also want a guarantee that he will not sack, intimidate, or bully the person who gave it to

me, as is his normal, standard practice. If he found it was one of his staffers—I could name them here, the people who ring up, the people who give me documents and go to the media—he would bully them and intimidate them, just like he did with Tony Dennison. That is the reason he has now been referred to the privileges committee in the other place. The Minister, a bully, would make sure that if I had copies of that Medicare agreement, the person who gave it to me would suffer. The Minister's arguments on that score are as flawed as any other.

The motion refers to cuts in the Federal health budget. The Minister does not know what he is talking about. The last Medicare agreement was toughly negotiated by New South Wales five years ago. The Minister at that time was Ron Phillips. I was not even a member of this House then, but I was working in the bureaucracy. I can well recall the Minister, then shadow minister for health, saying, "Go for it, accept it New South Wales. Carmen Lawrence has made you a good offer." Was his face not red when Ron Phillips later negotiated a better deal for New South Wales! What the Minister must do is negotiate the best possible deal for New South Wales. This Minister is so incompetent that he cannot do that, and the Premier should sack him. The Minister cannot control his health budget and he cannot negotiate with the Commonwealth. He is an absolute failure. Under the previous five-year agreement negotiated by Ron Phillips, each year there has been an increase in funding to New South Wales. If the Minister does not want to accept my word, he should accept the word of the Auditor-General, who stated at page 96 of volume 3 of his report on the review of Government agencies, tabled in this House last December:

Government contributions include Commonwealth assistance of \$1,756m (\$1,697m in 1995-96), the major component being the total Medicare grant paid under the Medicare Agreement of \$1,541m (an increase of 2.5% over the 1995-96 year amount of \$1,504m.)

I take the Auditor-General's word rather than that of the Minister, who is noted for his lies. The Minister is nodding, he is agreeing. The Auditor-General's word is far more reliable. The Minister went on and on about what the other State Ministers are saying. The other States are doing the best they possibly can in negotiations with the Commonwealth, and so should New South Wales. The Minister has that responsibility in such negotiations, but he has misrepresented the views of other State Ministers to this House. So that all members know what those Ministers are saying, I quote a comment made on Radio 2UE on 15 March 1998 by Richard Court, Premier of Western Australia:

... under a Labor Government in New South Wales they have refused to bite the hard bullets in reforming their public hospital system, a State that's not prepared to go through the pain that we've been going through...should be financially penalised.

This comment came out of a meeting in Queensland. If the Minister is going to quote Premiers, he should make sure he gives the total picture. Richard Court, the Western Australian Premier, was not the only Premier who said that New South Wales should be penalised. The Minister cannot be trusted to do the right thing with the money. He simply wastes it.

Ms HALL (Swansea) [4.46 p.m.]: The honourable member for North Shore has made it quite clear that the Opposition does not support increased health funding. That is absolutely disgusting. The honourable member for North Shore said that New South Wales inherited the best health care in Australia. What this Government inherited was a system that was adequately funded by a Federal Labor Government that was committed to Medicare and a public health system, not to decreasing health funding.

We are now seeing graphic evidence of how John Howard's failures are hurting patients in New South Wales and across Australia. John Howard, in refusing to uphold his commitment to Medicare, is condemning Australian patients to longer, painful waiting times. John Howard's commitment to Medicare is a very strange commitment. It is not a commitment to more dollars for health. It is not a commitment to patient care.

[Interruption]

Mr SPEAKER: Order! The honourable member for Georges River will have an opportunity to make a contribution at the appropriate time.

Ms HALL: Rather, John Howard is committed to destroying public health and Medicare. Not only are patients being denied access to proper health care, but Medicare offices are closing all around Australia—43 to be precise. It is a very sad thing for the people of Swansea electorate that Belmont lost its Medicare office last Friday. Despite marches by residents on that Medicare office, and vigils outside that office by the people of the area, John Howard pushed ahead with another arm of his plan to destroy Medicare and public health in this country.

The fallout is indiscriminate. People in Belmont, Wagga Wagga, Bankstown, Bulli, Campbelltown, Coffs Harbour, Dubbo, Fairfield, Manning, Newcastle, Murwillumbah, Orange,

Shoalhaven, Westmead and St George are waiting longer. But by far the greatest impact is on the elderly, on our frail and aged people, who have already suffered cruel blows under John Howard's Government and who continue to suffer. People who need support are suffering most. The elderly and those who care for them are still reeling from the shock of the Howard Government's aged-care reforms. Those reforms have thrown elderly people and the nursing home industry into chaos.

New accommodation charges are already deterring older people from entering nursing home accommodation. They are forcing the elderly to stay longer in public hospitals rather than receive appropriate care in an aged-care setting, and we all know the impact that that has on the public health system. Our overburdened public hospitals are under greater pressure. That is all caused by the Howard Government's attack on Medicare and the public health system. Industry groups have been loud and united in voicing their protests about the Howard Government's attacks on the aged. State leaders made it clear two weeks ago that the needs of our ageing population must be addressed. With growing numbers of older people needing care, action must be taken and it must be taken now. That cannot be done, however, through incomprehensible aged-care legislation that lurches from one disastrous, misguided position to another and then backflips.

John Howard's aged-care reforms have been and continue to be a spectacular example of bad judgment, bad development and bad management. They totally disregard the needs of some of the most vulnerable in our community. And, in undermining the health care of the very people John Howard promised to protect, they are stunningly hypocritical. I call on all members of the House to protect our patients, particularly our elderly. It is about time the Opposition got real and supported Medicare and public health in this State. [*Time expired.*]

Ms FICARRA (Georges River) [4.51 p.m.]: The Opposition is used to ridiculous condemnations whenever the Government is under attack. Whenever the Government is guilty of mismanagement it decides that it had better go on the attack because the Opposition will go after it. The Government has decided to attack the Federal Government once more. This is boring and completely fabricated. One should consider the facts and figures. The Government is shifting blame. The Howard Government has offered to New South Wales, but the Minister for Health has not accepted, an additional \$155 million funding for this year alone and a 15 per cent increase in real terms over five years.

Government members are bleating about a health crisis. Yes, there is a health crisis in New South Wales. It is a mismanagement crisis and it will be one of the major factors that bring down this Government. It is always said that health is the kiss-of-death portfolio, and it will prove to be a kiss of death for the present Minister for Health. When the Carr Government took office in March 1995, 44,500 people were on the waiting lists; now almost 52,000 people are on the lists. When the Carr Government took office 2,200 people had been on a waiting list for longer than 12 months. Now that figure has more than doubled; 4,700 people have been on a waiting list for longer than 12 months.

I ask the House to consider average waiting times. All doctors and nurses will say that the most important factor is the length of waiting time, not the number of people on lists—and the Minister should know that because he is a doctor. Although the New South Wales public is interested in the number of people on hospital lists, it is also interested in the period of time that people are required to wait. The waiting time has doubled. When the Carr Government took office the average waiting time was 1.4 months; it is now 2.7 months. The Government talks about how well it is managing the State. It is not managing any portfolio well, and everyone knows that. The sooner March 1999 comes, the better. On 25 March Senator Helen Coonan, representing New South Wales, made a poignant contribution to debate in Canberra. She indicated the mismanagement of the vast health budget in the State of New South Wales, and said:

Nowhere is this more obvious than in New South Wales. The Commonwealth has made a firm and highly appropriate offer to New South Wales. Under the proposed agreement, New South Wales would get an extra \$154.9 million in funding next year.

That is an extra \$155 million. Why can the Minister for Health not manage with that? Under the coalition Government and the present Deputy Leader of the Opposition—one of the most highly respected health Ministers—New South Wales was able to establish St George Hospital and Liverpool Hospital as teaching hospitals. Those initiatives came from the Deputy Leader of the Opposition. The present Minister for Health calls them his own although they are not. The present Minister for Health does not understand the health system, as doctors and nurses would tell him. The greatest health Minister New South Wales ever had was the Deputy Leader of the Opposition. How is it that he could manage very well on funding that was less in real terms than what the present Minister has now? The present Minister for Health has made no effort to examine his management. The Premier of Western Australia, Richard Court, said:

... under a Labor government in New South Wales they have refused to bite the hard bullets in reforming their public health system, a State that's not prepared to go through the pain that we've been going through ... should be financially penalised.

New South Wales has not been financially penalised. This State is actually getting more in real terms. People are saying that the New South Wales Government should try to better manage its health budget. The Minister, rather than listening to his bureaucrats, who are not advising him well, should ask the doctors and nurses how to run the health portfolio. The Minister does not understand the health system. I ask him to obtain a copy of the 25 March 1998 contribution of Senator Helen Coonan to debate on health funding, which details the way in which the Minister has been so incompetent. It makes for great reading. Senator Coonan said:

The Commonwealth health minister, Dr Wooldridge, also offered Mr Carr \$3.8 million next week if New South Wales agreed to the new agreements.

That amount was offered in addition to the \$155 million and it would have moved 1,425 people off the waiting lists immediately. But the Minister said no. He is prepared to have an additional 1,425 people suffering. He must get letters from those affected in his own electorate—he must know who they are. The Minister does not care, and neither does the honourable member for Swansea—as demonstrated by her ridiculous speech. [*Time expired.*]

Mr MILLS (Wallsend) [4.56 p.m.]: It is clear from contributions made by the honourable member for North Shore and the honourable member for Georges River that the Liberal Party does not support increased Federal funding for public hospitals in New South Wales. I wish the House had heard from the National Party members in this debate, but they have been silent. One therefore has to conclude that the National Party in New South Wales also does not support increased Federal funding for our public hospitals. The New South Wales coalition is alone in holding its misguided opinion. As the Deputy Premier pointed out, the coalition parties in government in other States and Territories have all attacked the Federal Government for failing to increase funding for public hospitals, particularly to cope with the dramatic change in levels of private health insurance.

The New South Wales Opposition is demonstrating again an inherent hypocrisy. It has a very short memory. In late 1992 and early 1993 the Minister for Health at the time, the Deputy Leader of the Opposition, was working away at a campaign to extract more funding from the Commonwealth

Government under Medicare agreement negotiations. Back then he argued that the proposed Medicare agreement was unsatisfactory. He stalled, lobbied and protested. He challenged the Federal Minister at the time for extra health funding. In an article in the *Sydney Morning Herald* on 20 October 1992 the Deputy Leader of the Opposition maintained that the proposed Medicare agreement was:

... unsatisfactory because it included penalties for issues beyond the control of the States. These included the level of private health insurance.

The Deputy Leader of the Opposition and all honourable members opposite should maintain their former rage. Instead, they are now bleating hollow arguments in a bid to protect the hollow arguments of the very misguided Federal Government. This motion has three parts. The third part states that this House should condemn Federal health cuts that have undermined the security of the sick, the elderly, and the vulnerable in our community, and support the Carr Government's campaign for increased Federal health funding.

In addressing the third part of the motion I shall deal with cuts to Federal funding for New South Wales. The Howard Government has cut nearly \$130 million from the New South Wales health system over the past two Federal budgets. That contrasts with the record of the Carr Labor Government, which has increased funding for health by nearly \$1 billion since coming to office. The major loss suffered by New South Wales is the totally unjustified cut of \$68 million from the hospital funding grant. Despite repeated representations, the Howard Government refuses to change that decision, and so continues to unfairly penalise the New South Wales public hospital system.

The abolition of the Commonwealth dental health program resulted in the loss of \$36 million for New South Wales. The withdrawal of those funds impacted particularly on rural New South Wales, caused hardship for the elderly and other vulnerable groups in the community, and resulted in the loss of 300 jobs in public dentistry. That is the contrast between Labor and Liberal: it was a Federal Labor Government that kept pushing money into health services; now it is a State Labor Government that is pushing money into health in this State. I guess the honourable member for North Shore does not read widely, but if she had read last Saturday's *Australian* she would have seen an article by Mike Steketee comparing Commonwealth and State health expenditure over the past three years. In that article he said:

But a breakdown shows wide discrepancies between the States, with spending by NSW and Queensland actually outpacing that of the Commonwealth.

That damns the contribution today of the Opposition in this place. It shows that the Federal Labor Government was fair dinkum about increasing health funds in the three years to 1995-96, and that the State Labor Government is fair dinkum about increasing funding for public hospitals. The Commonwealth cut another \$6 million from the New South Wales hospital funding grant as a result of its unfair arbitration of cross-border issues with the Australian Capital Territory. Funding cuts of nearly \$4 million have been imposed on a number of specific purpose programs. They include the youth health program, cut by \$53,000; the aged-care assessment program, cut by \$570,000; the national women's health program, the alternative birthing program and the female genital mutilation program, cut by \$80,000; the cervical cancer screening program, cut by \$25,000; the national HIV-AIDS strategy, cut by \$1.643 million; the national drug strategy, cut by \$100,000; mental health, cut by \$1 million; and the outpatients ambulatory care reform program, cut by \$424,000. All of those are cuts by the Howard Government. [*Time expired.*]

Dr REFSHAUGE (Marrickville—Deputy Premier, Minister for Health, and Minister for Aboriginal Affairs) [5.01 p.m.], in reply: I thank the honourable member for Swansea and the honourable member for Wallsend for their contributions and for clearly pointing out Federal Government cuts in health funding to New South Wales. These cuts have been felt not just in New South Wales but in other States. We are all facing similar cutbacks.

What we know from this debate is that the honourable member for North Shore certainly can shout, even if she cannot debate, and that National Party members are not interested in turning up for a debate on health. Time and again National Party members do not even turn up to have their say in these debates. There is no doubt that the New South Wales Liberals do not want more funding for health care from Canberra. Very clearly the Opposition is urging the Government to follow Senator Coonan's advice to take up the offer. That shows that New South Wales Liberals do not want more funding for health from Canberra.

Another interesting point arising from this debate is that the New South Wales Liberals support the Western Australian Government's health policy. We will use aspects of that to remind the people of New South Wales of the directions that the Liberals in New South Wales want to go. I had expected the honourable member for North Shore at least to make some pretence that she understood the issues, but

she has reasserted that she does not understand the Medicare agreement. It is difficult to debate an issue with someone who does not understand what the debate is about. Still, it is important that this House puts on record that the New South Wales Liberals do not want more health funding.

The Liberals in this State want the Government to accept the Federal Government's offer. I do not include the National Party in this because I believe it is using the Liberals as something of a smokescreen; I have more faith that the National Party wants more health care funding. The Liberal Minister for Health in Tasmania described the proposal, which the honourable member for North Shore says we should regard as great and fantastic for New South Wales, as a "sugar-coated suicide pill". One might say that that is extreme language for a health Minister; it is certainly not my style.

The offer was described by the South Australian Liberal health Minister, the Hon. Dean Brown, as a "grubby little political bribe". So the Liberals in New South Wales want this Government to accept a "grubby little political bribe". The Queensland National Party Health Minister, the Hon. Michael Horan, described the offer made by the Howard Government as "an insult". This is the offer that the Government is being advised by the New South Wales Liberals to accept. It is difficult to understand the position of the Liberals on this question. Is there any reality in the stance of the Liberals? Is there any neurosynapsis between those earlobes? Is there any activity in the grey matter? Are there any lights on? The honourable member for North Shore, though admitting that she does not understand the Medicare agreement, says that the Government should be signing up because we have got tonnes of money coming out of this offer.

Mrs Skinner: I did not say that. Don't lie.

Dr REFSHAUGE: The Liberals here have said that. The honourable member said that we should be going the way of Western Australian health policy and that we should take the pain that that State has gone through. It is interesting that she was endorsing that policy. If she was not, then why did she bother to bring it up? The honourable member is much better at shouting than she is at debating. It is depressing for the people of New South Wales that we cannot progress the Medicare debate in this place, where I would have thought former health Ministers would agree with me. I can guarantee that the honourable member for North Shore will not be a health Minister.

Question—That the motion be agreed to—put.

The House divided.**Ayes, 51**

Ms Allan	Mr Markham
Mr Amery	Mr Martin
Mr Anderson	Ms Meagher
Ms Andrews	Mr Mills
Mr Aquilina	Ms Moore
Mrs Beamer	Mr Moss
Mr Carr	Mr Nagle
Mr Clough	Mr Neilly
Mr Crittenden	Ms Nori
Mr Debus	Mr E. T. Page
Mr Face	Mr Price
Mr Gaudry	Dr Refshauge
Mr Gibson	Mr Rogan
Mrs Grusovin	Mr Rumble
Ms Hall	Mr Scully
Mr Harrison	Mr Shedden
Ms Harrison	Mr Stewart
Mr Hunter	Mr Sullivan
Mr Knight	Mr Tripodi
Mr Knowles	Mr Watkins
Mr Langton	Mr Whelan
Mrs Lo Po'	Mr Woods
Mr Lynch	Mr Yeadon
Dr Macdonald	<i>Tellers,</i>
Mr McBride	Mr Beckroge
Mr McManus	Mr Thompson

Noes, 44

Mr Armstrong	Mr D. L. Page
Mr Beck	Mr Peacocke
Mr Blackmore	Mr Phillips
Mr Brogden	Mr Photios
Mr Chappell	Mr Richardson
Mrs Chikarovski	Mr Rixon
Mr Cochran	Mr Rozzoli
Mr Collins	Mr Schultz
Mr Cruickshank	Ms Seaton
Mr Debnam	Mrs Skinner
Mr Ellis	Mr Slack-Smith
Ms Ficarra	Mr Small
Mr Glachan	Mr Smith
Mr Hartcher	Mr Souris
Mr Hazzard	Mrs Stone
Mr Humpherson	Mr Tink
Mr Jeffery	Mr J. H. Turner
Dr Kernohan	Mr R. W. Turner
Mr Kinross	Mr Windsor
Mr MacCarthy	
Mr Merton	<i>Tellers,</i>
Mr Oakeshott	Mr Fraser
Mr O'Farrell	Mr Kerr

Pair

Mr Iemma	Mr Schipp
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Question so resolved in the affirmative.**Motion agreed to.****PRIVATE MEMBERS' STATEMENTS****WEST DAPTO LAND DEVELOPMENT**

Mr RUMBLE (Illawarra) [5.15 p.m.]: An article in the *Illawarra Mercury* of 7 March 1998 stated that \$50 billion would be needed to kick-start land development at West Dapto. The article further stated that the provision of this money by the Government would enable \$1 billion worth of infrastructure development to be commenced at West Dapto, which in turn would generate another \$1 billion worth of home construction and more than \$1 billion in industrial development. It was stated that \$50 million would trigger a \$600 million water cycle program, including \$180 million for sewerage and \$200 million for key roads in the area. The remainder would be spent on the green-space system, which would cover 40 per cent of the total area. The article stated that \$50 million in seed funding would allow a start to be made on water and transport systems and that \$50 million in seed funding for the project would be provided by the State Government. However, within a decade Treasury would probably recover its money plus interest, and that in turn would create new streams of government revenue. The article further stated:

The outcomes will be:

- Residential precincts accommodating between 60,000 and 80,000 in about 20,000 homes.
- Government subsidised shuttle bus services in place ahead of development to wean the incoming residents off total reliance on the motor vehicle. That will save the Roads and Traffic Authority \$220 million extra needed for additional roadworks if West Dapto is allowed to become another three-car-family locality.
- There's to be a stackless industrial belt. Investors and developers will be guaranteed fast-track approvals because standards have already been set and all conditions applying to any individual development site in West Dapto will be accessible on the Internet.

It is also proposed to develop light industrial land at Kembla Grange. Wollongong City Council has been vitally concerned about the development of that land. The council is in a position to facilitate the attraction of further industries to the Illawarra region. I have been informed that the light industrial land in the Unanderra estate is virtually built out. It is therefore critical to create jobs by attracting light industries to the Illawarra region. Previously the Minister for Urban Affairs and Planning informed

me that a task force chaired by a senior official of the Department of Urban Affairs and Planning had been established to investigate and report to the Government on the overall plans for the development of this area.

The Illawarra region desperately needs light industries and high-tech industries because it has not recovered economically from the retrenchment of 10,000 people by BHP in 1982. The unemployment problem in the Illawarra region would be much worse if literally thousands of people did not travel to Sydney each day by train or car for work. Wollongong City Council is very interested in the West Dapto land development project. West Dapto is one of the few remaining areas where residential homes can be built because most of the Illawarra region has been built out for single dwelling blocks. On the basis of the information I have provided to the House, I ask the Minister for Education and Training to request the Minister for Urban Affairs and Planning to provide an update of those investigations.

Mr AQUILINA (Riverstone—Minister for Education and Training, and Minister Assisting the Premier on Youth Affairs) [5.20 p.m.]: I shall have much pleasure in referring the matters raised by the honourable member for Illawarra to my colleague the Minister for Urban Affairs and Planning. The honourable member for Illawarra on a number of occasions in this Chamber and elsewhere has raised the issue of employment in his electorate. All of us are aware of his vital concern to ensure that local employment is provided for local people. He has raised this matter today on that basis. He hopes that additional land will be made available to enable the growth of industry in his area, thereby providing more employment to local residents.

Recently I had the pleasure of visiting the electorate of Illawarra to look at the enormous improvements being made at Shellharbour TAFE. A new automotive trades section, costing almost \$7 million, is providing great opportunities for training persons in all aspects of automotive trades and, indeed, all kinds of automobiles in that district. At Shellharbour TAFE I noticed the support of local industry for the training being provided. It would be great to provide more employment opportunities as requested by the honourable member for Illawarra so that maximum use is made of the Shellharbour facility and other TAFE colleges in the Illawarra.

EAST MAITLAND INTERSECTION UPGRADE

Mr BLACKMORE (Maitland) [5.22 p.m.]: I draw the attention of honourable members and the

Minister for Transport, and Minister for Roads to the pedestrian overpass being constructed to link the suburbs of Ashtonfield and Metford in east Maitland. The overpass has a reasonably long history. It was proposed 10 or 12 years ago to provide pedestrians with access from the eastern suburbs to the new suburb of Metford, as school students living on the southern side of the highway were required to attend Metford school in those days. However, school students on the southern side of the highway must now attend east Maitland school. I hope that the Minister for Education and Training will ensure that a new school at Ashtonfield is provided without too much delay in order to alleviate the need for students to have that pedestrian access.

A number of meetings about the overpass have been held, including a meeting on 12 February 1996, which gave residents the opportunity to comment on a project to instal signals at the intersections of Chisholm Street and Chelmsford Drive with the New England Highway. Signals at those intersections, which link Ashtonfield and Metford, would provide safety to motorists. The proposed overhead footbridge is proceeding—I believe that contracts have been signed. I must stipulate that this is a Federal Government matter because it provides funding to the Roads and Traffic Authority.

More than 400 residents signed petitions protesting about the location of the pedestrian overpass, which will be about 500 metres away from where it should be located to provide a benefit to residents. The overpass and the pathways leading to it will create a security problem for neighbouring properties. It will provide a repetition of the existing problem of objects being thrown from the pathway onto traffic below. Also, cyclists, rollerbladers and motorcycle riders will have access to the overpass. Residents have asked the Roads and Traffic Authority to stop work on the overpass so that we can examine these problems. The overpass should be constructed 500 metres closer to the local shopping area—the largest shopping area in Maitland—so pedestrians can have safe access to the shopping centre.

It has been proposed that a two-storey private hospital be built near the shopping centre and the proposed overpass could service that community. If the overpass is not constructed, huge savings could be made if the Roads and Traffic Authority and Maitland City Council, with Federal funding, provided a footpath on the New England Highway. The existing pedestrian crossing at the Chelmsford Drive-New England Highway intersection leads nowhere and no footpath connects to it. Therefore,

one must question the value of having a pedestrian crossing if pedestrians cannot move on the southern side of the highway. Provision of a footpath would certainly be a much cheaper option.

All attempts to have the Roads and Traffic Authority stop construction of the overpass temporarily and hold a public meeting at which residents could have their say have failed. Statistics show that the plans have been on public exhibition, but who looks at public exhibitions in shopping centres? The plans were also on display at the council, but nowadays people do not need to go to council to pay their rates. I hope that by raising this matter the Minister for Roads will listen and stop construction of the overpass temporarily so that people can have a say about future development of their area.

PHARMACEUTICAL SCHEDULE DRUG SALES

Mr ROGAN (East Hills) [5.27 p.m.]: Some weeks ago I was approached—I am sure other honourable members have also been approached; if not, they soon will be—by a deputation of local pharmacists who expressed deep concern about the proposed changes to the sale of schedule 2 and schedule 3 pharmaceuticals. For the benefit of honourable members, a number of schedule drugs are available through pharmacists. Schedule 8 or S8 pharmaceuticals are drugs of addiction, schedule 4 or S4 pharmaceuticals are prescription medicines, schedule 3 or S3 pharmaceuticals must be supplied by a pharmacist, and schedule 2 or S2 pharmaceuticals can be supplied only through pharmacies. There is a national standard for the uniform scheduling of drugs and poisons. States are responsible for regulating the distribution of pharmaceuticals to consumers under schedules incorporated in the Poisons Act.

Under reforms resulting from the Federal-State competition policy, I understand from information given to me by local pharmacists that supermarket chains are pursuing an aggressive campaign to have changes made to the Poisons Act to allow supermarkets to sell schedule 2 and schedule 3 pharmaceuticals. I am of the view—and I am sure that my view is shared by other honourable members—that such changes are not in the public interest. Pharmacists currently enjoy the widespread respect and confidence of the community that pharmaceuticals sold at their friendly chemists are properly oversighted to ensure consumer safety.

Mr ACTING-SPEAKER (Mr Clough): Order! The honourable member for Oxley will

refrain from interjecting. He will have an opportunity to contribute to the debate at the appropriate time.

Mr ROGAN: It is not wise to permit supermarket chains to sell these pharmaceuticals, particularly for the reasons I have enunciated. Indeed, such is the confidence of Federal health authorities in the integrity and capability of pharmacists that some drugs which were previously dispensed only on prescription by medical practitioners have been included on the schedule 3 list. The New South Wales Government is committed to the Hilmer competition policy reforms, but public interest and safety considerations should heavily outweigh any campaign by supermarket chains to add certain pharmaceuticals to their ever-expanding grocery, vegetable and meat lines. The future of pharmacists is at stake; they already operate in marginal businesses because many of their traditional products are now sold in supermarkets.

This is emerging as one of the titanic battles of the little business against the big supermarket chains. All the might and power of those supermarket chains is being exerted on governments and other authorities to ensure that their wishes are upheld at the end of the day. I should like to hear many other honourable members of this House make similar speeches and submit formal representations to the Deputy Premier, and Minister for Health, to indicate widespread community support for pharmacists. Whilst the Hilmer competition policy is supported, surely public interest and the health and welfare of consumers must be a paramount consideration.

In its booklet entitled "Facts About Community Pharmacy in Australia" the Pharmacy Guild notes that a pharmacy must be owned by the pharmacist, and there are limitations on the number of approved pharmacies to dispense medicines under the pharmaceutical benefits scheme. As provided in its mission statement, the guild exists for the protection and betterment of its members and to maintain pharmacies as the most appropriate primary providers of health care to the community through optimum therapeutic use of drugs, drug management and related services.

BOWRAVILLE CENTRAL SCHOOL

Mr JEFFERY (Oxley) [5.32 p.m.]: News that secondary students at Bowraville Central School may be transferred to Macksville or Nambucca Heads high schools has shocked the local community. Warning bells rang when the school received a letter from the Minister for Education and

Training in response to requests for maintenance funding. A copy of that letter was sent to me. The contents of the letter delivered a body blow to the school. The parents and citizens association requested that accommodation at the school be upgraded, and pointed out that some of the 10 demountable classrooms had been at the school for 15 years. They could hardly be called temporary accommodation! Proposed downgrading plans have cut at the heart of this close-knit rural community.

The Minister's letter stated that sufficient justification for the new Nambucca Heads High School was the expectation that secondary students living in the Bowraville area would gradually take up places at Macksville High School when its students took up places at Nambucca Heads. That suggestion is ridiculous. The construction of Nambucca Heads High School was necessary because of demographic pressure, and the upgrading of Macksville High School was desperately needed. It is unacceptable to use these proposed works as an excuse to close Bowraville Central School, which has an outstanding reputation. It is the focal point of the Bowraville community. It has a long and meritorious tradition, and it has helped many young people, including those from the Aboriginal community, to become real achievers.

Closing the school would impact heavily on the community. It has played a pivotal role in the Aboriginal community in many ways. There is a strong tradition in the Aboriginal community of attending Bowraville Central School, and attendance rates are high because the students are schooled in their own community. Bowraville Central School is one of the few schools in the State to offer Aboriginal language classes. Most Aboriginal parents do not have access to private transport, and many students walk to school. Truancy is kept to a minimum because students are observed in their own community. Many would not complete year 10 elsewhere. Bowraville Central School provides a safe and familiar environment.

The suggested changes to the school make no sense. The repercussions for Bowraville would be felt throughout the valley. If the proposal to move the secondary students became a reality, it would impact immensely on the economy and employment of Bowraville. Such a change would rip the heart out of the Bowraville township. If Bowraville Central School were downgraded to a primary school, as suggested by the Minister, fewer teachers would be available, and the social and economic impact on Bowraville would be enormous, not to mention the effect on students. If these proposals were implemented, I believe that up to 17 teachers

and five ancillary staff would seek alternative employment.

The community is outraged and angry at the proposal. Today I received by facsimile a petition containing 1,224 signatures. I will present the original petition to the Parliament at the appropriate time. Many young people in the area do not want to go to town schools; they are happy at Bowraville Central School. To remove the secondary classes would severely damage the holistic learning environment that has been engendered over the years to the benefit of the entire community. Students feel comfortable and enjoy the learning experience at Bowraville Central School. Coincidentally, a review of the proposed changes is taking place today with district superintendent Frank Shaw. I trust the review is a genuine attempt to consider the school community in the assessment process and is not just window-dressing.

Over the last three years secondary enrolments at the school increased by 40 per cent. It hardly sounds like a recipe for closure. The school needs to expand, not to be downgraded. Bowraville Central School has 145 secondary students and 255 kindergarten to year 6 primary students. The school has an outstanding tradition of 123 years of service to public education. It has excellent retention rates, but there is no guarantee that this pattern would be repeated if secondary students were transferred elsewhere. Closure of the secondary school would have far-reaching consequences, especially for those who already commute from outer areas. It would take hours for those who live in the hills to get to school. Extra travel would be an impost on education and performance.

Teachers are alarmed and outraged at the blatant undermining of the exceptional achievements and initiatives of the school. These include the specialist Aboriginal language programs, particular curricular and extracurricular choices, and an excellent agricultural area that is unavailable elsewhere in the valley. The Minister for Education and Training must take into account the crucial community role of this school and the damage such a proposal would have on the social and economic structure of the town, in addition to the impact on the educational matters that I have mentioned. The proposed transfer of Bowraville secondary students to Nambucca Heads and Macksville high schools is unacceptable. [*Time expired.*]

Mr AQUILINA (Riverstone—Minister for Education and Training, and Minister Assisting the Premier on Youth Affairs) [5.37 p.m.]: After such an eloquent presentation, what can I say? Not only

is the honourable member for Oxley very forceful in presenting his case, but he was able to move for an inquiry before raising the matter in Parliament. I assure the honourable member that the Government is serious about undertaking a proper inquiry. A demographic study was scheduled long before I knew the honourable member would raise this matter today. The demographic study of the primary and secondary school requirements of the Bowraville, Nambucca Heads and Macksville areas is currently under way, and has been for some days. Transport access, time, costs and the ability of students to travel to their local school will be considered in the study.

The study will be used as a starting point for further consideration of school planning in the area. As the honourable member for Oxley knows, the future of Bowraville Central School is intricately tied to what happens at Macksville High School. Some eight to 10 years ago the pressure on Macksville High School, a large school, was relieved by the construction of Nambucca Heads High School. At that time it was the view of the north coast regional office that the future of Bowraville Central School secondary department should be considered in conjunction with the long-term planning for Macksville High School.

Bowraville Central School is now seeking capital funds for the upgrading of facilities, particularly secondary facilities. No decision has been made concerning the future of Bowraville Central School. However, a discussion with the local community concerning its future is essential if its continued existence is to be justified and capital funding is to be provided for the upgrading of facilities as proposed by the school. An amount of \$6 million has already been invested in the upgrading of Macksville High School. It must be emphasised that no decision has been made to close the secondary department at Bowraville Central School, but it is necessary to consider the options to justify capital expenditure. That is why a demographic study is being undertaken. I assure the honourable member that his views will be taken into consideration before any final decision is made.

MARYLAND DEVELOPMENT APPLICATION

Mr PRICE (Waratah) [5.39 p.m.]: On behalf of the community surrounding the Maryland Public School in my electorate I express concern about the recent decision by Newcastle City Council to allow a development application for construction of a tavern, which I understand will include a bistro and poker machines, in a shopping centre on the school boundary. The council accepted the school

community's concern at a community access meeting, and the district superintendent for Newcastle spoke strongly in support of the school's desire not to have licensed premises adjacent to the school. Unfortunately, in an earlier case the council had listened to community concern about a similar tavern in Wallsend shopping centre and lost an appeal to the Land and Environment Court. For that reason, and because of the cost involved and as the application conformed to the necessary requirements, the council decided to disregard the wishes of the school and to allow construction of the tavern to proceed.

Maryland Public School is a large school catering for students from years K-6. More than 400 children ranging in age from four to 12 years attend daily. A preschool is also located on the premises during the day. In addition, the school has a child-care centre. It is also used after school for out-of-school hours care conducted by the local community centre. The local scout troop and the karate club meet in the school. Local community netball teams use the premises, as does a local Christian church, which has a large congregation and meets weekly. All of those groups, of course, predominantly involve young children. The community is not opposed to the concept of a tavern in Maryland, but is greatly concerned that approval has been given for the location of this facility adjacent to the school boundary.

Another problem that may impact on this school is the need for parking during working hours and after hours. The shopping centre is relatively new and has a limited parking area. The establishment of the tavern would necessitate motorists parking in surrounding streets, probably around the school property. Honourable members will be aware that, unfortunately, after-hours drinking can lead to vandalism, and a public school in close proximity to a tavern could become the object of vandalism at any time. That issue is of great concern not only to the school's parents and citizens association but also to the parents of the young children in the Maryland area. I understand that the Department of School Education will pursue this matter with a view to having the development application refused or the tavern relocated. I appeal to the Minister for Gaming and Racing to consider the application carefully when it comes before his department.

I have no particular concern about those responsible for the development application, but I share the community's concern that the proximity of the tavern to the school is far too dangerous to take the risk. The general community has a number of

alcohol and gambling problems. That has been highlighted in this House on a number of occasions. In an ordered and responsible society the provision of a drinking and gambling amenity adjacent to the school and within the sight of young children certainly would not be considered appropriate. I ask that serious consideration be given to this matter when it comes before the department. I ask the Minister and his officers to carefully consider the application that I am sure will be made by the Department of School Education, and to ensure that this matter is dealt with in the way that will best benefit the children and the community of the Maryland area.

Mr FACE (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [5.44 p.m.]: I note the honourable member's concern about the proximity of the proposed tavern to the local primary school, which incorporates a preschool and child-care centre and is used after hours for community purposes. An application made under the Liquor Act for the grant of a licence must be advertised and such advertising attracts the attention of interested persons who may wish to support or object to the application. I advise the honourable member for Waratah that under section 45 of the Liquor Act grounds for objection may include the fact that premises are in the immediate vicinity of, or on a site acquired for, a place of public worship, a hospital or a public school. Objections may also be made on the grounds of the needs of the public in the neighbourhood or the fact that the quiet and good order of the neighbourhood would be disturbed. Any person aggrieved with the decision made by a single magistrate may appeal to the full bench of the Licensing Court and any costs of the appeal shall be apportioned between the parties, at the discretion of the court.

I have requested the Director of Liquor and Gaming within my department to report to me urgently about this case and any objections that have been raised. I will report that advice to the honourable member when I have considered it. It has always been my view that councils should take into account the proximity of schools to proposed developments. I am very concerned about the amount of time and money my department has expended on the production of booklets designed to give guidance to local government, which often appears not to act in the best interests of the community. I am the one to whom local government whinges when community problems arise, the good order of the neighbourhood is disturbed or young people are in trouble. In my view, local government often does not avail itself of the ample opportunities

available to it and then whinges that the Government or the court should have taken some action. It is high time local government started to accept its responsibilities.

STRATHFIELD ELECTORATE BUS SEAT REMOVAL

Mr MacCARTHY (Strathfield) [5.46 p.m.]: I draw to the attention of the House another example of the Carr Government transferring costs to local government. Late last year I was contacted by a constituent, Mr J. S. Burt, of Redmyre Road, Strathfield, who complained that bus seats had been removed from a number of locations in Strathfield, particularly near his residence in Redmyre Road, which is close to a retirement village called Marian Court. My first action was to contact by letter both Sydney Buses and the local council to find out what the situation was and, in the case of Sydney Buses—because it was my view that the bus seats were that organisation's responsibility—to urge it to rectify the situation. Sydney Buses has not yet replied to my letter, which was written in November last year.

Subsequently the council confirmed that the State Transit Authority and Sydney Buses were indeed responsible for the removal of the seats. Council said it had taken up the matter, but had been told that no funds were available to replace the seats. It was suggested that council might like to replace the seats that the State Transit Authority and Sydney Buses had removed. As council said, it is but one more example of State Government responsibilities being shed to local government. I might add that the seats in question were in functional condition and were being used by local residents up until the time they were removed. When I learned from the council what the situation was I wrote to the relevant Minister, whom I advised that I proposed to raise the matter today. I received an acknowledgment of my letter, which was dated 11 December, but I have had no substantive reply to that letter.

In February I received a further complaint from a resident in the Marian Court Retirement Village that elderly people had nowhere to sit when waiting for buses. Honourable members will recall that last summer was extremely hot, and it was obviously extremely distressing for people waiting for buses. I will not comment about timetabling problems, but one can imagine the difficulty elderly people experienced. On 17 February I again wrote to the Minister reminding him of my earlier letter to him and asked for a reply. I also asked when the seats would be replaced. I received only an

acknowledgment that that letter, which was dated 17 February, had been received. Some six weeks later, I still have not received a reply. It is now 3½ months since I originally raised the matter.

It will come as no surprise to the House that a local Labor councillor is trying to make political capital by blaming the council. She claims the council should spend the money. She says the council has not replaced the seats, as they are the property and responsibility of Sydney Buses. I have seen employees of Sydney Buses replace seats in other parts of my electorate, but clearly at the moment there are no funds and nothing can be done. Several questions need to be asked. One day people were using these perfectly useful seats while waiting for buses. Why were they removed the next day?

Mr O'Farrell: A heartless Government.

Mr MacCARTHY: The honourable member for Northcott says, "A heartless Government." Indeed, some Government members will soon be seatless. Regardless of why the seats were removed, why has Sydney Buses not replaced them? Why is the Government intent on passing back to local government costs it had previously met, particularly when it denies councils the freedom to raise the necessary funds to finance some of these tasks? Finally, why has the Minister allowed 3½ months during the hottest time of summer to pass without the courtesy of a substantive reply to what is, at the end of the day, a very simple issue? I look forward to an answer from the Minister.

PORT KEMBLA PUBLIC SCHOOL

Mr SULLIVAN (Wollongong) [5.51 p.m.]: I draw attention to the agreement by the State Government to relocate Port Kembla Public School. The school was established in 1916. It was located next-door to what was then the copper smelter of the Electrolytic Refining and Smelting Company. It co-existed with that smelter for many decades, but in the early part of this decade a major redevelopment proposal was accepted. That proposal, which has a total cost of \$400 million and which will significantly increase the efficiency of the smelter and alter the configuration of the processes that take place there, is now under way. As a consequence, Port Kembla Copper, the firm that is undertaking the redevelopment, offered to buy the site and buildings on the Port Kembla primary school so that it could expand the smelter site, although it did not intend to use the school site for production activities.

The State Government agreed to that proposal and a sale has been arranged. That means that the

State Government now has to find another site for Port Kembla primary school and construct the school buildings. It has now bought land from Metal Manufactures along Gloucester Boulevard facing Fishermans Beach, and it is an excellent site. The purchase has received general public support and the Port Kembla community believes the site is most appropriate for a primary school. The site has been remedied. The design of the buildings is such that they will all overlook the ocean and part of the Five Islands group off the coast. I have seen plans of the proposed buildings. Some are two storeys, others are single storey, and they all have views towards the ocean. The construction is open and modern, and the buildings will prove to be very airy. They will be excellent for educational purposes. The parents and citizens of Port Kembla are most pleased with the design that has been put forward.

However, yesterday the personnel of the district office of the Department of Education and Training indicated that the new school at Port Kembla may not be completed by the time the rebuilt copper smelter is recommissioned. At this stage the copper smelter is scheduled to commence initial production—firing up and so on—in about April or May 1999, and to start actual production towards the end of September or the beginning of October 1999. If the school is to be rebuilt and the students are to be moved to the new site, a tight schedule has to be met to ensure that the students are not left in the old school buildings which adjoin the recommissioned copper plant or temporarily relocated elsewhere.

I have raised this matter because I know that parents will be concerned when they hear the news items in today's media. I ask the Minister to use his good offices to ensure that no unavoidable delays occur during the construction of the new school. It is a great credit to the Government that it has finally taken the bit between its teeth and accepted the offer of Port Kembla Copper to buy the school. Being separated from a copper smelter by a narrow lane was never the most appropriate location for a school. The new site is a significant distance from heavy industry. The direction of the prevailing winds will mean that any fumes that emanate from the smelter and other heavy industry will not affect the children at the school. I ask the Minister to use his good offices to ensure that delays are reduced to a minimum and that the students are able to occupy their new school as soon as possible.

Mr AQUILINA (Riverstone—Minister for Education and Training, and Minister Assisting the Premier on Youth Affairs) [5.56 p.m.]: I thank the honourable member for Wollongong for his

complimentary remarks about the location of the new Port Kembla public school. I share his enthusiasm for the new school, which will have a much better aspect than the old one. It will be located close to the water and will have ocean views. The location is admirable and will be of enormous benefit to students attending the school in the future.

The Government has always been mindful of the fact that the school should be up and running prior to the smelter commencing operation. It was for this reason that the Department of Public Works and Services and the Department of Education and Training, in consultation with the school community, undertook the preparation of design options for the new school prior to the finalisation of the purchase of the property. I understand that a development application was lodged in early February and it is expected that tenders will be accepted and issued to the successful contractor in mid-May.

Bearing in mind the Premier's undertaking that the school will be relocated prior to the opening of the smelter, the Department of Education and Training is currently working on contingency plans for possible interim accommodation to house students for the first two terms of 1999. It is expected the construction period will be 50 weeks. It is anticipated that the new school will open at the beginning of term three next year. The Department of Education and Training has already exchanged contracts with Metal Manufactures in relation to the siting of the new school. The title problems relating to the existing school site have been resolved and the smelter will proceed. Subject to approval by Wollongong Council of the development application, which should take place in the next four weeks, all systems are go for the construction of the new school.

LACHLAN ELECTORATE SCHOOL BUS SAFETY

Mr ARMSTRONG (Lachlan—Leader of the National Party) [5.58 p.m.]: I speak about the safety of schoolchildren travelling on buses from Parkes to Forbes each day to attend the high school and the Forbes Red Bend Catholic College. Some 230 children travel to and from Forbes, with 64 standing for the trip. I am pleased that the Minister for Education and Training is in the Chamber. He may care to support my submission to the Minister for Transport. Recently a public meeting was held at Parkes, attended by 200 people including representatives of the shire council, members of the churches, members of the highway safety action

group and the general public. Two resolutions came from the meeting. It was resolved that the Minister for Transport should immediately overrule the Department of Transport's restrictive and outdated policy on school buses and resolve to evaluate the safety risks associated with the policy, with children standing unrestrained on school buses travelling on open roads, and immediately implement a policy that every student be seated.

The second resolution stated that in the interim the Minister should recognise the dangers highlighted by a report and immediately provide additional bus transport on the Parkes-Forbes school bus route to ensure that children are seated safely and to allow buses to travel at the appropriate speed. The road travelled on the route in question is the New England Highway, which has the highest fatigue accident rate in this State. The stretch between Parkes and Forbes has the highest accident rate on the New England Highway. The location is approximately midway between Melbourne and Brisbane and people driving on that road are at their greatest level of fatigue. City bus limits are restricted to 60 kilometres per hour but country buses can travel at up to 80 kilometres per hour. City buses are not confronted by B-double trucks, such as those that travel on the New England Highway. City buses pick up and put down at predetermined points of high visibility, whereas country buses do not necessarily do so.

Last year there were coaches on the route that the department approved and about which parents were happy. However, this year there are an additional 26 children and next year there will be extra. There was a need for more accommodation for students, so the department replaced those coaches with older-style school buses, meaning that children have to stand. This matter was addressed by the Government in March 1995 when it took office. The Premier, then New South Wales Labor Party leader, made a statement on regional and rural policy in which he said:

One other issue Labor will examine is the safety and time-tabling of country school bus services.

At the time the present Premier said:

These are disasters waiting to happen and we won't accept it.

I call upon the Premier to honour the promise he made on school bus transport to the people of New South Wales prior to his election as Premier. In the same year in Maitland the present Premier presented the Towards Maitland 2000 Labor Party policy statement, in which he said:

A Labor Government will see greater fairness, equity and safety for rural students travelling to school. Excessive and dangerous overcrowding on long-distance rural school buses will be reviewed in the light of the 1994 Staysafe Committee report on school bus travel.

It is incumbent upon the Premier to assist the Minister for Transport to ensure that those two promises made by the Labor Party are honoured, particularly in relation to the 64 children standing on buses between Parkes and Forbes. If an accident results in any of those children being injured, it will be on the head of this Government. The Labor Party made certain promises regarding safety that have not been carried out. That is potentially an enormous load to carry. I appeal to the Government to recognise that—through no fault of the bus companies or the parents, and to the pleasure of the schools—the number of students has increased.

The Government must recognise that it has a responsibility to ensure that those students have the opportunity of free and, above all, safe transport to school. It is incorrect to draw a comparison between city buses and country buses because the conditions are completely different. Country buses have to contend with high-speed traffic on the New England Highway, and, as I have said, the New England Highway has the worst fatigue accident record in this State. I should like to think that in this submission I have the support of the honourable member for Bathurst, who is in the chair, given that he represents a country electorate.

Mr AQUILINA (Riverstone—Minister for Education and Training, and Minister Assisting the Premier on Youth Affairs) [6.03 p.m.]: The issue of bus safety for students is a matter of great concern for us all. As has been pointed out, this matter does not strictly come under my portfolio but under that of the Minister for Transport. I am greatly concerned, however, about issues that affect the safety and welfare of students in all our schools, both government and non-government. I shall relay this matter to the Minister for Transport, who, I am sure, would have been here to provide a direct response had he been given the opportunity and the appropriate advice. I was rather intrigued that the Leader of the National Party should refer to comments about bus safety made by the Premier while the Labor Party was in opposition. His words reminded me that before this Government took office the Leader of the National Party had been a Minister for a substantial part of seven years and has now been the member of Parliament for Lachlan for some 14 years. Presumably this issue has not arisen in the past few weeks or months but has been a matter of concern for a number of years.

Mr Armstrong: On a point of order. I should like to correct the record and point out that I have been the member for Lachlan for 16 years, not 14.

Mr AQUILINA: The Leader of the National Party has therefore had two more years to have done something about rural bus safety. Whilst the honourable member has made this out to be a simple matter, it is not. As I have indicated before, however, the safety and welfare of students is paramount for the Premier, the Minister for Transport, me as Minister for Education and Training and this Government.

HEROIN DETOXIFICATION

Mr HARRISON (Kiama) [6.05 p.m.]: I take this opportunity to congratulate the Premier and the Minister for Health who, during the parliamentary recess, jointly announced the introduction of a naltrexone trial in this State. The process that has been foreshadowed involves patients undergoing comprehensive psychological and medical examination prior to the commencement of the procedure. Before the treatment the patient is prepared with a six-hour premedication program. The procedure is carried out in an intensive care unit. Patients are hospitalised for a full 24 to 36 hours treatment protocol. The utilisation of deep sedation during the procedure enables patients to undergo the treatment without conscious suffering. The patient spends the remaining time in the hospital under supervision and is usually discharged the following morning. The patient embarks on an out-patient naltrexone, non-addictive, non-mood-affecting substance regime within 24 hours of completion of the process. It is emphasised that when necessary counselling will be provided.

I take a great interest in this subject because I took the opportunity to travel to Israel to meet Dr Waismann, who has perfected this system of treatment, and Dr Gleser, the head of the health department in Israel and the first medical bureaucrat in the world to sanction the early use of naltrexone together with anaesthetisation. I believe that the program is incredibly beneficial to people who are unfortunate enough to be addicted to heroin and to methadone. While methadone has been the mainstream aid for people involved in drug and alcohol treatment and has proved its worth, I consider this other treatment that has now come to light to be even more beneficial and have even more potential.

I congratulate Dr John Currie and his five colleagues from Westmead Hospital, who travelled

at their own expense to Israel to work with Dr Waismann. I am advised that those professionals, before leaving, made a pact among themselves that if they decided after visiting Israel that the treatment was a big con they would not give it any kind of endorsement. However, they came back to Australia with ringing endorsements of the treatment, so much were they impressed by what they had seen. It is very pleasing that Westmead Hospital, together with Sydney Hospital, will be selected for the introduction of this trial.

It is equally pleasing that the trial is being conducted within and funded by the public health system of New South Wales and that shonky organisations such as CITA are not to be involved in it. The people from Westmead Hospital who travelled to Israel to work with Dr Waismann were there two days when they found out that an injunction had been sought in the Supreme Court of that country to restrain them from learning the process, with CITA seeking some sort of patent on the treatment. It might be possible to take out a patent on a particular drug, but for a non-medical person or body to seek a patent on a method of treatment is without precedent, and was quite rightly thrown out by the Israeli court.

I am concerned at rumours that CITA is seeking to become involved in the naltrexone trial here in New South Wales. I have formed the impression, from what I have been able to read and learn about CITA, that it is an unsavoury organisation, even though it has involvement in about 40 clinics around the world. It is my sincere wish as a member of this Government that the Government not entertain any thought of enabling CITA to be in any way involved in the trial.

The biggest challenge facing our society is to crack down on drug trafficking, to try to give relief, or cure where that is possible, to benefit the people who are trapped in that terrible lifestyle. For an organisation to seek to profit from the sickness and suffering of fellow human beings is unacceptable to me and to every decent person in this State. I appeal to the Premier and the Minister for Health to reject any movement by CITA to become involved in the trial of this drug.

CAMDEN ELECTORATE ROADS

Dr KERNOHAN (Camden) [6.10 p.m.]: The *Sydney Morning Herald* of 23 March reported on the Australia Bureau of Statistics publication "Sydney—A Social Atlas". It showed differences in patterns in

people driving to work between 1991 and 1996. In those five years there was a 6 per cent increase in those driving and a decrease of 3 per cent in those using public transport to get to work. It is not surprising that the greatest number going by car were from the suburbs west of Cumberland Highway, Baulkham Hills and the electorate of Camden. The reason is that those areas are poorly served by public transport, having no train services but only private buses. And the private buses only start working routes when enough people are present to make them viable. By the time that occurs, people have become used to driving to and from work. In many instances they have no option because of the location of their place of work.

Thought should be given to how the people of Camden get to work in the outlying western suburbs—the areas west of the Cumberland Highway. By public transport, it is a marathon to get to work. They must go by bus to the nearest train station—usually Campbelltown, a trip of about 20 minutes—then take a train to Parramatta or a nearby station, the time of which has been considerably reduced by the new link line, but it is still a long journey, and then get a bus to their workplaces, wherever they may be. For shift workers, it is virtually impossible to use public transport.

An alternative mode of transport is the motor car. The most direct route is Camden Valley Way to Cowpasture Road, then the Cumberland Highway. Yesterday evening, at 5.25 p.m., it took one of my constituents, in a 70 kilometre-per-hour zone, 8.5 minutes of stop-and-start driving along the 2.1 kilometres of Cowpasture Road to its junction with Bringelly Road, where there is a stop sign. Last time I travelled on that same stretch of road I counted 26 cars ahead of me, then lost count because a bend put the remainder of the vehicles out of my sight.

The Camden Valley Way was the old Hume Highway, and as such carried the majority of Sydney-Melbourne traffic, including most semi-trailers, on a less well defined road and much worse surface at unrestricted speeds, but only recently have so many accidents occurred on that road in such a short time. The *Camden and Wollondilly Times* of 18 March indicated that six major accidents had occurred in 14 days, resulting in seven motorists being hospitalised with serious injuries. Those accidents involved people going to and from work, and mainly were head-on collisions. I personally believe that driver frustration is the main cause of these sorts of accidents because of the seemingly unbroken centre line and reduced speed limits on that road.

Of course, Camden people working in the Sydney region have an alternative route if they wish: they can use the M5. However, the M5 was designed and built for the number of people who, when surveyed during planning, indicated that they were prepared to pay a toll. The reimbursement of some tolls has put a strain on the system and has reduced its efficiency in moving traffic swiftly in peak hours. However, I wonder how many more accidents would occur on Camden Valley Way if motorists were not using the M5.

Something has to be done about providing first-class roads capable of handling peak traffic flows in one of the fastest growing areas in New South Wales. Passing lanes are needed now on the Camden Valley Way, with plans for two lanes each way in the near future. I wonder whether some of the \$73 million promised for the toll payback—of which I understand some \$60 million is still available for payment back to tollway motorists—could be used at least on the Camden Valley Way and its junction with the Bringelly-Cowpasture Road. I ask the House to bear in mind that these roads are not in my electorate of Camden—not yet—but they are used by my constituents. Please do something about them before more accidents occur.

PETROL SERVICE STATION FRANCHISES

Mr CLOUGH (Bathurst) [6.15 p.m.]: I express my absolute disgust at the attitude taken by the major petrol companies with regard to their franchisees, two of whom are in the city of Lithgow, one in a Caltex station and one in a BP station. Their franchises will expire in August this year. To say that the methods adopted by the petrol companies are unjust would be an understatement. One service station operator has been in his business for 14 years. His family has spent a lot of time and money building up that business. However, he has been told that when his franchise runs out in August he will be replaced and that no compensation will be paid to him for the goodwill of that business or anything else he has done to build it up. The offer made by the petrol company to this operator is to buy back, at cost, whatever petrol remains in the tank, and to buy some of the goods generally available in a service station or arrange for those goods to be bought by somebody else.

I have taken up this matter with Caltex. The reply by Caltex indicates that it will pay nothing for goodwill and that the operators of the Caltex service station on Mort Street will leave the premises with reimbursement for fuel they have in the tanks plus a

few odd dollars for items that the petrol company will buy back from them. The other service station is on the Great Western Highway. It is a BP service station. I have had the same response from BP. I can recall the nature of the service station before this family took it over. It was very small, nothing like the size it is today. The services available in those days could not compare with the services that my constituents now provide. BP has taken the same attitude as has been adopted by Caltex. It will buy back the petrol in the tanks but will not buy anything else except a few items of general stock.

I condemn the petrol companies and indicate that I will seek leave at the Labor Party caucus to introduce a private member's bill to make it law that they have to pay goodwill or some form of compensation to people who have built up their business for them. Petrol companies are the hardest taskmasters in Australia and my comments apply to them all. Ampol claims to be "proudly Australian" but that is a misrepresentation at best; at worst, Ampol has been taken over by Caltex and retains very little Australian component. A recognised practice of the petrol companies is that they cancel a franchise at the end of the contract period and will not consider reallocating it to the current franchisee, even though he may have worked his heart out and invested a lot of his money.

I despise the attitude adopted by petrol companies. The quicker Australia can establish some form of independence from overseas oil companies and make absolutely certain that people working for them get a fair go, the better. Petrol station operators sent a petition in which 1,000 people indicated to BP that not only do they oppose what BP is doing but they will not buy any more BP products. I have also advised BP that I have adopted the same attitude. That type of commercial practice is to be condemned. I have nothing but contempt for them and will attempt to have legislation introduced in this House to prevent that practice.

NORTHCOTT ELECTORATE RAILWAY SERVICES

Mr O'FARRELL (Northcott) [6.20 p.m.]: The area of Sydney's north that I have the privilege to represent in this Parliament is well serviced by CityRail's passenger services. My electorate has more railway stations than any other city electorate and is serviced by two railway lines, the main north line and the north shore line. Stations on the north shore line include Turrumurra, Warrawee, Wahroonga, Waitara and Hornsby and on the main north line include Normanhurst, Thornleigh, Pennant Hills, Beecroft and Cheltenham.

Tonight I express concern about the ongoing reports principally sourced to the railway unions about the removal of staff from railway stations outside the morning peak hour. Such a proposal, if implemented—and nothing that any Minister for Transport, present or past, has said to date suggests that it will not be implemented—will create problems for people who use railway stations and patronise railways in my electorate. Support for public transport through the railways is high in my electorate. Many people rely on railways to get about their daily lives, to get to and from work and to and from school.

In the Northcott electorate there are 11 high schools and 11 primary schools, many of which depend on local railway stations such as Warrawee, Waitara, Hornsby, Cheltenham and Beecroft for their students to get to and from school. If those stations are unmanned after the morning peak clearly there will be problems, because large numbers of students on small station platforms in the afternoons will be unsupervised. I am sure that the Minister for Education and Training appreciates that it is not the job of school teachers to supervise children who are catching trains. It has never been their responsibility and never should be.

In my electorate there is a significant aged community. Waitara has one of the highest densities in Sydney of people aged over 65. Other parts of my electorate such as Turramurra and Wahroonga similarly have an ageing community who will not continue to support the passenger services if they are not comfortable about the services provided at the stations. Two police commands cover my electorate: Hornsby, which runs to Gordon; and Eastwood, which runs to Pennant Hills. In those command areas there is evidence of increasing crime and criminal activity around stations.

Police have visited stations to undertake drug arrests during the afternoons when schoolchildren use them. Increased incidents of assaults have occurred on railway platforms. Reports of violence have increased and certainly there has been an increase in theft, particularly on the north shore stations where a number of incidents of bag snatching occurred recently. Today the Minister for Transport said that buses and trains are the safest way for people to travel. That will not be the case if station staff are removed from stations after the morning peak hour.

The through traffic for the remainder of the day may not be as significant as the morning peak but it is significant for people who do not work, retirees, schoolchildren, and mothers and fathers

with small children. I remind honourable members that last year at Cheltenham station a mother, her pram and her baby were caught in the doors of a train because the train was waved off without proper supervision from the platform. I intend to continue my campaign to prevent the reduction of staff on railway stations. I have no problem standing shoulder to shoulder with the Australian Services Union on this issue; George Panigiris is my friend on this occasion.

I urge the Minister to reject these proposals; there are other ways in which this and successive governments can save money on the running of the railways. I urge the Minister for Transport to get out of his ministerial car and catch trains and visit stations. I am happy to escort him around the stations in my electorate at the times when I think it is critical that they be manned. Not many people would regard a proposal to remove staff from stations as consistent with a government which professes to support public transport and a Minister who claims that railway transport is amongst the safest in the State.

Private members' statements noted.

[Mr Deputy-Speaker left the chair at 6.25 p.m. The House resumed at 7.30 p.m.]

BUSINESS OF THE HOUSE

Order of Business

Motion, by leave, by Mr Whelan agreed to:

That standing and sessional orders be suspended to postpone consideration of the matter of public importance with a view to dealing with motions of condolence forthwith.

DEATH OF CONSTABLE PETER FORSYTH

Mr WHELAN (Ashfield—Minister for Police) [7.31 p.m.], by leave: I move:

That this House expresses its deepest sympathy to the family, friends and colleagues of Constable Peter Forsyth.

As Minister for Police I know of no greater tragedy than the loss of a young police officer in the line of duty. As a father, a husband and a member of our community, Peter Forsyth's tragic death is equally devastating. Sadly, it has been my solemn duty during my time as Minister to attend the funerals of four young and promising police officers. Each gave his life while protecting the people he chose to serve. The deaths of those police officers are the ultimate reminder of the intrinsic dangers police face every day, and they are a reminder of the risks

associated with ensuring that the people of New South Wales are protected 24 hours a day.

Peter Forsyth's untimely death has left his wife, Jackie, and their children, Mitchell and Brodie, without a loving husband and father. It has left their two families devastated. I was delighted to see Jackie's father enter the public gallery; it was a pleasure for me to shake his hand. I now see her mother in the gallery as well. Peter Forsyth's death has forced the two families to come to grips with a loss they never imagined, and it has left a black day on the calendar of every hardworking and dedicated member of the New South Wales Police Service. Constable Peter Forsyth was a fine police officer, well respected by his colleagues. During his all too brief life and promising career he more than once demonstrated the high standards of policing and ethics to which others aspire. He had no hesitation, even while off duty, in tackling crime and criminals head-on.

The tragic incident which claimed Peter Forsyth's life was not the first occasion he had recalled himself to duty to uphold the law. Peter, originally from Goondiwindi, Queensland, spent his childhood in Toowoomba before moving to New South Wales and joining the Police Service in November 1994. His academy class—260—members of which are in the gallery tonight, drew together a group of young officers who, in the course of their duties, formed close bonds of friendship and trust that remain strong today. Indeed, Peter's premature death has strengthened those ties. After attesting in 1995, Peter joined Glebe police as a general duties officer. He was confirmed as constable in May 1996.

Peter Forsyth was a brave man. His courage was formally recognised with a regional commander citation in 1996 for his part in the arrest of an armed offender. I had the honour of presenting that award. Peter was also well known for his great ability to mix with the local community—an extension of his likeable nature and natural flair for forming lasting friendships with many people he met. In particular, Peter made many friends among the residents of Sydney's inner city suburbs, where he worked and lived with his young family. He had a great affinity with young people. They liked and trusted him and he nurtured a mutual respect and understanding. His wife, Jackie, best described her husband when she said that he was a gentle and caring man who loved his work as a police officer on Sydney's streets. He had a knack for understanding the problems of the so-called street kids who lived in his beat and who were so often abused and neglected.

Peter took the time to listen to these young people and offer help when he could. He had a well-established reputation for fairness, and although on

occasion he arrested some of these local youths it did not lessen their respect for him. For those young people in particular the passing of Peter Forsyth is a monumental loss. To them he was both a fine police officer and a good mate. Peter loved life. He was proud to be a police officer and he was well respected by his peers. The Police Service and the people of this State can ill afford to lose police officers of the likes of Peter. Peter adored his wife, Jackie, and their children, and in turn he was dearly loved by his family. To all of them I extend my sincere condolences.

Mr COLLINS (Willoughby—Leader of the Opposition) [7.36 p.m.]: On behalf of the Opposition I express my sympathy for the family of Constable Peter Forsyth and join in the remarks made by the police commissioner. Together with the Premier and the police commissioner, I attended the requiem mass for Constable Peter Forsyth in St Mary's Cathedral a couple of weeks ago. Like every person in Sydney, every person in New South Wales and every person who watched the service on television anywhere in Australia, I was profoundly moved by what I saw. I was honoured—I use that term deliberately—to meet the widow of Constable Peter Forsyth, Jackie Forsyth. She has displayed extraordinary, exemplary courage and bravery in what must be the most difficult circumstances that any mother of young children can face. I extend that comment to all members of Jackie's family. Jackie's quiet dignity and resolve touched the hearts of everyone.

I wish I had known Peter Forsyth. He would have been an extraordinary friend to have. He was prepared and determined, in circumstances in which there was no call on him in a formal sense of duty—he was off duty—to assist others without hesitation to ensure that things did not get out of hand, and in such a situation he tragically lost his life. I suppose that anyone going to the aid of another citizen—the proverbial good Samaritan—could find himself or herself in such circumstances. What happened to Peter Forsyth resonates with everyone: it could happen to anyone. Peter Forsyth responded quickly and in a professional manner to ensure that the safety of the community came before his personal safety. By all accounts, and judging by the words spoken by his police colleagues in St Mary's Cathedral that day, he was a most extraordinary man.

I will never forget Peter Forsyth's young son as he left the funeral on that day. I simply say this on behalf of the Opposition: what proud children the Forsyth children will be when they learn of the sacrifice made by their father and his extraordinary willingness to go to the aid of the community. He put the community's safety first beyond any consideration of his personal safety. I think it is a

profoundly moving story. I will never forget the family on that day—the broader sense of family that everybody shared with the Forsyths and which we share with them today. I commend this motion to the House.

Mr CARR (Maroubra—Premier, Minister for the Arts, and Minister for Ethnic Affairs) [7.41 p.m.]: Any human death brings enormous grief to those who survive. The death of someone young, in his twenties or thirties, brings a grief that is almost unimaginable. Many of us have personal experience of this. The death of someone young who dies protecting others and serving the community is almost the worst of all. There is no comfort in it and little sense of justice. We grieve today for a young man aged 28 who died of knife wounds inflicted in the course of an arrest—while he was off duty—of a law breaker, reportedly involved in drugs. Constable Peter Forsyth, married, father of two, Toowoomba bred, was known by all who loved him, liked him and worked beside him as Constable Care. In proof of this he lost consciousness while staunching a colleague's chest wounds. "You'll be all right" were his last words, "You'll be all right." This is breathtaking bravery and we salute it in the House tonight.

Peter's three-year-old son Mitchell held Peter's bravery award through the St Marys service, which I attended, but of course he did not understand the full finality of what it all signified or what was being said. We as a community and as representatives of the community in this House tonight attempt to come to terms with this tragedy and to find ways of saying things that might be meaningful to Peter's family and friends. He was a good young man. His death is a loss to us, and we are deeply sorry that his end was so soon. It is not enough, of course, to praise his cheerfulness, his good-heartedness, his energetic ambition, his dedication to daily tasks in the short years of his life, and his bravery in the hour of his death. It is not enough to express our grief to Jackie, his wife, and to the rest of the family. These words today or hereafter can never be enough.

We can ill afford to lose such good young people. We can ill afford as a community to tolerate yet again a reminder of the loss we have all sustained because of the evil trade in drugs and the loss of young lives that ended Peter's stay with us. And, yes, we must take from this a dedication to work harder, to do better, to diminish now and end soon this ravenous consumer of the young—this trade in drugs—and the best that is in our society. And so we salute Peter Forsyth and the young men and women who daily risk all as he did in pursuit of

a better Australia. This afternoon and early this evening I spoke to some of Peter's colleagues and with Jackie in my office. We spoke about the tasks of policing. One of his mates told me about encountering a criminal holding a Russian gun and pointing it at police. His colleagues told me about other things that police encountered. How do young police know, when patrolling in Parramatta, Mount Druitt or Chatswood one night, whether they are going to encounter a car thief armed with a knife who is going to do something crazy in the moment?

So we are reminded of the inherent danger of the policing function—a policing function that protects us all. I address a remark to the children of Peter Forsyth who, maybe years from now, looking through mementoes of their father, their dad and his career, will turn the pages of this parliamentary tribute in *Hansard*. I ask his children to be proud of his memory, when they understand the direct and open simplicity of his goodness and the enormity of his courage. I ask—and it is a hard ask—that Jackie, his wife, who knew him eight years, take comfort from the greatness of his memory which we signify in the House tonight. I hope the day comes when the young Forsyths can read how Parliament paid tribute to their dad. Of course, no words will suffice, no ritual silence or gathering of symbols can redeem the loss or fill the emptiness that his family now feels. But let us try, with this condolence motion and the plain response of all present, to show some part of the angry sorrow we feel. God bless you, Peter Forsyth. You stir our hearts and you light our day.

Mr TINK (Eastwood) [7.45 p.m.]: I express my condolences to Peter Forsyth's family; particularly to his wife, Jackie, and his children, Mitchell and Brodie. I was out of the country when this terrible tragedy occurred. I was very shocked to hear about it when I got home. This is the first opportunity I have had to address Peter's family directly and to simply say how deeply sorry and sad I am about this. From what I have read, from what I have heard tonight and from talking to other people, Peter Forsyth was a very brave man, and not just on the night when he lost his life. It was a course of conduct that he developed throughout his life, and there were reports that from an early age he played a prominent part in helping his family and his father. A couple of years ago he received an award for bravery in circumstances that were not dissimilar from the circumstances in which he lost his life.

I do not think I can add anything more to what previous speakers and the Premier have said about the circumstances in which Peter lost his life, except to say that what he did was extraordinarily selfless.

Right at the end his last thoughts were for others. One could not have any higher thought than thinking about others in those circumstances. Police officers, whether on or off duty, are more likely to find themselves in that position than anybody else. It is reassuring to everybody in this House that people like Peter Forsyth, David Carty, the police officers who are in the Chamber tonight and all their colleagues are overwhelmingly prepared to do their duty in this way. I express deepest sympathy to Peter's family. I hope that in years to come Peter's children are able to read this record and in that way remember the supreme sacrifice that their father made and his contribution to policing and to the good order of this community. We extend to Peter's family our thanks for his life and we extend to them also our sympathy.

Motion agreed to.

Members and officers of the House stood in their places.

**DEATH OF DEPUTY COMMISSIONER
BEVERLEY ANN LAWSON**

Mr WHELAN (Ashfield—Minister for Police) [7.50 p.m.], by leave: I move:

That this House expresses its deepest sympathy to the family, friends and colleagues of Deputy Commissioner (Field Operations) Bev Lawson and commends her contribution to policing in New South Wales.

It was with great sorrow that I, like many others, received news of Deputy Commissioner Bev Lawson's untimely death in January this year. As we all struggled to come to terms with her death, tributes, praise and condolences poured in from across the nation, and individuals paid tribute to the great character that was Australia's highest ranking female police officer. Bev Lawson, aged 57, died on Thursday, 22 January, in the intensive care unit of Wollongong Hospital. A day earlier she had suffered a stroke.

For 34 years until that day she had been one of the New South Wales Police Service's most dedicated and loyal officers. She was popular, respected, competent and effective. She was a trailblazer in the true sense of the word. Bev Lawson was the first to do many things on behalf of women police throughout the country. Her successes, particularly in the early days of the service when women were not encouraged to achieve, have been an inspiration to thousands of other women officers who have followed her in achieving success. Not only did Bev strive for excellence in all she undertook, but most importantly

she did so with a great sense of humour and a warm caring nature. No-one could have given more to her work and to the people of this State. Her contribution is immeasurable.

She joined the New South Wales Police Service on 11 May 1964, and was the sole woman in a class of 111 at the Sydney Police Academy. She started out in the traffic branch, moved to criminal investigation duties from 1970 and reached the rank of sergeant in 1980. After promotion to sergeant supervisor of the Wollongong Criminal Investigation Bureau later that year, Bev spent six years performing various criminal training and general duties before becoming the first female licensing sergeant in 1986.

In 1988 she was promoted to Patrol Commander at Engadine and in a second promotion that year she became Chief Inspector, Patrol Commander, Wollongong. By 1990 she was a superintendent. In 1993 she was appointed Chief Superintendent and Commander, Cumberland District. As Minister for Police I took great pride in promoting Bev to Acting Deputy Commissioner in February 1996—the first time a woman had acted in that role. I was equally proud in February last year to formally appoint her to Deputy Commissioner, Field Operations, which is the highest rank achieved by an Australian female police officer. Indeed, during my time as Minister I have been fortunate to work very closely with Bev, who played a significant role in the ongoing reform of the New South Wales Police Service.

Bev Lawson confronted each challenge head-on with her ever-present professionalism. She found nothing too hard to tackle, while retaining her trademark generosity of spirit. I remember whenever I had a particularly difficult problem Bev would sit across the desk from me and say, "I'm going to have as much fun with this one as I had attending the Bulli Show!" She had a wonderful sense of humour and she never lost her human touch. It is people like Bev Lawson who help to define the ideal image of a police officer.

There was nothing phoney about Bev, from her deep commitment to fairness and decency to her zest for life and her gracious treatment of all people. Bev was born in Wollongong and lived there all her life. Apart from her many policing achievements she was generous with her free time in local sporting, education and charity circles. Among her many extracurricular achievements were positions as President of the Board of Directors of the Illawarra chapter of the House with No Steps, President of the Management Committee of the Wollongong Police-

Citizens Youth Club, member of the Wollongong University Council and fellow of the university, Associate Fellow of the Australian Institute of Management, Chairperson of the 1991 National Crime Prevention Council Fifteenth Biennial Conference Planning Committee, life member of the Illawarra Softball Association, State representative in softball and hockey, and golf captain of the Illawarra Master Builders Ladies Golf Club and one of the club's five founding members.

These are just a few of the achievements too many to mention of a woman of firsts. Bev is survived by her parents, Vera and Joe, her brother, John and his wife, Margaret, and their children. Earlier this month her brother wrote to thank me, the Police Service and the community for the many expressions of sympathy the Lawson family received during its grief. I shall quote a brief passage from that letter:

During the time of Bev's passing several people have passed through our lives and we would not like this time to pass without recognising what took place, and what comfort and support was offered to us . . .

Your announcement of the [Bev Lawson] scholarship to the most outstanding female officer coming into the Police Service today was a most pleasing thought to our family, and we sincerely thank you for your kind consideration in the creation of this reward.

I am sure all honourable members will agree that we owe it to Bev Lawson to ensure that her great work will never be forgotten. She has left us to finish the challenge she took up, that is, the reform of the New South Wales Police Service. We must do our best to see that challenge through.

Mr ARMSTRONG (Lachlan—Leader of the National Party) [7.54 p.m.]: I extend my sympathy and that of the National Party to the family of Deputy Commissioner Bev Lawson on her most untimely death. It is fair to say that women in recent years have made great strides in the Police Service. Bev Lawson was at the forefront of bringing women into the senior ranks of police in New South Wales. No doubt she was at the forefront of the restructuring of the police force under Commissioner Peter Ryan. Undoubtedly, she achieved great respect from the public and her fellow officers and in doing this she came under enormous personal strain.

In this age people are counselled for various forms of stress. In many ways it is almost an epidemic. Stress is often overlooked in jobs with a high level of responsibility within the community, whether in the private or public sectors, and not much help is available to those who suffer such constant stress. I suspect that Bev's early death was

due to the stresses and strains of her occupation. It is important that in mourning her early death there be some acknowledgment of the fact that, in these turbulent changing times within police forces and society, people in high-level responsible jobs need support. Sometimes those people are the ones offering the support.

The broad social structure of this State and country is undergoing many changes. In a decade we will look back at the 1990s and—whilst the focus currently is on economic change, when we talk about everything from Hilmer reports to the Asian currency crisis—we will acknowledge that the real change was in the social and demographic factors of society. It is that which brings enormous pressure to the New South Wales Police Service and other Australian police services in learning how to handle the change of order in society: changes in perceptions of values, family values, community values, respect for each other, and changes in attitude towards law and order.

Respect for law and order is different from what it was in the past. We look forward and not back, and changes must be accommodated. Deputy Commissioner Bev Lawson was a leader in this field. Her contribution will certainly be recorded in the history of the New South Wales Police Service. Her work will go a long way to provide a model for the Police Service to cope with the changes that society demands we make in our attitudes towards restructuring.

Mr CARR (Maroubra—Premier, Minister for the Arts, and Minister for Ethnic Affairs) [7.58 p.m.]: On 22 January the New South Wales Police Service lost one of its most dedicated and loyal officers—Deputy Commissioner Bev Lawson. We are all familiar with the outpouring of grief within the Police Service at her untimely death at the age of 57. It was a tragedy for all who knew her and for the community. After leaving school at 15 Bev started work as a typist at Port Kembla steelworks. It could be said that she knew the community she later served so well from the bottom up. She knew the industrial heartland of the Illawarra.

She joined the service in 1964 as one of four policewomen in New South Wales, in an era when women were not encouraged to achieve, especially in more difficult professions. She was a pioneer for women in the New South Wales Police Service. She was the only woman in her class during academy training. She began her career in the traffic branch, rising through the ranks to become the first woman licensing sergeant, patrol commander, chief superintendent and district commander.

In 1996 Bev Lawson became the first woman deputy commissioner of New South Wales. At the time of her death she was Australia's highest-ranking female police officer and someone of whom the Police Service of New South Wales was immensely proud. At her funeral we experienced the support that she commanded and the affection for her from the Police Service. We know of her commitment to good policing and how seriously she took her career. Commissioner Peter Ryan singled out her work over the past 18 months of her life—a time of upheaval for the Police Service—as her greatest achievement. She was a great source of strength and reassurance to police at every level. One of the most common statements heard from police during the recent changes was "Ma'am Lawson will look after us." She was a tireless worker who made her staff feel important. She exemplified all the attributes of a professional police officer—courage, humility and integrity. She was known as a warm, caring woman with a great sense of humour. She was also a strong, formidable, disciplined person who was absolutely committed to police on the street.

Bev loved Wollongong and for 12 years was President of the Board of Directors of the Wollongong House With No Steps. She was a founding member of the Illawarra police charity ball committee and recently was made a Fellow of the University of Wollongong. She was a keen sportswoman. We all believed that she was irreplaceable. Her loss is devastating for the New South Wales Police Service and for the community that she served. In making funeral arrangements with the Lawson family, Inspector Charles Pasfield, duty officer, mentioned the number of members of the Police Service who wanted to attend. Bev's mother replied, "Well of course, the police were also her family." No-one could have given more to her work. Bev Lawson's memory will live on in the minds of her family, friends, colleagues and all who came into contact with her. Her commitment, resilience and dignity will continue to inspire those who knew her and knew of her. To her parents, Vera and Joe; her brother, John; his wife, Margaret and their children; her close friends and work colleagues, we as a Parliament extend our heartfelt condolences.

Mr TINK (Eastwood) [8.01 p.m.]: As shadow police minister I wish to add my condolences to Bev Lawson's family. Her career was a series of firsts and as a woman police officer she mentored a number of other women police officers into senior ranks. I want to read tributes from the Police Association and the Commissioned Police Officers Association which were published in the *Police*

Service Weekly. Phil Tunchon, President of the Police Association of New South Wales, said:

The Police Association of NSW has expressed "sincere sorrow" at her passing.

Bev always showed a genuine interest in her colleagues and was a great campaigner for operational police.

In her early career, Bev was an active member of the Police Association of NSW, holding elected positions of Branch Chairperson and Conference Delegate.

The Association was very appreciative of her cooperative and willing approach in resolving issues of dispute in her role as Deputy Commissioner. The Association extends sincere sympathy to Bev's family for their loss.

The President, Executive and all members of the Commissioned Police Officers Association of New South Wales said:

The measure of Beverley Lawson's esteem in this Association can be gauged by the fact that in 1995, the 80th Year of Women in Policing, she was accorded the honour of being guest of honour at the Association's Annual Mess Dinner. That was normally accorded to Governors, Premiers and Ministers of the Crown. We will miss her.

I also noted with interest in the *Police Service Weekly* a reference to her involvement as Deputy Commissioner, Field Operations in the media issues of the day. That was a significant feature of her job. To some extent I was on the other side of the record. I gained a strong impression from that experience of being on the other side, as it were, of her strong links with operational police. That had a great deal to do with the many firsts achieved in her career as a female operational police officer who reached the highest ranks of the service, and also her significant operational experience in a number of ranks along the way. Her curriculum vitae shows that she performed duties at virtually every operational rank, from the lowest to the highest, in the Police Service.

That experience showed in her approach and attitude to her significant responsibilities in the reform process which has been undertaken following the Royal Commission into the New South Wales Police Service. That is why it was important to mention those tributes by the two police associations. From what I saw at her funeral and from what I have heard since, there was a close affinity between her and operational police. Other senior operational police should try to emulate the stance that she took and the relationship that she had with operational police arising from her experience. To set such a goal would assist greatly in the harmonious implementation of the reform program following the Wood royal commission. It is a great

privilege for me to be able to recognise, albeit in sad circumstances, the great work of Bev Lawson for the Police Service in this State and for the community. I again stress the significance of her senior leadership as a result of having spent her full career as an operational police officer. That is the sort of profile we need for people in those senior positions.

Mr MARKHAM (Keira) [8.06 p.m.]: I speak from a more personal point of view than honourable members who have spoken before me, because I knew Bev Lawson for a long time. I have also known her parents, Joe and Vera, for a long time. Joe and Vera are the traditional Aussie battlers. Joe was a coalminer who, with his wife, raised children who followed in their footsteps. I worked with Bev's brother, John, an electrician, for 15 years at Coalcliff Collieries Pty Ltd. Her funeral took place in Figtree, my home town, at the Church of Christ, the only church in the area that was big enough to hold the expected crowd. It was attended by many representatives of the Government and the Opposition, former local members of Parliament, my State and Federal colleagues, the local mayor and many councillors.

Bev was a great sportswoman before she entered the police force, and a woman who led the way in whatever she did. She will be sorely missed by everyone who knew her. I remember the University of Wollongong council meetings when Bev would rush back from Sydney to fulfil her role as a university councillor. Bev and I had an association with the House With no Steps and we were members in supportive and executive positions of the Wollongong Police and Community Youth Club. Bev Lawson was a fun person. She was dedicated to her job, her family and her community. Last year when she received an honorary degree at the University of Wollongong, Vice-Chancellor Gerard Sutton said, "Here is a real daughter of Wollongong."

After I heard that Bev had died I was interviewed by the media and I referred to her as a real home-town girl, because she had never forgotten her roots and the fact that she came from a working-class family. She had a real commitment to her community and to the position to which she had been appointed: second-in-command of the New South Wales Police Service. Bev was as honest as the day is long, and for as long as I live I will remember the night that I rang Joe to try to find out exactly what had happened. Joe said to me, "Listen, Col, I have come home to have a shower but mum won't leave Bev and John is up there looking after her as well."

People should know about that personal touch and that personal understanding. Bev was one of us, one of the ordinary people of this State, yet she had been given incredible responsibility in the final stages of her career. If it had not been the final stage of her career, who knows what she might have achieved in this State. I recall her brother, John, saying, "I was speaking to Paul Whelan at the hospital yesterday and I will never forget the feeling that he expressed. I said to him, 'When you see Col Markham just tell him thanks very much.' " I remind the House of the trauma that family went through not many years ago because of what happened in the Police Service. It was equally as dramatic as what they experienced when Bev died.

Joe said to me, "Listen, Col, Vera and I were down having breakfast"—in the house that Bev built for them and lived in—"I heard a thump and Vera said, 'Gee, I wonder what has happened up there'. I said to Vera, 'I just think a door slammed shut'. Vera said, 'I think you should go and have a look.' " He raced up the stairs into the bathroom and found that his daughter had collapsed on the floor, never to regain consciousness. I have no doubt that the hearts of everyone throughout New South Wales, particularly in Wollongong, who knew Bev Lawson have gone out to Vera, Joe, John, Margaret and their families. The vast number of mourners who attended her funeral was an indication of the respect she commanded in life, but I will never forget the response from the Police Service. More importantly, when the funeral cortege proceeded down O'Briens Road police officers lined each side of the street from the chapel entrance to the main road. That speaks volumes about what members of the Police Service thought of their Assistant Commissioner.

Motion agreed to.

**MINISTER FOR FAIR TRADING, AND
MINISTER FOR EMERGENCY SERVICES**

Motion of No Confidence

**Suspension of standing orders, by leave,
agreed to.**

Mr COLLINS (Willoughby—Leader of the Opposition) [8.14 p.m.]: I move:

That this House no longer has confidence in the Minister for Fair Trading, and Minister for Emergency Services.

This motion goes to the heart of the Carr Government's honesty and integrity. It has not been moved lightly. Such motions are rare in this House, but the time has come for this Minister. When Parliament resumed today it should have resumed

without this Minister on the Government front bench. His presence on the front bench is an embarrassment to the Government, an embarrassment to this House and an embarrassment to the people of New South Wales. The Premier continues to tolerate a Minister in his Cabinet who has admitted before the Independent Commission Against Corruption that he has lied repeatedly. The Minister for Fair Trading—there is such irony in this Minister holding that portfolio—lied to an officer of the Crown about his travel claims because, in his words, it was the simple and expedient thing to do. The Minister was the subject of reports in a number of newspapers, but I will refer to an article in the *Daily Telegraph* of 21 March. The article stated:

When asked by Commissioner O'Keefe why he lied instead of attempting to have the rules changed or clarified, Mr Langton replied "It seemed to me to be the simple and expedient way of doing it, Mr Commissioner." Mr O'Keefe said, "It was expedient to tell a lie and you told a lie?" Mr Langton replied, "Yes". Asked whether he understood that his explanation stretched credibility, he added, "Perhaps, yes."

The Minister has no place on the Government front bench. No Minister who admits lying to an officer of the Crown in an official inquiry deserves to remain in the ministry. It will be interesting to see whether the Premier speaks in this debate to defend his dead duck Minister.

Mr Martin: Tell us about Wal Murray.

Mr COLLINS: Oh, thank you! The Minister for Mineral Resources is so dumb. He has come in right on cue. He has said, "Tell us about Wal Murray". Wal Murray never lied to an officer of the Crown. Ask me about another one! The Minister does not understand that although he is a Minister at the moment, he will not be a Minister for long. He will not be a Minister in a year's time. Being a Minister has particular responsibilities. The Minister for Fair Trading should not be sitting on the Government front bench: he should be sitting on the back bench. He should not be a Minister.

Let me deal with the persistent interjections because I believe there is an important lesson to be learned. To my knowledge, at no time in the history of this Parliament has any Minister admitted lying to an officer of the Crown engaged in an official inquiry and remained a Minister. Numerous Ministers have been referred to the Independent Commission Against Corruption, numerous allegations have been made against Ministers, but no Minister except this Minister has ever admitted lying—not once, not twice, but five times on the official record. And he then said he did so because it was expedient.

That is what distinguishes the Minister for Fair Trading—what a misnomer!—from all other Ministers who have ever been scrutinised in any inquiry. The simple fact is that the Minister admitted lying in an official inquiry not on one occasion but on five occasions. But he has been allowed to sit in this House as a Minister in the Carr Government. That is an indictment not only of the Minister for Fair Trading but also of the Government. I will come to the reasons a little later.

Not once has this Minister been called to account by the Premier, who is absent from the Chamber and who I suspect will be conspicuously absent from this debate. The Premier washes his hands; he is incapable of making a decision. The Premier says, "Why don't we wait until the report is brought down?" As we have heard today, the report may take another couple of weeks. Why do we not wait? Because no previous Premier seems to have suffered the blindness which afflicts this Premier when it comes to making a decision about what is an acceptable standard of conduct for his Ministers. This Premier seems incapable of making a decision about what constitutes a proper standard of honesty and integrity for his Ministers. In other words, this Premier actually requires instructions. He requires formal notification as to what constitutes an improper standard of integrity. The Premier is incapable of acting because he does not believe in the sort of guidelines that he had the temerity to put out in the public arena today.

This leads me to the much-vaunted code of conduct. Even today, just a couple of hours ago, the Premier expressed his confidence in this Minister for Fair Trading. The Premier has taken the standards of this Government—and this is really saying something—to an all-time low. He sends the message to his own Labor members: if you lie, I the Premier will turn a blind eye. As long as this Minister, the member for Kogarah, sits in this Chamber that is precisely what the Premier is doing, turning a blind eye to grossly unacceptable conduct for any Minister in any government at any time.

This House must not turn a blind eye to the lies of the Minister for Fair Trading. It must not endorse this Minister's behaviour as the Premier has done. Here is an opportunity for the House to make a definitive statement about what constitutes a proper standard for Ministers—ministerial integrity, ministerial honesty. The House must, if the Premier will not, set a higher standard than the Premier is prepared to set. It must resolve that it no longer has confidence in the Minister for Fair Trading. I call on the absent Premier today: if you have confidence in your Minister, take part in the debate. Normally in

the evening the Premier takes leave from this House and is paired with me. So to give him an opportunity to speak in this debate we propose to talk this motion out tonight, to have the debate adjourned so that the Premier will have a chance on another occasion in daylight hours to participate in the debate which the Labor Party has sought to hide after the media representatives have gone home.

The Premier came to office promising open and honest government. Here we are on the third anniversary, if one can call it that, the third commemoration of the misfortune that befell this State in 1995 when Bob Carr became Premier of New South Wales. What did he promise when he became Premier? He promised that he would be clean and green. According to the *Sunday Telegraph* of 2 April 1995 Bob Carr, then Premier designate of this State, said that he would be clean and green. It was 2 April. He missed by only a day. It was an April fool's day trick. "Honest Bob's promise" the story was headed. I will quote a couple of relevant pieces from this interesting and informative news article. It stated:

After seven arduous years in the wings premier-elect Bob Carr will officially take the reins of government this week promising above all an "honest" administration.

Admittedly, the article has "honest" in inverted commas. What a perceptive article it is, because it goes on to state:

He chose the word—

again in inverted commas—

"honest" when asked to describe his intended style of government in one word.

Three years later the proof is sitting opposite. The presence of the Minister for Fair Trading on the front bench is a disgrace to the Carr Government and to this Parliament. The Premier promised that "honesty"—in inverted commas—would be the hallmark of his administration. Open and honest government are terms that we have heard often enough from him. I do not think that he is delivering terribly well. This is the same Premier—this may partly explain why the Minister is still present—who signs his promises in blood, who said he would halve hospital waiting lists. That promise was signed in blood. He said that if it was not delivered the Premier and Deputy Premier would resign. Of course that one went out the window.

Three years later the Premier and his Government have broken no fewer than 418 promises. We have a telephone directory of

promises to prove it. He promised to halve hospital waiting lists or resign. He promised no new taxes, no tax increases. He promised to abolish the tolls on the M4 and M5. The Government lied its way into office and it tries to stay in office by lying. No wonder Ministers, some of whom are constantly trying to interject during this debate, think they can get away with lying. The turn of the Minister for Mineral Resources will come. Twenty per cent of the Carr Government's lower House is facing ICAC investigation.

Mr Martin: Name them.

Mr COLLINS: We are in the process of doing that. If you are still around as a Minister you will get to hear all the names. Stay tuned.

Mr ACTING-SPEAKER (Mr Gaudry): Order! I call the honourable member for Ermington to order.

Mr COLLINS: I will say it again because in the excitement the figure may have been lost: 20 per cent of the members of the parliamentary Labor Party sitting opposite are under investigation by the Independent Commission Against Corruption. I am very tempted to go into the matter chapter and verse tonight but I do not want to take all the speaking time; I know that many other members are very keen to speak in this debate.

Mr O'Farrell: Three out of seven.

Mr COLLINS: Just as a typical sample of the Carr Government sitting opposite—

Mr ACTING-SPEAKER: Order! I call the honourable member for Northcott to order.

Mr COLLINS: A typical sample: three out of the seven Government members sitting opposite are currently under investigation by ICAC. They will have to put on a special bus from the caucus meetings to Redfern. But thank goodness the Minister for Fair Trading is no longer the Minister for Transport, or they would never get there! Today the Premier, in a concerted attempt to divert attention from the fact that 20 per cent of members of the parliamentary Labor Party are under investigation by ICAC, announced a code of conduct which is meant to solve all the problems and make sure, according to the draft of October 1997—just six months ago—that members act honestly. The document was widely circulated to this bunch of felons sitting opposite, this bunch of people on death row waiting to head down to ICAC.

Mr O'Farrell: Dead men walking.

Mr COLLINS: No, they are dead men on a bus at the moment. If the Premier wanted to demonstrate that he intended to run his Government with the honesty he outlined on 2 April 1995 there is one single act that would provide clear, indisputable proof of that intention: the sacking of the Minister for Fair Trading. That would have ensured that when Parliament resumed earlier today the Minister for Fair Trading did not take a seat on the front bench. Honourable members will note I am not canvassing the issues that are before ICAC at the moment. I am staying away from those; I am staying away from the large number of Labor members sitting opposite who are currently under investigation. If they want to put up their hands and name themselves, I will not object. However, I distinguish the substantive and widespread investigation by ICAC into the use of travel warrants, about which I will make no comment today.

Mr Martin: You would not be game to, because the people behind you are caught in the same trap.

Mr COLLINS: The Minister should know better than that. He should know that his turn will come.

Mr Martin: Look at them turn white.

Mr COLLINS: The Minister is the colour of beetroot. That shade is commensurate with his own guilt, and he gets redder by the minute. I carefully distinguish between the large number of Labor members under investigation by ICAC and the Minister for Fair Trading. Why? Because he is the only Minister to my knowledge in the history of New South Wales to have admitted that he lied five times in an official inquiry and yet he is permitted to sit as a Minister in this Parliament. That is a matter of shame. I mentioned earlier the enormous irony that the Minister in question is the Minister for Fair Trading. Of course, the Minister for Fair Trading is meant to ensure that proper standards are kept in relation to statements that are made by people about the products and services they offer.

This Minister has the job of policing those standards, while the Department of Fair Trading—and I bet it wishes it had not changed its name to the Department of Fair Trading; I bet it wishes it was still called the Department of Consumer Affairs—was set up to protect consumers against things like false representations, misleading or deceptive conduct, unconscionable conduct,

misleading statements. This Minister is certainly on work experience! This Minister knows what it is all about: false representation, deceptive conduct, unconscionable conduct. He is the Minister who will be able to say, "I know what it is all about—been there, done that!" That is what the Minister for Fair Trading is all about.

Mr Amery: Is it a climate conducive to corruption?

Mr COLLINS: The Minister should not preempt what ICAC has to decide. In a short time ICAC will have plenty to say about that and about this Minister. I would not want to distract attention from that one little bit. When that report comes out this Minister should be long gone. He should not be sitting there now. He should not have taken his seat there today. He should have been sacked two weeks ago. As soon as his admission was on the public record that he lied—not once but five times—the Premier should have sacked him. If he had any decency, he would resign. If he had any standards of integrity and honesty, he would resign. This Minister has traduced the reputations of countless citizens of this State, of countless people in this Parliament. He now says smugly, laughing to the audience, "Look, it was expedient to lie, it was just what I thought I would get away with." He should have gone.

Any Minister worth his salt, any Minister with any integrity, decency or honesty would have left to take the stench away from the Government of which he is a Minister. Any Minister who cared for his colleagues and for the survival of the Government in which he has had the privilege to be a Minister would have had the decency to resign. What does he do? He sits it out and laughs about it. How does he get away with it? We know how he gets away with it. If this Minister had any decency, he would go. Why does he not go? Why does the Premier not sack this Minister? Can anyone guess why? I suspect the honourable member for Wagga Wagga knows why this Minister survives in this House. It is because he, the member for Kogarah, holds the most marginal metropolitan seat in this city, and that is why Bob Carr is not game to sack him. I know this Minister told the Premier that if he was sacked, he would walk. If he was sacked as a Minister—

Mr Langton: That is a lie.

Mr COLLINS: That is number six. The Minister told the Premier, "You touch me, you come near my ministry, you put me on the backbench, and I will walk from Kogarah."

Ms Harrison: You were there, were you?

Mr COLLINS: It is not amateur hour yet, Gabrielle. The Minister knows full well there is a legion of candidates to replace him in Kogarah. The first seat to go would be Kogarah. Go ahead, Minister, make our day and walk. I should go through some of the history of this Minister. A lot of people have been a wake-up to the Minister for Fair Trading for a long time. According to the *Sydney Morning Herald* of 21 March this year, "Carr regarded Langton as the worst performer in Cabinet." The article claimed there was concern from day one that he could not handle the pressure. The article also said:

He is seen as lacking people skills. This is shown by personnel movements in his portfolio. In less than three years in the job he has had five heads of the SRA, four heads of Transport and numerous other senior changes.

The writing was on the wall, the writing was in the *Sydney Morning Herald*, and yet the Premier did not act. Why is the Premier protecting the Minister? Why is the Premier so determined that this Minister not be relegated to the backbench? The reason is he is afraid of the by-election that would follow. The Minister for Fair Trading is an acute embarrassment to the Government. While ever the Minister sits on the front bench, the stench will grow for the Carr Government. The Premier can leave him there for as long as he likes, but if he does so the stench will simply grow by the day. This Minister is not a lame duck; this Minister is a dead duck. This Minister is the worst person—that I know of so far, anyway—that the Carr Government could put up for the portfolio of fair trading. I understand that this is a matter of some speculation in caucus. The body is still warm, but the vultures are starting to circle. I know that a book is being run on this side of the Chamber about who will replace the Minister for Fair Trading when he goes.

Mr Martin: Is this the best you lot can do?

Mr COLLINS: I do not know what faction the Minister for Mineral Resources, and Minister for Fisheries belongs to. There used to be a battle between the Left and the Right as to who was the bigger faction, the Left or the Right. But the biggest faction in the Labor caucus now is the Independent Commission Against Corruption faction. I know that honourable members of this House are keen to hear what the Minister for Fair Trading has to say in response. I am keen to hear what my colleagues have to say to expand upon some of the arguments that have already been put. The Opposition wants the Premier to participate in this debate. The Premier is probably listening to this debate in a room somewhere in the parliamentary building. I send a call to the Premier to come into the Chamber

to participate in the debate, to have the courage to put on record his unequivocal support for this man as his Minister for Fair Trading. I assure members of this House that the Premier will not come into the Chamber. I give this Minister for Fair Trading a maximum of two weeks as a Minister, and then he will be relegated to the dustbin of New South Wales political history.

This Minister is dead meat. The Opposition insists that the Premier, who has not been prepared to act to axe this Minister, cut him down for his dishonesty, account to the people of New South Wales, stand by this Minister now and place it all on the record. If he does not do that, we know the clock is ticking until the switch is thrown to exit this Minister—possibly not merely from the front bench but from the Parliament altogether. I return to the code of conduct about which the Premier spoke today. The Opposition has a message for the Premier, who came into the Chamber talking about a code of conduct. The Opposition supports higher standards, not double standards. That is why this Minister should no longer enjoy the confidence of this House and must go.

Mr LANGTON (Kogarah—Minister for Fair Trading, and Minister for Emergency Services) [8.44 p.m.]: I have no intention of entering into this debate on matters that are currently before the Independent Commission Against Corruption. It is an established practice—a practice that has been honoured by, among others, former Premiers Greiner and Fahey—that there be no comment on such matters until the commissioner's report is released. I understand that the commissioner's report will not be published before the Easter break. I wish to make two points which I have already made publicly. First, every trip that I took—every trip in question—was for work in my capacity as shadow minister. Second, there was never any question of financial benefit for me. As I said, these matters are before ICAC, and they are also before the Supreme Court. I will therefore make no further comment, but I look forward to the opportunity to speak at length about this issue once the commissioner has reported.

Mr DEPUTY-SPEAKER: Order! I call the honourable member for Ermington to order.

Mr PHOTIOS (Ermington) [8.46 p.m.]: Brian Langton is on a fast train to oblivion. The only shame about that is that it is a late train and it should have arrived a long while ago. Every day in the New South Wales Parliament is an election day. It is the life of Brian. It is a tale of incompetency, misrepresentation, lies, dishonesty and low acts. It is a tale of absolute gross mismanagement of his

portfolio. He got the sack from the top job. He was given the portfolio of fair trading, and now he is worse than the criminals he is meant to be prosecuting. He could not lie straight in bed, so he dreamed up the bed tax. This man is a Minister of the Crown. He says to the public, to the courts and to everyone who wants to listen: "I lied once. I lied twice. I lied three times. I lied four times. I lied, your Honour, five times. I can't help myself, your Honour. I've never told the truth." It is fair to say that the very first time I believed Brian Langton—the first time he told the truth—was when he told us he was a liar. That was the first time he got it right.

The Minister is not lying about his department and his portfolio to ICAC—and he has done that regularly enough. Honourable members will remember he told us that all the trains were on time. The same day that all the trains were supposed to be on time, 65 per cent of them ran late and 600,000 commuters got to work late. But, as far as Brian Langton is concerned, 600,000 commuters were telling untruths, 600,000 commuters were lying, because those trains were on time. This is a man whose entire career as a Minister has been built on lies and mismanagement, and he will finish in the dustbin of history judged as a liar.

Worse than that, the best defence his barrister can offer is not that he is a liar but that he is stupid. His barrister pleads with his honour: "Please, your Honour, my client, the Minister, is stupid. He is not responsible for what he does. He is not just a liar, he is a stupid liar." It is the laughing joke of the Parliament, and we may have a great deal of mirth with it. It may be a matter of some humour to members of this House tonight, but to the people of New South Wales these sorts of standards are simply not good enough. I am sorry that the Premier could not come into this Chamber tonight, but in his absence I have brought the Premier's ministerial handbook into the Chamber. I thought it would be important for honourable members to see what the Minister is responsible for. The Premier was kind enough to leave the ministerial handbook somewhere.

The code of conduct for Ministers of the Crown states, at paragraph 2.2, that it is essential for the maintenance of public confidence in the integrity of the Executive Government of the State that Ministers of the Crown exhibit, and be seen to exhibit, the highest standards of probity in the exercise of their offices. Everything else is in small print, but in big print for Brian Langton the code of conduct states that Ministers will perform their duties honestly—I should repeat that five times for Brian—and in the best interests of the people of

New South Wales. It goes without saying that that does not mean in the best interests of himself. That is where the Minister made his first mistake.

The code of conduct goes on to state that Ministers will be frank and honest. The Minister for Fair Trading got part of that right: he was frank with the Independent Commission Against Corruption. The Minister told us that he was a liar, and his barrister told us that he was a stupid liar. Ministers are required to be frank and honest in official dealings with their colleagues and to maintain the confidentiality of information committed to their secrecy. The Minister certainly tried to keep the confidentiality part of that, but ICAC found him out. I turn to the Minister's portfolio responsibilities. It is hard to imagine a greater irony inflicted on the people of New South Wales. The liturgy of mismanagement of this incompetent Minister has caused him to be one of the early casualties of this incompetent Government—full of broken promises and backflips, full of incompetence, and now with liars and low-life cheats. Twenty per cent of the parliamentary Labor Party is taking the free shuttle bus down to ICAC daily. Labor members are all using their gold passes to get there, and if not they are, like the Minister for Fair Trading, using a big white car. The Minister is using the limousine and the chauffeur that he will keep for a few weeks.

Mr D. L. Page: He's taking a charter flight!

Mr PHOTIOS: Perhaps not a charter flight, but I hear on the grapevine that the Minister for Fair Trading wants to charter a chopper down to the ICAC. He wants to charter it with the warrants because he cannot get down there more often. The ICAC cannot see enough of him. The people of New South Wales cannot wait to get rid of the Minister. The Minister is the previous Minister for Transport. I shall come to the Langton file in a moment, as I have brought along just a few pertinent report cards. One of his current portfolios is fair trading. The Premier wondered how he could get rid of this guy. Honourable members would remember that the Minister presented his resignation to the Premier early in 1995 when the Government would not implement his election promises. The Premier's greatest mistake was in not accepting that. That was a fatal mistake, because the Government now has a marginal hold on the seat of Kogarah and its life is hanging by a thread on the credibility of a lying, cheating, incompetent Minister.

The Government has 12 months. It has an electoral redistribution that is now fair and equitable, as is appropriate. Things will be a bit tough for the coalition, but we will do it. The Minister for Fair

Trading is now delivering for the Opposition the seat of Kogarah. The Minister was given the sack by the Premier and was given the portfolio of fair trading. It is ironic that the Minister is the man now responsible for upholding the highest corporate standards in the State. He has to stop people from defrauding the State; he has to stop people from ripping off the State; he has to stop people from seeking personal gain by the abuse of public and private moneys.

The Minister's own Fair Trading Act 1982 states at section 42 that a person shall not, in trade or commerce, engage in conduct that is misleading or deceptive or is likely to mislead or deceive. The Minister is the man who is misleading and deceiving, the man who is engaging in conduct that is misleading or deceptive, and he has the responsibility to uphold the Fair Trading Act. The Minister should issue a certificate on himself. He needs to issue a press release telling people not to trust him. He needs to undertake an inquiry into himself.

Section 44 of the Fair Trading Act states that a person shall not, in trade or commerce, in connection with the supply or possible supply of goods or services or in connection with the promotion by any means of the supply or use of goods and services, first, make a false or misleading representation concerning the need for any goods or services. The Minister is guilty—guilty as proven, guilty again, five times guilty. This Minister is guilty not only of incompetency but under the very Act that he as Minister is responsible for administering. Section 62 relates to offences against the Act. It specifies that a person who contravenes; aids, abets, counsels or procures to contravene; or is in any way, directly or indirectly, knowingly concerned in, or party to, the contravention by a person will be found guilty and will go to gaol.

The Minister for Fair Trading will not last two weeks, the Government will wear a great deal of collateral damage, and the Premier will stand before the people of New South Wales with a discredited code of conduct and ministerial code on which his Ministers are sworn. In two weeks time the Minister goes. In a year's time—if not before—the seat of Kogarah will fall. Government members should be aware that the Minister for Fair Trading will bring them down, and will bring them down badly. The Minister has admitted that he has lied and lied, not in the discharge of his office but for personal gain. Those warrants were stamped "not transferable". I have been the shadow minister for transport for three years but I have not had to charter a plane to get around the State. In those three years I have

been able to travel on commercial flights—I do not need to wing it around as a shadow minister in a charter plane with ghost members in a ghost plane on ghost flights. This all makes one think of Biggles: every day is a Langton day.

The charter boys will regret the Minister's departure, but the quicker we get a heliport at Redfern the faster the Minister will be able to take a trip to oblivion. The Minister's record as Minister for Transport, standing on its own, was enough for him to face the sack. That is why the Premier, in response to calls made by the Opposition, gave him the sack. The Opposition, the news media, the public, his departmental chiefs and the private sector transport industry all wanted him sacked. Government members expected him to be sacked. Eventually, he was sacked. Back in August 1995 the Minister resigned over budget cuts, his lack of influence in Cabinet and the Government's backflip on the State Transit Authority and State Rail Authority merger. He withdrew his resignation an hour later and the next day claimed that rumours of his departure were fairytales. He did not deny them, specifically; he just said that they were fairytales. He had not learned the art of crafty lying so quickly but he certainly told us a fairytale or two, and they were all his.

The row draws attention to a longstanding dispute between the Minister for Fair Trading and the Minister for the Olympics, who blames the Minister for Fair Trading for the Labor Party failure to cost the tolls promise before the 1995 election. The Minister for Fair Trading was the architect of Labor's toll promise. He had gone to Sussex Street and borrowed from the library Richo's book *Whatever it Takes*, which told him that to win government it is necessary to lie. The Minister read that government could be won on less than half the vote but that it was necessary to con the people in the right places. So, on every single issue, systematically electorate by electorate, the Minister promised absolutely everything—lock, stock and barrel—but delivered nothing. The division that came about originated from that period.

In September 1995 came the budget cuts to the school student transport scheme, which paved the way for the Carr Government to break its promise that there would be no cuts in free school travel. Having said that there would be no cuts in free school travel, the Government brought in the biggest cuts in this State's history. More than 200,000 students faced the prospect of walking to school every day, with the worst affected areas being Sydney's west and south-west and country and regional New South Wales. Mr Langton was forced

into a humiliating backdown five months later. I predicted that it would come. The Minister said, "I got it wrong." The Minister had said he would not back down; he lied again. The Minister lied about not cutting school student travel, then when he introduced that he lied and said he would not back down. Then there was the backflip on the cuts, which made the matter even worse.

The Minister was also Minister for Tourism. Responding to speculation in the press about the introduction of a bed tax the Minister issued a statement. This aspect should be put into context. The Carr Government stated that there would be no new taxes and no tax increases—"Read my lips." Thirteen tax increases and new taxes later—

Mr D. L. Page: Fifteen.

Mr PHOTIOS: That is correct, and there was also the increase in car registration—the number of tax increases is going up all the time. The taxes are going up as fast as Brian Langton is going down. The Minister, as Minister for Tourism, responded to speculation in the press about the introduction of a bed tax.

The Minister for Fair Trading issued a press statement which said that the State Government will not introduce a bed tax. He said that in Opposition and compounded lie number two as a Minister. Then, lo and behold, the budget is unveiled and New South Wales is the first State in Australia to get a bed tax. On numerous occasions in public and private meetings with tourism industry representatives he expressed his long-held opposition to the bed tax. Even 48 hours before the budget he met with people he thought were his mates. They quickly told me immediately afterwards that he promised no bed tax, but he unveiled in the budget a bobby-dazzler of a broken promise.

In November 1996 the Minister launched the doomed new train timetable. He promised that trains would take people where they want to go when they want to go. It was the most radical revamp of the train timetable since sliced bread. Brian Langton did one thing right: he surveyed the public and asked them what they wanted. However, he went ahead despite all the best advice from his most senior bureaucrats, who told him, "Don't do it", whom he later blamed and then sacked, despite advice from the consultants who cost him a fortune, who warned him not to do it and whose services he then discontinued. I even told him on the day, "Don't do it, Brian. You are going to tear this up." I tried to help by giving him that advice, yet he proceeded

with the most radical change to timetables in more than 20 years.

As a result, on average 200,000 commuters every day were delayed, abandoned or stranded. There were 50,000 stops missed on the train system in one year. These are Government figures obtained by me, not through freedom of information provisions but from my helpful friends in the bureaucracy, who weekly provide me with this important information because it is essential to keep the Government accountable and honest. In other words, trains that were scheduled to stop at Kogarah like ghost trains did not arrive because they were running late. Trains that missed stops are not even taken into account on late train figures because they arrive at the final destination on time; under Langton, they were classified as being on time. That could have occurred with as many as 65 per cent of trains on a given day, on the leaked figures I made available to the press, which Langton described as a lie.

I used to ambush him. I would give a statement and he would say, "Photios is beating this up. He is lying. There is no truth to this." Then an hour later I would hold a press conference and time and again I would have possession of his department's document. I leaked the Government's strategy for transport before the last State budget. He said it was a pack of lies and then had to admit in a press conference that it was the truth, that the document was correct, as was the leaked train timetable information. Brian Langton made a complete mess of train timetables. He was then snubbed by the Premier.

Mr DEPUTY-SPEAKER: Order! The member should return to the leave of the motion.

Mr PHOTIOS: I am expressing the public's dissatisfaction and lack of confidence in the Minister which goes beyond his lies to the heart of his administration and his portfolio responsibilities. He was stripped of his Olympic responsibilities because the Premier no longer had confidence in him. The Freight Rail Corporation and the Rail Access Corporation were also stripped from him and transferred to the Treasurer. The two shareholder Ministers for the Freight Rail Corporation are not the Treasurer and Minister for Transport but the Treasurer and Minister for Sport and Recreation, Gabrielle Harrison, who has more responsibility for Freight Rail than the Minister for Transport.

Brian Langton was then put on a Moody's-style credit watch unprecedented in this State's

history. He had to sign a document, which only six people saw, until I released it to six million people. The document stipulated that he could not even canvass—let alone announce—public works initiatives for public transport; he could not even canvass a new bus stop without getting it signed off by the budget committee, a committee that is meant only to draw up his portfolio's budget, not to monitor its administration each working day. Brian Langton lost the roads portfolio with the first broken promise of the Government, which promised an integrated transport strategy. The one smart thing Bob Carr did was to recognise this Minister's potential incompetence and to strip him of the roads portfolio and give it to Michael Knight.

In effect, Brian Langton is a clayton's Minister, a shopfront Minister as transport Minister, the sort of Minister whose only responsibility is to sell bus tickets in a bus kiosk. He was not left with much else. In the last session I even invited the United Nations to give him observer status so that he had a legitimate role in Cabinet. Brian Langton, former Minister for Transport and Minister for Fair Trading, stands condemned by the public of New South Wales for being a liar, not once, twice, three, four or five times, but for being an habitual liar in his portfolio and in his personal dealings. He could not lie straight in a bed that he taxes, if he were lucky enough to stay in Sydney's central business district as a tourist. Brian Langton stands condemned for his dishonesty, mismanagement and incompetence. He must go. The sooner this State rids itself of this Minister, the better off it will be.

Mr J. H. TURNER (Myall Lakes) [9.06 p.m.]: Lies are not uncommon in politics. Whatever it takes, it is integral to good government. Those few words are from Graham Richardson, the Labor powerbroker, who demonstrated that lying is common within the Labor Party. However, Graham Richardson is an innocent because he lied only a few times, compared to the Minister for Fair Trading who has lied five times in public. Even Jesus was denounced by his disciple only three times. The Government and the Premier have condoned this tainted Minister's lies by not being here tonight and not sacking him. It is on record that Graham Richardson is a close confidant of Bob Carr. I would suggest that the phone has been running hot to Graham Richardson, who has managed this crisis over the past couple of weeks. He is still in the background as a Labor powerbroker and has said that lying is integral to good government.

It is ironic that Richardson said that those who lied best were destined to be most successful.

However, this Minister has been a disaster in his portfolios. Richardson also said, "When it comes to a question of lies, it has to be understood you have to distinguish between big ones and little ones, white ones and black ones." The lies that the Minister for Fair Trading has told are big ones and the Minister has to go. One cannot appear before the supreme corruption investigation body of this State and lie five times and expect to maintain the integrity of the House. Richardson, his mentor from the Right, also said, "Lying to Parliament is not a question of ethics, but a question of how stupid you are." This Minister has said, "I was stupid for lying." He has now been judged by his peers as being stupid to have lied and to have compromised the officers of this Parliament, who are here to do their jobs honestly.

There are any number of precedents of people lying, and this Minister is but one who upholds that precedent. The British "Draft Code of Conduct for Members of Parliament" is very short, only 30-odd lines. It states in part:

Because Members of Parliament enjoy certain privileges in law, which exist to enable them to fulfil their responsibilities to the citizens they represent, each Member has a particular personal responsibility to comply fully with all resolutions and conventions of the House relating to matters of conduct, and when in doubt to seek advice.

If the Minister had run out of warrants, if he thought that he had problems fulfilling his role as shadow minister, he had any number of opportunities to seek other remedies, advice or assistance. But he did not: he lied, he compromised his colleagues and he compromised his friends. I do not wish to cast aspersions on you, Mr Deputy-Speaker, because I had a great admiration for you before I came to this Parliament—but he compromised you. That was quite unfair and unreasonable.

My colleagues have alluded to parts of the fair trading legislation. As shadow minister I will run through a few things that show that if this Minister were in the field as a trader he would be in a lot of difficulty. Misleading and deceptive conduct has been referred to. The Minister for Fair Trading administers the Act which sets standards for New South Wales—indeed for Australia—to comply with; but the Minister did not comply with the standards of that Act. Section 42(1) of that Act, referring to misleading or deceptive conduct, states:

A person shall not, in trade or commerce, engage in conduct that is misleading or deceptive or is likely to mislead or deceive.

I should not have to expound this in this House but what bigger deception has ever occurred than a

shadow minister writing a letter to a clerk of this Parliament—and, without taking anything away from that clerk; in all good faith she was probably intimidated by a shadow minister—which stated, "I went on this trip and so and so went with me on the trip." That is total and absolute deception. As the honourable member for Northcott correctly said, that was lie one of five lies that were told. To use the words of section 42(1) of the Act, he was not only deceptive; he was misleading. The Minister for Fair Trading was responsible for administering section 42(1) of the Fair Trading Act 1987 which contains this sentence:

A person shall not, in trade or commerce, engage in conduct that is misleading or deceptive or is likely to mislead or deceive.

How on earth can the Minister be allowed to stay in this Parliament? How on earth can the Premier allow the Minister to retain his present position as Minister for Fair Trading? I have quoted but one section of the Fair Trading Act which, together with the fact that he told the Independent Commission Against Corruption that he lied five times, should disqualify him immediately and take him out of the game. Section 43(1) of the Fair Trading Act, which he administers, relates to unconscionable conduct. That section states:

A supplier shall not, in trade or commerce, in connection with the supply or possible supply of goods or services to a customer, engage in conduct that is, in all the circumstances, unconscionable.

Again with due respect to you, Mr Deputy-Speaker, the Minister's treatment of his backbench committee has been totally unconscionable. From what I understand, he bullied or berated members to hand over warrants so that he could fulfil his fantasies of chartering flights throughout New South Wales. Mr Deputy-Speaker, as you come from the Hunter Valley you know how well that area is serviced by flights. Why would one fly to Belmont? What an ego this man has. One can drive from this House to Belmont in one hour and 45 minutes or even 1½ hours. Yet he used X number of warrants to fly there. Why would one charter a flight to Cessnock when one can drive there in less than two hours? Cessnock is my home town, I know it well. I can drive from here to there in less than two hours.

Why would one charter a flight to Port Macquarie, which is serviced by about 10 commercial flights a day? This guy has an ego he could not jump over and he used unconscionable tactics on his backbench committee members to force upon them the requirement to hand over their warrants. He deceived the Government to the extent

that he had to lie to parliamentary officers and said that people who were not on the plane were on the plane. That is fundamentally wrong and the Minister should not be a member of House; certainly he should not be a Minister of the Crown. The Premier, who is not in the Chamber, should not allow him to continue. Further, under the unconscionable conduct provisions of section 43(2) the Act states that the court may have regard to:

- (c) whether the customer was able to understand any documents relating to the supply or possible supply of the goods or services;

It might be said in mitigation that perhaps the Minister did not understand. The Leader of the Opposition asked what part of "not transferable" did this Minister not understand? Is it a defence to not understand the document? The document clearly states "not transferable". I do not want to trespass into the ICAC's area of interpretation but this Minister administers the Fair Trading Act and one would expect him to understand it. He should realise that one of the reasons those words are included in warrants is so that the community understands the clear definitive ways in which a warrant or right to travel is bestowed upon members of Parliament. Section 43(2), relating to matters to which the court may have regard, states:

- (d) whether any undue influence or pressure was exerted on, or any unfair tactics were used against, the customer.

Mr Deputy-Speaker, I class you and the other four or five members who handed over warrants as customers. Under the Act administered by this Minister the question must be asked: what unfair influence may have been exerted on you, Mr Deputy-Speaker, and others to hand over those warrants?

Mr DEPUTY-SPEAKER: Order! The honourable member may canvass the issues in a general way, but he should take care not to reflect upon the Chair.

Mr J. H. TURNER: I accept your ruling and will speak in generic terms. I suggest that the members of the backbench committee had unfair tactics used against them. As a shadow minister Mr Langton was hell-bent on an ego trip and that is why he chartered flights to anywhere. I heard that his unsubstantiated comment was, "Unless and until I can fly, I am not going", and consequently 20 or 30 warrants were used to fly to various areas. The Minister would have had to use unfair tactics on his backbench committee members to push them to hand over those warrants, action that was quite contrary to the Fair Trading Act. Another part of

section 43(2), relating to matters that the court may have regard to, states:

- (e) the amount for which, and the circumstances under which, the customer could have acquired identical or equivalent goods or services from a person other than the supplier.

A moment ago I mentioned that for the life of me I could not understand why the Minister would have gone through the ego trip of flying to Belmont, which is serviced by Aeropelican six or 10 times a day; Port Macquarie, which is serviced by eight or 10 commercial flights a day; Cessnock, which has a daily flight; and Singleton, which has a daily flight. Yet this man who wanted to go on an ego trip forced others into an unfortunate situation and he now finds that he has to wear the consequences. He has failed to accept or understand that he has breached the provisions of the Act for which he has ministerial responsibility; he has compromised the integrity of this Parliament and the honesty of his position. That is unconscionable conduct. Section 44 of the Fair Trading Act, which relates to false representations, states:

A person shall not, in trade or commerce, in connection with the supply or possible supply of goods or services or in connection with the promotion by any means of the supply or use of goods or services:

- (c) falsely represent that goods are new;

I had not meant to quote subsection (c) of the Act. However, it is ironic because he has actually been peddled around a few portfolios. Instead, I had meant to quote subsection (g), which states:

- (g) make a false or misleading representation concerning the price of goods or services;

Again, he has breached the Act that he administers. Why would he fly to Port Macquarie at a cost of \$2,000 for a charter flight? The honourable member for Port Macquarie is not in the House. My electorate is just south of his; I believe that a return flight from Sydney to Port Macquarie costs approximately \$400. However, that is not the point of section 44(g), which relates to false or misleading representation concerning the price of goods or services. The member for Kogarah said that the cost of these goods was apportioned over a number of members of Parliament; but it was not, because those members were not on the plane. Therefore, the Minister made a false representation, as honourable members are aware, and he lied about it—lied significantly about it. That is the third section of the Fair Trading Act that he has breached. Section 50, which refers to certain misleading conduct in relation to services, states:

A person shall not, in trade or commerce, engage in conduct that is liable to mislead the public as to the nature, the characteristics, the suitability for their purpose or the quantity of any services.

The Minister said he will go somewhere only if he can fly. He has therefore said, "I will provide the service to you, but only if I can fly; only if I can be a jetsetter; only if I can be one of the guys seen jetting in and out of the place and being cool." The Minister lied about that and all the other issues I have covered. Harassment and coercion are dealt with in section 55 of the Act which states:

A person shall not use physical force or undue harassment or coercion in connection with the supply or possible supply of goods or services to a consumer or the payment for goods or services by a consumer.

There is no doubt that the Minister used coercion. There is no doubt that when he was a shadow minister he coerced his colleagues to hand over their travel warrants to enable him to fly around the State, so that he could big-note himself and pretend that he was the Minister in waiting—which, I guess, he was. During that time he showed that he was a Minister who was found wanting, because he did not know how to handle the position or how to behave. He compromised Labor members to the extent that they have had to appear before the Independent Commission Against Corruption and say, "Yes, we were a part of a conspiracy to defraud the public of New South Wales." The Minister has had to say, "Yes, I lied. I lied. I lied. I lied. I lied." The Minister is liable to a penalty of \$40,000 under the Fair Trading Act. However, it is up to others to judge what his penalty will be in this place and in other areas.

Mr O'FARRELL (Northcott) [9.25 p.m.]: Mr Deputy-Speaker—

Mr Collins: No government speakers?

Mr O'FARRELL: Which says volumes about the defence of the Minister for Fair Trading, and Minister for Emergency Services. Much has been said in recent weeks about murder and fraud within Australian Labor Party circles. I remind the House of the murder of a man eight years ago—that is, the death of Ross Sayers on a pavement eight years ago and the fact that he would be dead today if a doctor had not walked past. The current Minister for Fair Trading told lies in this House. Essentially, honourable members are debating this motion because that pattern has been repeated throughout the honourable member's career in this place. He has told lie after lie and has never apologised for doing so.

Eight years ago the honourable member for Kogarah accused Ross Sayers of engaging in a rort, as was referred to by the Deputy Leader of the Liberal Party today, which consisted of ordering devon and tomato sandwiches on the public payroll. Mr Langton hounded Mr Sayers on 1 March 1990 in this place and he continued the attack in the media. He said that it was outrageous that this man was using public funds to provide himself with sandwiches. I can forget the fact that David Hill and successive State Rail Authority chief executives spent \$70,000 a year providing themselves with executive lunches, but I cannot forget that at no stage during that whole crisis and Ross' subsequent death—he dropped dead on the pavement and is alive today only because a surgeon walked past and resuscitated him—and even when the honourable member for Kogarah was censured by the House on 27 March 1990 he would not apologise or take a backward step. His leader would not apologise or accept accountability for the actions of the honourable member.

When Ross Sayers was lying critically ill in intensive care, the honourable member for Kogarah told the media, "You don't take a hostage unless you are prepared to shoot him. It's easy because he's a public servant and we don't know him." That is the calibre of the man who is now the Minister for Fair Trading. He will lie; he will do anything. This man is not a protegee of Graham Richardson—he wrote the book. The honourable member for Ermington, soon to be the member for Ryde, has made his career on the Opposition front bench highlighting the lies of the honourable member for Kogarah—lie after lie after lie. Honourable members do not have to take my word that the honourable member for Kogarah is a liar. During the speeches of the Leader of the Opposition and the honourable member for Ermington the few Government members who tried to defend the honourable member for Kogarah expressed a degree of incredulity as to whether he is a liar.

Mr Photios: They are not even prepared to defend him in this place.

Mr O'FARRELL: As the honourable member for Ermington—soon to be the member for Ryde—said, Government members are not prepared to defend him in this place. His boss is not prepared to defend him, nor is any Minister or backbencher.

Mr Photios: It is unprecedented.

Mr O'FARRELL: Yes, it is unprecedented. I do not want people to take my word, the word of

the honourable member for Ermington or the word of the Leader of the Opposition that Brian Langton is a liar. I have a copy of the Independent Commission Against Corruption transcript and it is in there. He lied five times; he admitted to lying five times. Government members interject quietly and seek to raise some references to previous ICAC investigations of Ministers from this side of the Parliament. However, there is a clear difference: at no stage from the start and throughout the process of those inquiries was there an admission of guilt by any of the Ministers and, at the end of the day, no guilt was ever found. That is the difference.

The Minister has admitted to lying five times, under oath at the ICAC, which is why the censure motion has been moved and why he ought to stand down. I am arguing tonight that he has behaved similarly throughout his career in this place. At no stage has any Labor leader had the guts to tell him to watch it or to pull him back into line, which is why we have reached this sorry state. I have looked at the ministerial pecking order tonight. I am astounded that despite the lacklustre performance of the honourable member for Kogarah as a Minister in this place during the past three years, he is still number six in the ministerial rankings—he is the sixth most senior Minister in the Government.

Mr Photios: He is the sixth best that they have got? What does that say about those below him?

Mr O'FARRELL: That is precisely the point I want to make. The Minister at the table—the Minister for Information Technology, Minister for Forestry, Minister for Ports, and Minister Assisting the Premier on Western Sydney—is ranked lower than the honourable member for Kogarah. Given the admissions of the honourable member for Kogarah at the ICAC that says a lot about the Minister at the table. According to the Labor Party, 15 Ministers are ranked lower in the pecking order than Brian Langton, a self-declared liar. That is bad for public policy, bad for the Labor Party and bad for New South Wales.

Notwithstanding the disaster that the member for Kogarah made of transport and tourism, and notwithstanding that his career is based on a litany of lies, he is still ranked sixth. He ranks above the Attorney General and the future leader of the Labor Party, the Minister for Urban Affairs and Planning. He even ranks above the Minister for Transport, and Minister for Roads. I was about to call the Minister for Transport the golden-haired boy but I probably should not as it might be unkind. The honourable

member for Kogarah even ranks above someone whom I hold in high esteem—the Minister for Gaming and Racing. All honourable members believe that the Minister for Gaming and Racing is an honourable man but he lags down at No. 18 while a self-declared liar is at the top. I do not want to traverse the issues that are currently before ICAC. I am aware of the detail but I will not go into it. Serious question marks are hanging over some honourable members who are not being investigated by ICAC because they did not actively participate in defrauding taxpayers, which is basically what ICAC is investigating.

Mr Photios: The honourable member has been down in the gallery eating his popcorn.

Mr O'FARRELL: Together with Opposition advisers and members of the media, I watched Labor members give evidence to ICAC. I wonder who certain Ministers—I could name three of them but I will not do so; one of them is the second most senior person in the Government—thought was paying for the charter flights on which they got lifts. It is amazing. The Leader of the Opposition, the honourable member for Ermington and the honourable member for Myall Lakes have detailed the record of the honourable member for Kogarah, who is clearly the Government's worst performer bar none. That says a lot when one considers who is on the Government front bench, particularly the Minister for Fisheries.

The honourable member for Kogarah is responsible for a disaster in the railways that was so bad that Labor had to bring back David Hill to correct it. Thank God Labor brought back David Hill because if the honourable member for Kogarah had been allowed to reign the two railway lines that run through my electorate of Northcott would now be covered in mothballs. As the honourable member for Ermington said, the honourable member for Kogarah delivered the bed tax and it took another colleague, the Minister for the Olympics, to rectify that. Only the pressure from the Minister for the Olympics limited the effect of the bed tax. The Minister responsible for tourism did not support his industry.

At the end of the day the performance of the honourable member for Kogarah in the tourism and transport portfolios did not save him because, as the honourable member for Ermington said, he was clearly the worst performer. I have some sneaking admiration for the Labor Party headquarters in Sussex Street. Not much that happens in Sussex

Street is not preordained or preplanned. The general secretary, John Della Bosca, is a fairly good strategic thinker. I am particularly enjoying the debate about the redistribution of the electoral boundaries at the moment. It is not a coincidence that Labor's redistribution submission proposed that the seat of Kogarah be abolished. In November and December when the Labor Party became aware of the investigation it knew what had to be done. Honourable people down at Sussex Street knew that the quickest way to resolve this matter was to ensure that the honourable member for Kogarah did not have a future post 1999. This motion is all about saying that the honourable member should not have a future as of today.

Undoubtedly, Shane Easson, Eric Roozendaal, John Della Bosca and other honourable people at Sussex Street knew the moment they heard about the ICAC investigation that the honourable member for Kogarah was history and they were keen to see the back of him. It does no credit to the Premier that he seems determined to remain deaf to the pleas of the honourable members of his party who know what must be done. Timing is another issue. Last November my colleague the honourable member for Ermington, the soon-to-be honourable member for Ryde, asked the Minister for Fair Trading simply whether he was subject to an ICAC investigation. This matter has not been canvassed at length tonight.

The question of the honourable member for Ermington did not relate to the ministerial role of the honourable member for Kogarah—there was no suggestion that ICAC was investigating the honourable member for Kogarah for any ministerial activities. The Minister, in answering the question, essentially sought to divert attention. He deliberately sought to mislead the House when he indicated that his department had not advised him of any irregularities in his travel entitlements. People who have been to Cleveland Street in Redfern and people who have seen the transcripts know that at the time the Minister answered that question he knew that he was being investigated. His five colleagues certainly knew at that time that they were being investigated; they indicated that they had certain conversations about those issues not long after Parliament rose for the summer break.

Mr Photios: He lied.

Mr O'FARRELL: The Minister for Fair Trading lied in the Parliament last November. For that offence alone he should have resigned. However, under this Labor Government lying is a

badge of honour; it does not count. The *Richo shame—Whatever it Takes*—has become the badge of honour, the motto, the creed. And the Minister who is ranked sixth is probably the biggest liar the Parliament has ever seen. I am concerned that today the Premier, with impeccable judgment and timing, announced a watered down code of conduct. The Leader of the Opposition referred to that. Six months prior to the expiration of the last Parliament both Houses passed legislation to introduce a code of conduct in New South Wales. The Independent member for Manly was one of the driving forces behind that necessary and admirable reform.

Three years later, at the end of last year, a draft code was issued by the Legislative Assembly Standing Ethics Committee, of which I am a member, together with the honourable member for Murwillumbah and the Independent member for Manly. All parties had agreed to the draft code. The National Party, the Liberal Party and the Labor Party had signed the draft code. Even the ICAC commissioner had signed it. The code was aspirational. In other words, it sought to set the widest possible parameters on the operations of members of this Parliament. Yesterday Cabinet rejected that code; instead, it has opted for a specific code that will be as tough but no tougher than the code proposed last year in five specific areas. However, outside those five areas the code will be grey, if not dark. That does not do honourable members of this House much good because throughout this debate we have seen that honourable members can get into trouble when areas are grey and the lines are not distinguishable.

As sure as night follows day, as Andrew Peacock would say, what Cabinet did yesterday has set up another member of this House for a fall. I wonder—and I hope the honourable member for Manly will pick up this issue—why the code of conduct was suddenly changed. The Premier, prior to entering the Parliament today, wanted to be seen to be tough in the middle of this mess with the honourable member for Kogarah. However, the 10-point code of conduct, which was to be debated today and which would have required only that standing orders be suspended for it to be adopted, would have been every bit as tough as the community demands of us. Why was the code changed? Does the change relate to the current ICAC inquiry or to future ICAC inquiries into the activities of honourable members in this House? The revised code of conduct will not apply retrospectively; therefore, it cannot be applied to the honourable member for Kogarah.

We know that two other inquiries are either under way or about to start and the new code of conduct will indeed apply to those inquiries. Therefore, the damage, the liability, the penalty—as of this new code of conduct—would be less than they would have been if the code of the Legislative Assembly's Standing Ethics Committee had been adopted. Maybe it is a coincidence; I do not think it is. This Government is rotten to the core. Yesterday Cabinet proved that this Government was rotten to the core as it sought to successfully limit the scrutiny upon members of this place. In my view that goes against the operation of the Independent Commission Against Corruption Act, as amended in 1994, and it certainly goes against community expectations. I sincerely believe that those members of the Labor Party who served on that committee—the honourable member for Auburn, the honourable member for Gladesville, the honourable member for Peats and the honourable member for Cabramatta—should resign. They put three years of their lives into that exercise.

Three members of the community—a former Papua New Guinea Supreme Court judge, a former local government executive from the inner west and a central coast community member—gave prodigious service over three years, but yesterday the Premier and Cabinet basically said, "We do not want that; we want a quick fix; whatever it takes to get us off this hook in terms of the media, but the rest of the time we do not give a stuff." It is as simple as that. The honourable member for Ermington and the Leader of the Opposition have spoken at length about the inadequacies of the Minister for Fair Trading, and Minister for Emergency Services. I do not think there is a doubt that the Minister should go. I do not think there was a doubt eight years ago when he murdered Ross Sayers that he should have gone. But, Mr Speaker, I say to you that this Minister will not go. The Premier does not have the guts to get rid of him. If the Premier started to apply the standards that he should to his Cabinet not one of the members of that Cabinet would remain standing.

[*Debate interrupted.*]

BUSINESS OF THE HOUSE

Extension of Sitting

Motion by Mr Yeadon agreed to:

That the sitting be extended beyond 10.30 p.m.

MINISTER FOR FAIR TRADING, AND MINISTER FOR EMERGENCY SERVICES

Motion of No Confidence

[Debate resumed.]

Mr HAZZARD (Wakehurst) [9.43 p.m.]: The Minister for Information Technology, Minister for Forestry, Minister for Ports and Minister Assisting the Premier on Women moved a motion to extend the time for debate though not one backbench member of the Labor Party stood up this evening to say anything in defence of Brian Langton, the Minister for Fair Trading, and Minister for Emergency Services. We have just listened to the shortest defence of the Minister—a man who has already admitted that he is a liar. That is something we have come to know and love in him. He is not one to say very much if it can be avoided. In fact, on 20 March Ray Chesterton noted that the Minister made the briefest appearance that any Minister has ever made at a press conference. Ray Chesterton said:

Stopwatches were not used but unofficial hand-held timing devices clocked Langton's address at two minutes with no questions allowed—a personal best for a minister under siege.

That is because this Minister had nothing to say. He had already said it all. He has admitted—and he has since confirmed—that he lied five times. Others have actually pointed out that that is probably the short version. He has lied on other occasions as well. He lied to Frank Walker. Frank Walker said in an article in the *Sun-Herald* on 22 March that the Minister had told him that he was not under investigation by the Independent Commission Against Corruption. Others have said similar things, but Frank Walker made it very clear in that article, which stated:

Brian Langton admits to lying on his travel accounts no less than five times, but they are not his only fibs writes State political editor Frank Walker.

Brian graduated in fibs. The article continued:

When the *Sun-Herald* asked him a month ago whether he was under investigation by ICAC, to whom he has since admitted the lies on his travel accounts, he said emphatically that he was not.

At a press conference in November, Mr Langton angrily denied he had been asked by ICAC for information regarding his travel arrangements.

He told reporters he had "never ever" fiddled his travel accounts and he strongly resented the question.

As Frank Walker observed:

Now we know why.

So the Minister, who appeared before an ICAC inquiry, admitted that when he wrote to one of the officers of the Parliament he clearly lied by stating that a particular member or members used warrants to travel in an aircraft that he had hired. An article that appeared in the *Sydney Morning Herald* on 21 March stated:

By his own admission to closed hearings of the ICAC this month, Langton issued a false statement when he wrote to the parliamentary accounts clerk, Iris Elder, on September 15, 1994: "Dear Iris, I enclose 15 warrants for the charter to Port Macquarie and return on August 27 and 28. Mr Kevin Moss accompanied me on the charter. Yours faithfully, Brian Langton."

We do not need to look at the evidence that has been given to ICAC. All we need to know for the purposes of this no confidence motion is that a Minister of the Crown, someone vested with the task of looking after the affairs of the public and in whom we have placed trust and confidence, has admitted that he lied and has been caught out lying on other occasions. Of course, that is very sad. This Government and this Premier should have moved this man out of office as soon as he admitted that he had told lies. This motion is not just a no confidence motion in the Minister; it is an indictment of the Carr Government. This Government accepts that lying is part and parcel of the way it governs. It accepts that the Graham Richardson mentality is okay as long as it can get away with it.

There are very few Government members in the Chamber. Only two people are on the Government benches at the moment—the Minister for Information Technology, who has to be present or the House will shut down; and the about-to-be former member for Gladesville, a member who is trying to find out whether he still has a seat. Not one other member of the Labor Party is in the Chamber to defend the Minister. Not one word has been uttered by a Minister or by a backbencher to defend the Minister for Fair Trading. That should be enough to tell us that he is a dead duck. He is just wasting his time. He cannot be administering his portfolio as he should be if he cannot persuade one other person on the Government side to utter one word of assurance that he should stay in his job. These are the actions of the Minister for Fair Trading! The 1996-97 annual report of the department lists the department's values that this Minister is supposed to uphold. The first value is "Integrity underlies everything we do". Heavens, is Brian Langton in the wrong spot!

Mr MacCarthy: His integrity is buried under the lies.

Mr HAZZARD: It is buried under the lies. He is in the wrong spot in a big way! The message being sent to the community is that the core values of the department cannot be looked after if its Minister is prepared to tell lies. Another value is "Professionalism is an integral part of our performance". The Minister has not shown any professionalism, but he probably has a master's degree in lying. It is a sad indictment of the Carr Government that the professionalism of one of its Ministers is a PhD in lying.

It is nothing short of a joke that he as the Minister for Fair Trading has to uphold the value that professionalism is an integral part of the department's performance. The fifth core value this Minister must uphold is "Openness in all our communications". What sort of openness was there when he wrote to Iris Elder telling her that members of Parliament were on those flights when indeed they were not? What sort of openness was shown in the Parliament when he failed to say anything substantial in his defence?

This Minister simply cannot maintain those core values, and he should be removed. What about upholding the department's core capabilities? We know Brian Langton's core capabilities. The annual report specifies "ethical work practices". How can lying equate with ethical work practices? Another core capability of the department is "effective strategic partnerships". The Minister certainly had effective strategic partnerships with five of his right-wing Labor mates who trotted off down to the Independent Commission Against Corruption. In the *Sydney Morning Herald* on 21 March Ray Chesterton showed how bright they were when he wrote:

Langton and Kevin Moss (Canterbury) danced like frantic marionettes as they tried to avoid telling questions. Moss admitted giving Langton 30 plane warrants in 1994 but never took a trip with him.

Dancing even faster was the simplistic Grant McBride from The Entrance. He was a verbal elephant on ice as he stumbled and floundered through his evidence.

I shall not pursue those honourable members on the other side any further except to emphasise their acts of stupidity and what they did with their evidence before ICAC. The words of Ray Chesterton summarise the level of stupidity, the lack of integrity, the dishonesty and the deception that is the hallmark of the Carr Government. The key to the Carr Government is that it too is deceptive and dishonest, and the Premier is not prepared to move decisively to remove a Minister who has admitted to lying.

Where is courageous Carr? He may be in the dining room; I do not know. He is certainly not in the Chamber. He might be hiding in his office. I do not know that either, but he is certainly not here. The same two Labor members are still in this Chamber that were present when I started my speech; not one other member is prepared to offer any supportive words to protect the Minister. No-one is prepared to say, "Look, Brian is not such a bad bloke," because they know Brian is a bad bloke. Quite a few Government members and all coalition members have spoken to me about this matter. They have said that they are very angry about one particular issue that emerged during the course of this inquiry: Brian Langton had the audacity, in the guise of protecting himself, to say effectively, "Gee whiz, we all did it."

I have news for Brian: nobody I know has done it and nobody on the Government side is saying anything about it. No member from either side of the House will condone the lies this Minister has perpetrated. He has made us very angry by broadbrushing all members of Parliament with his taint of dishonesty. Brian Langton should be removed because he has lied. No Parliament, particularly the Mother Parliament, can sustain a Minister sitting in this Chamber day after day not saying a word but being a self-confessed liar. That will not help maintain our values in the community.

How many parents tell their kids that lying is not okay? On Saturday morning I attended a school information morning for parents. The principal addressed approximately 500 people on the morals of that school and the values of honesty. He told us that truth was the most important value and should be put at the top of the list. When I left that school with my children one of them raised that very issue with me.

It is evident that New South Wales parents will now have great difficulty convincing their kids that lying is not okay because a Minister of the Crown, one of the Premier's right-hand men—at least previously a right-hand man—says, "It is okay to lie. We are members of Parliament. I can lie. It is acceptable. I can stay in the job and get paid as a Minister. I can continue making decisions as a Minister." How can this Parliament and the community accept anything that man says in the future?

It is an unfortunate situation for Brian Langton, but he cannot stick his head in the sand and ignore the matter. More importantly, the Premier can no longer ignore the situation. On 20 March at the ICAC hearing the Minister for Fair Trading was

described as being involved in a "crude, dishonest and ultimately ineffective travel expense scam". What has happened since then? I shall not canvass the evidence before ICAC, but the best the Minister's lawyer could offer in his defence was that he was "reprehensible and stupid" in what he had done. The headline in the *Sydney Morning Herald* on Saturday, 28 March, was, "Langton stupid, not corrupt: lawyer". It does not matter at which end of the spectrum he is—whether he has gone from being crude, dishonest et cetera to just being stupid—he is a liar, l-i-a-r!

On his own admission the Minister for Fair Trading is on five separate occasions a liar. Other members of the right-wing of the Australian Labor Party are well acquainted with that concept. Certainly the Premier comes from the same faction as former Prime Minister Paul Keating. They understand the concept of lying very well. Maybe that is why the Premier is still thinking about it. He is thinking, is it a big lie, a little lie, a Labor lie, a Graham Richardson lie, a troglodyte lie, a terrier lie, a Left lie? It does not matter in the end; it is just a lie, a lie, a lie. If you lie five times, Minister, you have to get out of this place, and you should do it quickly.

That you have threatened to pull the pin and get out of Kogarah is probably the only reason that you are still here. But I can tell you, Minister, that the majority of people on your side and on this side think, for the sake of the integrity of the Parliament and for the sake of upholding the values of the community, that you must go. I do not know that the Minister understands that. Newspaper reports stated that when the Minister appeared before the Independent Commission Against Corruption he was smirking and Commissioner O'Keefe said that he was playing to the theatre, or words to that effect.

Perhaps the problem is that we have a simple Minister and a simply conniving Premier who are hoping that by some miracle they will find a way out. The Premier will not find a way out. He has no option but to say goodbye to the Minister for Fair Trading, and the Minister for Emergency Services. He has no option but to give him the boot as quickly as he can. Every day that the Premier fails to do that confirms in the public's mind that the Government is rotten to the core. The Government members are a bunch of despicable people who are not able to dismiss one of their own who has confessed to being a liar. If the Premier has one ounce or any vestige of integrity left, for the State of New South Wales and the Parliament he must do the right thing. It should happen as soon as possible. In fact, it should happen tonight. Premier Carr

should be giving the Minister the royal direction that he is out of the Executive Government. If he does not, he will be hoist with his own petard. He will be judged by the people of New South Wales as a supporter of liars.

Dr MACDONALD (Manly) [10.02 p.m.]: I am unhappy to take part yet again in a debate on probity, conduct and ethics within this Parliament. I have given the matter very careful thought and I intend to support the motion, bearing in mind that this sort of matter has been debated in the Parliament on previous occasions, particularly during the last session. I was circumspect in my position then, but the circumstances here are different. Also, a particular burden lies on the crossbench members to consider these matters carefully because they are sometimes seen as providing a litmus test of the neutral ground. I do not intend to rant and rave about the individual or peripheral matters, but honourable members need to focus on whether, and if so the basis upon which, we have confidence in the Minister.

This House must have confidence in a Minister on the basis of his integrity and the management of his portfolio. It goes to the heart of the reputation of politicians and to the heart of a code of conduct and a standard of behaviour and ethics, matters that have been debated in this House for some years. For a Minister of the Crown to publicly admit before a court that he has lied disqualifies him from holding office. If the Premier does not distance himself from the situation quickly he runs the risk of finding himself in a similar situation to the Prime Minister in Canberra over the Senator Parer matter.

The case against Minister Langton appears to be clear. I have not heard him, his colleagues or his leader deny or quibble about the press reports on which I base my position. There have been a number of such reports since the apparent admission on 20 March before ICAC that Mr Langton lied on a number of occasions and falsified claims to the parliamentary accounts section by claiming that individuals had used their warrants on flights. No-one is seeking to refute that. It bothers me that a Minister has made that admission and the Premier has failed to act. The Premier should have moved to have the Minister stand down or resign. That he did not is very disturbing, particularly as the Premier tried in the Chamber today to claim some high moral ground on the issue of conduct and ethics, coupled with the code of conduct that apparently passed through Cabinet yesterday.

The case against the Minister is clear: he admits he has lied. His lies do not relate to his

portfolio but to his accountability to Parliament through its offices and staff. He lied not on one occasion but on several occasions and he has also lied in writing. That disqualifies the Minister from sitting on the front bench. Arguably it disqualifies him from even being a member of Parliament, but that depends on the associated criminality. The code of conduct that has been drafted and lodged with the Parliament but not yet adopted deals with honesty, integrity and the reputation of the House. So Mr Langton's behaviour may disqualify him not only from holding a ministerial portfolio but from being a member of Parliament.

The code of conduct against which this behaviour would have been measured has been referred to by previous speakers. It is very relevant to the debate because, immediately following a new code of conduct having been introduced by the Premier, today has been dominated by a matter of probity. I suggest to the House that for the past 18 months Government members have sat on their hands and done absolutely nothing about a code of conduct. The Standing Committee on Parliamentary Privilege and Ethics report on the draft code was submitted last October, but the code has been prepared for about 18 months and was introduced last April. The only reason it has not been placed on the business paper and adopted is because the Premier and the Minister for Police basically have no interest in issues relating to accountability, ethics and codes of conduct, and they hope they can get away with it.

I believe they have acted clearly outside the Independent Commission Against Corruption Act which, when amended, sought to have a code of conduct introduced quickly. However, the date has been constantly extended. The Government is indifferent to matters relating to conduct. It is led by a Premier who has acted weakly and half-heartedly on the travel warrant issue and who is now attempting to look tough by introducing his own code of conduct. I intend to raise this matter in more detail in the House tomorrow, but I believe the Premier has acted against the law by introducing this code, a copy of which I have before me. I am not sure whether it has been tabled but it was certainly the subject of a media conference today, during which the Premier issued a media release and a preamble to the so-called Carr code.

I draw the attention of honourable members to section 72E of the Independent Commission Against Corruption Act, which is clearly prescriptive as to how a code should be developed, and the process of examination by a committee and public exhibition. That is the proper statutory process. The Premier, in

his stumbling attempts to look strong on codes of conduct and to gain the initiative in this harrowing, difficult time for the Government—which appears to be crumbling under the weight of scandal and corruption—has thumbed his nose at the proper process. In addition, by attempting to bring a code of conduct before this House he has thumbed his nose at a committee that spent many months working to develop it. This is a very difficult time for the House, which has some serious matters before it relating to the travel warrant issue. That issue is linked inextricably with the absence of a code of conduct. The Premier, in his bungling way, has now introduced a watered-down code of conduct which apparently has been introduced in defiance of the law. It is improper for this Minister to remain. He does not have my confidence. I support the motion of no confidence in the Minister.

Mr TINK (Eastwood) [10.12 p.m.]: I strongly support the motion. The Minister for Fair Trading has been responsible for numerous problems in this House and at various levels of his ministerial responsibilities. It is no small statement to say that the biggest lie told by this Government to this House and to the people of New South Wales related to the tolls in western Sydney—the tollway promise. That lie goes back to the conduct of this Minister when he was shadow minister for roads. He was instrumental in making the solemn promise and commitment that the current Government would lift the tolls on the M4 and M5 tollways.

At the very time on the very day that the poll was declared after the 1995 election, and at the very time and on the very day that the Premier was putting together his Cabinet, he was an accomplice in what he knew then to be an untruth by his shadow minister. That shadow minister was not appointed Minister for Roads because the Premier knew that they were about to set upon a course of breaking the tollway promise. It was well known at that time that advice published in Public Accounts Committee reports on infrastructure indicated that doing away with the tolls on the M4 and M5 involved a tax problem. From the very beginning the mendacity of the Minister for Fair Trading was responsible for getting this Government off the hook in relation to one of the biggest lies that has ever been told by a government to the people of New South Wales.

From day one the Premier was involved in that conspiracy. It is little wonder that he is not present in the Chamber to support his Minister. The reality is that this Minister has caused the Government to live a lie in respect of a promise which put it in office in the first place. That is the first point: this

Minister's dishonesty led the Labor Party into fraudulently attaining office in 1995. Coming to more recent times and to the subject matter before the ICAC, the second lie relates to the travel warrants. As many speakers have pointed out, the Minister has admitted to not one lie but five lies. It is made particularly alarming by the fact that what he lied about involved a number of other members of the Government: the members representing the electorates of Canterbury, Illawarra, Rockdale, Waratah and The Entrance, and the late John Newman. That makes it imperative that this Minister give up office now.

The Minister has involved a significant number of Government members in the lie that is the centrepiece of the Opposition's concern, and that requires him to resign. Bearing in mind the problem with the tolls and the problem with these other members of Parliament, what is to say that this ongoing course of conduct is not continuing in some way? Obviously the members of the transport backbench committee whilst this Minister was shadow minister were all tainted because of his handling of warrants. What confidence can any of us have that that matter is still not continuing?

The third point is that the honourable member for Kogarah is now Minister for Fair Trading and as such he is responsible for policing the sort of conduct that he himself has now admitted. If Helen Wellings or Mike Munro wanted to do a foot-in-the-door interview, get a few vox pops and put a camera up someone's left nostril, they could come crashing through the front door of the Minister for Fair Trading. They could be breaking down the front doors of his ministerial suite right now to get him on the record about these rorts. That is how bad it is. If there is a precedent of what not to do in relation to fair trading, they would only have to kick in the Minister's door and try to get an interview to find it. I dare say there would be a flat fist coming back to keep the camera out of the room. In relation to the third point, the Minister's current ministerial duties, he fails and he should go now without any more argument. No-one on the other side of the Chamber is prepared to argue to the contrary.

The next reason he should go is that when he was shadow minister he set some extraordinary standards for other people which he is not now prepared to meet. Other speakers have mentioned the position of Ross Sayers. I refer to 1990 when the Minister for Fair Trading, then shadow minister for transport, was absolutely outraged in this Chamber about a petty cash voucher which claimed 45¢ for the purchase of an apple eaten by the then CityRail general manager, Rob Schwartz—a 45¢ apple!—a banana and an orange for the Freight Rail

general manager, Mr Vince Graham, and \$1.60 worth of fruit for Mr Ross Sayers. That amounts to approximately \$2.50 and the Minister took up the time of this House raging up and down. That involved Mr Sayers in some traumatic medical problems which left him clinically dead. The then Opposition said it would back off from its attack, but within 24 hours promptly got stuck into Mr Sayers a second time.

This is the fellow who has spent, and cost taxpayers, hundreds and hundreds of dollars on travel warrants. I dare say that while he was in the cockpit or the cabin, travelling business class or first class—I do not know—on any one of those trips he was consuming just a little more than an apple, an orange or \$1.60 worth of fruit as Mr Sayers did. He set the standards. He forced Mr Sayers out of the State and into hospital. Mr Sayers had an almost terminal breakdown in his health. In effect he was forced out of the country: he had to go somewhere else to get a job. The Minister is hunkered down now on hundreds of dollars worth of travel warrants. He has said, "I am not going. I am not budging. I have not done anything wrong," notwithstanding that he has already made admissions to that effect.

The next thing the Minister has done wrong, as the Leader of the Opposition said, is to lie to an officer of the Crown, to lie to Iris Elder, an employee of this Parliament, someone whom I believe in her own quiet way very courageously was doing her best to uphold the standards and rules of the Parliament. Where the transgression relates particularly to a member of staff of the Parliament the Minister concerned and the Premier concerned must set an example and ensure that the price is paid and that the Minister resigns.

Finally, as the honourable member for Manly said, the great and ongoing tragedy of the whole issue is that it is now tainting the approach of the whole Government to the code of conduct which has been so long in coming to this Parliament. After all the work done by the parliamentary committee of which the honourable member for Manly, the honourable member for Gladesville, the honourable member for Northcott and a number of other members of this Chamber were members, and on which they put in a tremendous amount of work to try to get a code of conduct right, this scandal involving the Minister for Fair Trading is causing eleventh hour redrafting of the code. The way in which the Minister is hanging on and the way in which the Premier is aiding and abetting his hanging on are corrupting the code of conduct that the public is looking to us to introduce to solve such problems in the future.

At the end of the day, as other contributors to this debate have said, the Government is hog tied because the honourable member for Kogarah holds a critically important seat. His resignation from Parliament would cause an immediate and very grave threat to the future of the Government. However, the public expects the Premier to show leadership on the issue. The Minister contributed to the fraudulent election of the Government in the first place by promising abolition of tolls. Of all people, he knew that the promise could not be kept. He has compromised a number of other members of Parliament through the course of conduct he has undertaken to use travel warrants. He has become as bad as anybody who has been the target of the Department of Fair Trading and whom he is now the Minister responsible for prosecuting. He has persecuted senior public servants in this State over the most trifling allegations which were subsequently found by the Auditor-General to have no foundation.

The Minister has misled, contradicted, and ignored the concerns of Crown employees who are also employees of this Parliament. He has now caused the Premier to water down the code of conduct designed to deal with the sort of conduct we are talking about. The Minister has admitted to lying comprehensively. Having done all these things, he simply must go. The longer he remains in this Chamber the more set the public is becoming in its impression of the Government. People remember that the Minister made the promise on the tolls. The Government may think that it is getting short-term advantage in holding the seat of Kogarah now; the real reckoning will come in a year's time, and so it should. There is an honourable course for the Minister to take, and that is to go. Failing that, there is an honourable course for the Premier to take, and that is to demand that his Minister go. Failing that, there is an honourable course for the public to take, and that is to get rid of the whole damned Government. And that will happen.

Mr WINDSOR (Tamworth) [10.25 p.m.]: I have absolutely no doubt that the Minister for Fair Trading will not be the Minister much longer after Easter. The Premier has misjudged the electorate's views on this issue. But I will not support the no confidence motion and the only reason I am speaking is to explain why. I believe that members before the Independent Commission Against Corruption are entitled to due process. Some people would argue against that, but I have been consistent in my views while a member of Parliament. Unlike the honourable member for Manly, I remember that when Labor was in opposition, Premier Nick

Greiner was badly misjudged by this Chamber before due process was given to him.

The mistake that Premier Greiner made was in not standing aside at the time. The mistake that Premier Carr has made is in not asking the Minister for Fair Trading to stand aside while ICAC makes a determination. I am not prepared—as I was not with Nick Greiner—to make a determination while ICAC is reviewing the position of the Minister for Fair Trading in relation to this matter. To be consistent I will not support the motion of no confidence. In my term of nearly seven years in this place I have supported one no confidence motion. It was because of the non-performance of a Minister within his portfolio. I have absolutely no doubt that the Minister for Fair Trading has lied, as have many other people in this Chamber over many years. But I believe the Chamber should allow the ICAC process to take place. I am sure that following that, the Minister will not be a Minister. If that is the determination of ICAC, he should not be a Minister. This debate raises other issues that we should think seriously about. We should remove the politics of vengeance and other things from the debate. The question comes down to the ability of shadow ministers to travel the State.

Many shadow Ministers take their jobs very seriously; some do not. Many do so at their own expense in order to do their jobs professionally. I doubt that the public fully understand that. I am not attempting to excuse the Minister for Fair Trading for what he did, but if we are to have an effective parliament, members should give serious consideration to putting in place processes whereby an Opposition can work effectively. If a shadow minister is to work effectively in his portfolio responsibilities he should not be prevented from going to country areas simply because that would involve the cost of travel. The Opposition should not function only in this Chamber. Shadow ministers should have the right and the capability to move about the State and gain knowledge from far-flung areas even though that may involve additional expense.

I know that currently a number of shadow ministers are wearing, at great expense to themselves, the cost of carrying out their shadow portfolio responsibilities. That is something that the Parliament should take cognisance of. One continually reads in the papers and hears from the media comments about this place being a rort, that it is too expensive, and that the members only sit for a few days a week and for part of the year. If we were to take notice of those comments we would

remove a very effective part of the parliamentary process: that of the Opposition. I am not offering an excuse for the Minister in this instance, but the Parliament—not as a Government or an Opposition, but as a Parliament—has determine a method that will allow shadow ministers in particular to travel around the State. I will not support the motion.

Mr HARTCHER (Gosford) [10.31 p.m.]: If ever there was a time when the Minister the subject of this motion was captured by the media it was some months ago, when he was still Minister for Transport, and the *Sunday Telegraph* ran a cartoon of him wearing a dunce's hat. The caption read: "You dunce, how long do we have to wait until you get your act together?" That symbolised the media perception, and indeed the public perception, over the past three years of this Minister: he has been the most incompetent performer one could ever imagine in the ministry of this State. Every single issue that he has touched he has turned to lead.

All honourable members will recall the great saga of the school bus passes. He was going to change the entire system. Children were going to have to walk to school or pay for their own school bus passes if they lived beyond a certain distance from the school. The whole controversy raged for months and in the end there was suddenly a total backdown. The balloon was pricked and the air escaped. Some months after that this Minister was involved in the great timetable rort. The whole train timetable system was revolutionised. In fact, the Central Coast was going to get the best and fastest train service. Within a week my office was being bombarded with calls as people had to wait on Gosford station for up to 30 minutes each day because the trains ran late. That disaster lasted for barely a month, until the train timetables were scrapped and the old ones re-introduced.

Then there was the saga of the Minister's own Government putting him on credit watch. Cabinet Ministers were not prepared to allow him to handle any matters of finance within his own portfolio—a major portfolio in this State. That culminated in the extraordinary saga when he resigned; he walked out of Cabinet—and everybody knew he walked out of the Cabinet meeting—and announced his resignation to his colleagues. That afternoon he recanted, went on television and announced to the media and to the people of New South Wales that he had not walked out of Cabinet. He lied, and lied blatantly, then.

What about the article by Frank Walker in the *Sun-Herald* last Sunday week in which he said the Minister had not only lied to the officer of the Crown, but he had lied to the *Sun-Herald*. When the

Sun-Herald spoke to him in November 1997 and asked whether there was an inquiry under way in respect to him—and there was—he denied that to the *Sun-Herald*. He lied to the public, he lied to the media, he lied to everybody in this Parliament and, essentially, he lied to a duly appointed officer administering the accounts of this Parliament.

That is the issue before this House tonight: the issue of the integrity of the honourable member for Kogarah as a person and therefore as a Minister. This debate does not involve what is now being determined by the Independent Commission Against Corruption; it will make its own findings about matters related to travel and the use of warrants. This motion is about his performance as a Minister and his integrity as a man. What integrity does a person have who can sit in the witness box and nervously smirk at the gallery, who can make statements to the media such as "Everybody does it" and then, when challenged to produce evidence that everybody does it, is unable to come up with a single name of anyone who is supposed to have done it—lie, piled upon lie, piled upon lie.

This is a man who has been judged incompetent by his own Premier, who has been described as stupid by his own counsel, and who is a liar according to his own testimony. Probably the only time in his life this man ever told the truth was when he admitted that he was a liar. His defence for his conduct was that it was the simple and expedient thing to do. Remember that great remark of George Bernard Shaw, "We are all liars to people whom we don't care about." The Hon. Brian Langton cared about no-one, and that was why he was prepared to lie to everyone, including his colleagues on the other side of the House who know the way he has performed. They have watched him perform as a Minister over the past three years and, however reluctantly, will be compelled to back him by voting against the motion. Their support for the Minister is not based upon belief but upon discipline and the determination to support him because of the belief that when he falls they will go down too.

However, they will not all go down with him. He will be the first pebble to fall, but it will be the pebble that unleashes the avalanche as it slowly gathers momentum between now and 27 March 1999. Brian will go and then others will go—and we all know who they are, but I shall not name them tonight; that can be reserved for another day, another question time. Others will follow, and finally the Government itself will fall.

The Minister is scared to attend the Chamber tonight. The custom has always been that when one

is subject to a censure motion or a motion of no confidence one sits through the debate and answers it. That is what the standing orders provide. He has the opportunity to reply at the end of this debate, but instead he is up there watching it on his television, listening to it on his monitor and fortifying himself with a few drinks.

[Interruption]

He is everything the honourable member for Bulli supports: a Minister who is incompetent, a Minister who is a liar and a Minister whose own barrister's only defence was to say that he is stupid. What an extraordinary situation. I practised law for 17 years and defended people charged with all sorts of crimes, but never did I get to the stage where the only defence I could offer for them was that they were idiots. At least I could put forward some argument for them. At least I could question the evidence. At least I could lead them in the witness box to give their side of the story. At least I could argue the point of law. Where is the evidence? Where is the point of law? Where is the issue of this Minister's integrity? He is supposed to be a Minister of the Crown. Can he not stand up and say, "As a member of Parliament, as a Minister of the Crown, I have a reputation and you cannot deduce that about me unless you can prove a case against me."

What did he do? He hid behind his counsel, and his only defence was to say he is a stupid man. Well, he is more than a stupid man: he is a man who lacks integrity and, as such, is unfit to hold the office of Minister of the Crown. Honourable members are not debating the issue that is before the ICAC, they are debating his integrity as a person. He is a person who fails every test as a Minister. What is the great test of lying? In the Profumo affair in the 1960s in England the Minister for War in the McMillan Government was compelled to resign, and resign in disgrace, when he admitted he had lied when he said that he had not had an affair with a prostitute who was also involved with the KGB. What was Nixon's great crime? Nixon was not involved in Watergate, but Nixon lied about the cover-up of Watergate. Nixon fell, and Nixon was judged by the American people as unworthy of any office, be it high or low, because he had lied to them. His only defence was the Langton defence, when he looked at the television on the fateful day when he resigned and said, "I am not a crook."

The Australian Labor Party has a long record of canonising those who lie on its behalf. It is a record made public by that great standard-bearer for Labor, Graham Richardson—and what a standard-

bearer he is! What an exemplar of all that is cynical about politics, about all that is self-serving, when he wrote his book *Whatever it Takes* and admitted that he lied. After he organised his first challenge against Hawke, he went on radio and said to Hawke in an interview, "Mate, it's all over now. You're the leader. We won't do anything to you again. You're the leader for as long as you like"—while that very night he was ringing up to get the numbers. The record of the Minister for Fair Trading in transport was one of total non-achievement. The purpose of this motion is to say he no longer possesses the confidence of this House. Why? Because of his failure as a transport Minister. Who is the best judge of that? The Premier who sacked him because of his failure as a Minister. What is the judgment based on? His lack of integrity. Who revealed his lack of integrity? He himself revealed it when he admitted that he lied and that he did so because it was the simple and expedient thing to do. Those are the tests of the man.

As I have said, it is not for members of this House to prejudge the finding of the Independent Commission Against Corruption, but it is for members of this House to pass judgment upon him in his performance as a Minister and in his appearance as a man. Tragically, he fails both tests. One would hope that at the end of their term members of this Parliament would be able to look back with some pride upon their achievements, even if in a political sense one tried to bring them down as a government. That is what we in opposition set out to do. The Opposition seeks to ensure that the people express their view upon the Government in 1999 and find it wanting. But the Opposition does not want individuals to be destroyed in the process. The Opposition has not destroyed the member for Kogarah; the member for Kogarah has destroyed himself. He has signed his own warrant—not out of a desire to improve life for the people of New South Wales; he has not gone too far in their service, he has gone too far in his own service.

The time has come for this Minister to stand aside. As the honourable member for Tamworth said, the Minister will be forced to stand aside by Easter. But he should stand aside now. If he believes in the principles of Parliament and ministerial responsibility, he knows that he no longer lives up to the standards required of a Minister of the Crown. Once he has failed those standards, the only decent and honourable thing left for him to do is to stand aside. If he lacks ability, that is understandable. If he lacks integrity, we can follow that. But we cannot follow that he lacks decency. Mr Langton should at least have the decency to admit where he is today, and he should have the decency to resign.

Mr ROGAN (East Hills) [10.44 p.m.]: I was reluctant to enter into this debate, but the absolute hypocrisy that has been enunciated by members of the Opposition leaves me with little choice. Much criticism has been made of the fact that members on this side of the Chamber have not sought to contribute to tonight's debate. There is a simple reason for that, and that is that Brian Langton is not on trial. The fact is that in answer to the questions directed at him today he said that until the commissioner hands down his findings it is inappropriate for honourable members of this House to engage in this debate.

When the Labor Party sat on the benches opposite and the Independent Commission Against Corruption was established—at that time there was no opposition from the Labor Party about the establishment of ICAC—Mr Temby, who was appointed to head ICAC at that point, had discussions with the then Leader of the Opposition and the Opposition gave a commitment that whilst matters were under investigation by ICAC the Labor Party would not use this Chamber as a star chamber to carry out inquisitions into the affairs of anyone under investigation. However, it seems that the integrity that was displayed by Labor in opposition is not the same integrity that is now being displayed by the coalition in opposition. The Labor Party when in opposition did not engage in the sort of tactics that the Opposition is employing in this debate.

Members on this side of the House can answer all the points that have been raised by the Opposition here tonight, ranging from the toll promise. It was not the Labor Party that imposed a toll on the M5; it was the Greiner Government that did so. Which Government was it that virtually lifted the toll? Members opposite should talk to the people out in western Sydney. They will tell them who they are grateful to. They are not grateful to the former Greiner Government; they are grateful to this Government for giving some relief from the toll.

I served in opposition with Brian Langton. He was fortunate; he made the ministry. I did not make the ministry. I am still recovering from the stab wounds in the back. Nevertheless, that is part of the political game, and I will not stand here crying in relation to that. I found Brian Langton to be an honourable person in opposition, and he has been an honourable Minister in government. Brian Langton is a victim of the system—no more and no less. The media, who were in full cry for the blood of Brian Langton, are the very same media that were around when I in opposition put a proposal to the shadow cabinet, which was accepted, that shadow ministers be duly recognised by this Parliament, the

Parliament they serve. I am sure the shadow ministers on the other side of this House would be most grateful for that.

In fact, as reported in the *Sydney Morning Herald* of 14 January 1994, in a paper that I prepared for the Opposition, endorsed by the ALP shadow cabinet, on the role of shadow spokesmen, I made the point that shadow ministers were recognised by trade unions, business organisations, community groups, churches and the media, but not by the Parliament that they serve. Did the news media get behind that move and say that it was a progressive step to give recognition to shadow ministers and therefore serve the democratic process in this State in a much more fair and equitable way? No. Ms Sigrid Kirk in her *Sydney Morning Herald* article headed "MPs in Opposition seek more perks", wrote:

The State Opposition wants more perks for its shadow spokesmen, saying they cannot handle their "onerous" duties with the resources they receive.

Did I hear the Government of the day say that the Opposition raised a legitimate point and that just maybe shadow ministers should be duly recognised? I have no doubt that the commissioner, if he deals with his report in a fair and proper way, will say that. In fact, I am led to believe that Commissioner O'Keefe has written to the Opposition asking members to refrain from using this House as a star chamber while the inquiry is in session. However, the Opposition has not acceded to the commissioner's wishes. This evening this Chamber is being used in a most despicable way, as a star chamber to stage an inquisition for cheap political points.

The Opposition was not prepared to wait for the commissioner's inquiry report to be handed down. The Opposition was under pressure from the press gallery, which wanted it to draw blood here today. Frankly, I do not consider that Opposition members have drawn blood. In fact, they have shown themselves to be the absolute hypocrites that they were when in government. They will not come forward and promote the idea of shadow ministers being given the proper recognition they should get; indeed, they never will.

Opposition members have referred to a code of conduct. After Howard's betrayal of a code of conduct—and what the Opposition's people have done at a Federal level—I should not have expected Opposition members to have the audacity to refer to a code of conduct in this Chamber. As I have said, I could not refrain from contributing to this debate even though it is not the Government's intention to

engage in the debate while waiting for Commissioner O'Keefe's inquiry report to be handed down. Many of the points that have been raised in the Chamber tonight could not go unanswered in this debate. I believed that the sheer hypocrisy and the absolute nonsense spoken by many Opposition members should not go unanswered.

I reiterate that Brian Langton is a victim of the system. The defence raised in the case of Chelmsford, which I championed in this House, was that what happened there had to be examined in the context of that time. At that time certain standards were accepted that would not be accepted now. That acknowledgment was made in the final determination of Commissioner Slattery, and he may have had a point. We all accept that standards that were observed in past times are not acceptable in today's times. The exchange of travel warrants was engaged in, but I am sure that a thorough analysis of the travel warrants of the Government of the day, now in opposition, would show that members of that Government had engaged in the very same practice. But by today's standards that practice is not acceptable. I accept that as well.

Mr Humpherson: Did you do it?

Mr ROGAN: No, I did not. I am not going to act as a Pontius Pilate or be purer than thou by criticising others who may have engaged in such practices at the time but not to seek financial enrichment for themselves. Langton did not gain any benefit for himself in financial terms. He was carrying out his duties as a shadow minister to the best of his ability and in a very fine manner. It behoves all of us to look at the way in which we might have gone about things in his position. Members should not engage in this exercise this evening, given the principles adopted by the Labor Party when in opposition in relation to inquiries under consideration by the ICAC. This evening the Opposition is virtually putting the Minister for Fair Trading on trial. I reiterate that this is an exercise in complete hypocrisy, and one from which the Opposition does not emerge shrouded in glory.

Mr HUMPHERSON (Davidson) [10.57 p.m.]: On how many occasions has the Liberal Party been able to campaign State and federally under the slogan "Labor lies" or "Another Labor lie"? Very simply, it has done so on many occasions, because it resonates with the public, it is believable and it has substance. For the ALP, it is basically a way of life, a way of politics. Labor Party members lie to get whatever they can, whichever way they can, whenever they can. They go through politics learning to lie, not just evading questions or

avoiding being caught out, but using lies blatantly whenever they have to, simply to achieve the objectives of gaining office, holding power and using power. Their motto is "Just don't get caught."

This debate is about the Minister for Fair Trading getting well and truly caught out, by his own admission, on five separate occasions. The Minister has been caught. He is an embarrassment to this State, this Parliament, this Government and every Minister and member of the House. This is not the first time that the Minister has been caught out. It is the most blatant example but it is not the first. In 1995 the Minister resigned and then said that he had not. Last year he told the *Sun-Herald* one thing when the truth was another. The Minister is an habitual liar and a liar who has been caught out.

The question that the honourable member for East Hills and the honourable member for Tamworth have clearly overlooked is that this is not a matter of what some inquiry may find; it relates to the fact that the Minister lied on five occasions. He has participated in a standard of conduct unworthy of a Minister. Any Minister who can lie on five occasions and admit it has probably lied on many other occasions and simply cannot be believed in discharging his or her duties on behalf of the Parliament and the public of this State.

Interestingly enough, the honourable member for East Hills, misguided as he may have been in his understanding of this debate, is the only member who has spoken in support of the Minister for Fair Trading. Only one other Government member, the Minister for Urban Affairs and Planning, supports the Minister for Fair Trading. Very few members of the Government have been prepared to support him and only one Government member has spoken in the debate. Where are his so-called friends and supporters? Most Government members have made a clear decision not to risk their reputations by having their names quoted in the debate, indicating to their constituencies that they support the Minister for Fair Trading. Where is the honourable member for Bulli—the would-be member for Heathcote—and the honourable member for The Entrance, the verbal elephant across the Chamber? Usually they support the Minister for Fair Trading but on this occasion they are nowhere to be seen.

This episode would be comical if it were not so serious. On what logical basis would a sensible member of Parliament use numerous warrants for a commercial flight to a certain destination? On what basis would a shadow minister during an election campaign take a trip to the south coast to look at

roads while others were busy campaigning 24 hours a day to win an election? It is bizarre. The Minister has admitted lying on five occasions and, through his counsel, has admitted he is stupid. On that admission alone he ought not to hold ministerial office. He can never be taken seriously as a Minister or as the member for Kogarah. No longer can any member of this Chamber look him in the eye and believe what he says. No longer can any constituent go to his electorate office, seek his support, get reassurances from him and believe action will be taken. He no longer has credibility in this Parliament or in his electorate. His actions reflect poorly on the Government, the Premier, every Minister and every member who will vote against this motion.

Lying is typical of the right-wing of the Labor Party. Graham Richardson said that one must lie to achieve whatever one wants and that the actions justify the end. Credibility does not matter unless one is caught. The Government wonders why the public is so critical of Graham Richardson now holding so many positions on the Sydney Organising Committee for the Olympic Games. The Opposition when in government will not allow this to continue. The Minister for Fair Trading has relied on lying to achieve his own ends. Many Labor members of Parliament do not know where to draw the line. They do not understand that lying is unacceptable in public life and that credibility is important. They think it is terrific if they get away with lying.

Earlier speakers have raised compelling arguments about why the Premier should have no compunction in sacking this Minister. However, the Premier is handicapped because the Minister has threatened in the past that if he is thrown out of the ministry he will resign, thereby necessitating a by-election. Labor would then have a margin half what it had in 1995. In the current circumstances Labor would have virtually no chance of winning the by-election and this would throw the Government into greater crisis. If a vacancy is created in the ministry, upper House member Eddie Obeid may become a Cabinet member. The Premier does not want that. He seeks to bide his time and try to find some way out of this problem further down the track.

The Minister for Fair Trading has offered no defence except a brief reference to an ICAC inquiry, which is not the substance of this motion. He has not defended his reasons for lying or suggested why the Parliament should have confidence in his ability to be a Minister. In 1994 the Minister for Fair Trading was then the Opposition spokesman on transport. In a no-confidence motion he criticised the then Minister for Transport, and Minister for Roads, Bruce Baird. He said he had written off Bruce Baird

as a political idiot. I wonder who will be regarded by history as the political idiot. It will not be Bruce Baird because history will treat him well. The Minister for Fair Trading, Brian Langton, will be regarded as worse than a political idiot. As the honourable member for Manly pointed out, the Government sought to introduce distractions, through the Premier, in the form of a code of conduct simply to deflect criticism and seek some high moral ground. Our criticism will not be deflected, nor will the perception of the public, that this Government is devoid of morality and ethics.

No-one in this State knows when the Minister for Fair Trading is telling the truth and when he is telling a lie. As long as he remains a Minister of the Crown that doubt will remain and the Government will progressively lose credibility and public confidence. The Minister for Fair Trading is a smelly carcass that gets smellier as each day passes. The Government, in the tradition of all Labor governments and Labor oppositions, has a tradition of lying. Labor lies resonate throughout New South Wales in every election campaign and every marginal seat. People in the street agree.

Mr E. T. Page: Is that why my majority keeps going up?

Mr HUMPHERSON: The Minister for Local Government agrees. We are at one on this rare occasion. He knows that basically the Labor Party has a large number of habitual liars in its ranks. They join the Labor Party, work their way through the union movement, seek office and basically achieve office through lying. Once they become captains of lying in the Labor Party, they are promoted to public sector appointments or are given an opportunity to become members of Parliament. When they are higher up the ranks, they may become Ministers. They may leave Parliament and go into a plush job, perhaps even as mayor of the Olympics, to choose one significant position within the Sydney Organising Committee for the Olympic Games. Graham Richardson epitomises what one can achieve in the Labor Party by lying. It is a way of life that people are trained for from the time they think about joining the Australian Labor Party. Once they become members they sign the attendance book even when they do not attend meetings.

Mr Hartcher: They falsify attendance.

Mr HUMPHERSON: Yes, they falsify documents and get people to vote for them. They steal ballot boxes and rort political results. The means always justifies the end. Graham Richardson is a role model for the ALP. Those who want to

aspire to a senior position but who cannot go very far in their projected career path can join the ALP and find mates. What sorts of mates can they find in the Labor Party to assist them? People like the Minister for the Olympics, the member for Campbelltown—a close confidant and friend of Graham Richardson. I do not like to speak ill of a constituent, but the Minister for the Olympics has benefited from his close relationship with Graham Richardson. The Minister believed it was expedient to move from one faction to another within the Labor Party.

Sometimes it is hard to believe, when he is speaking on the issues for which he is the responsible Minister, that he is genuinely interested in the topic on which he is speaking. The Minister for Fair Trading has become an abject embarrassment to all members of this Chamber. Regardless of our active political participation we all enter Parliament—at least most of us on this side of the House, as I have gathered from numerous discussions we had—to seek to serve our constituents, serve our State, make a difference, and improve things. [*Quorum formed.*]

I will recap as I look across the Chamber and see whom I can talk about. I have already discussed the would-be member for Heathcote. The Minister for Fair Trading ought not retain the confidence of this House regardless of whether he sits on the other side of the Chamber, on the crossbenches or on the Opposition benches. The Minister does not deserve to enjoy the confidence of any member of this place. The honourable member for Manly quite astutely pointed out that lying is not acceptable conduct for a member of Parliament, let alone a Minister. The Minister has to exercise the authorities which are given to him; retain the confidence of the public, the Parliament and the Governor; and tell the truth, without question.

The Minister has failed to do that on numerous occasions. He has failed to maintain the confidence of the Opposition and certainly that of the honourable member for Manly. The honourable member for Tamworth may not have fully understood this debate. He indicated that he was not prepared to vote for this motion. In doing so, perhaps inadvertently or in a misguided manner, he is condoning lying by a member of Parliament who holds a ministerial position. The honourable member for Tamworth should reconsider his position before the vote is taken. This debate is not about the outcome of an ICAC inquiry; it is about the Minister's known predisposition to lie on numerous occasions. That alone is justification for withdrawing confidence and withdrawing his commission.

Mr WHELAN (Ashfield—Minister for Police) [11.16 p.m.]: This debate has created some great precedents, one of which I was privileged to witness. I was in the Chamber when the Opposition leader in the House called a quorum, not on a Government member speaking but on one of his own members. For the first time in my life I almost voted with him and asked Government members to remain outside so that we did not have to listen to his turgid diatribe and that of other Opposition members. As well, a few other precedents have gone by the board tonight.

Mr Hazzard: On a point of order. The Leader of the House has not moved a motion. Is he speaking in the debate? If he has not moved a motion he had better do so or sit down.

Mr ACTING-SPEAKER (Mr Mills): Order! No point of order is involved.

Mr WHELAN: Perhaps there was something in the member's cup of tea. Another precedent that has been broken tonight involves a letter. Today the Leader of the Opposition, the Leader of the Government in the upper House, the President of the upper House, Mr Speaker, other members and I received a letter by fax from the Hon. B. S. J. O'Keefe, AM, QC, Commissioner of the Independent Commission Against Corruption. I will read the letter and table it. The letter is an explanation.

Mr Hartcher: We have all seen it.

Mr WHELAN: The honourable member may have seen it, but it will go into the *Hansard* record. The letter stated:

The Hon. Paul Whelan, MP
Leader of the Government
Legislative Assembly of New South Wales
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Mr Whelan

On Friday, 27 March, 1998 the evidence and addresses in the public hearing into the use of Parliamentary travel entitlements and other matters concluded. I am now engaged in writing the report. Having regard to the nature of the matter, the procedures of the Commission directed towards ensuring accuracy and the time which will be taken in drafting the report, it will not be possible to publish the report before Parliament resumes tomorrow.

I am endeavouring to ensure that the report will be available as soon as possible. However, the short week preceding Easter may make it very difficult to publish the report before the Easter break.

I am concerned that during the time that the report is in the course of preparation, the matters disclosed in the public hearings should not be a distraction for the Parliament or provide the basis for comments which may pre-judge or seek to influence the outcome. The most effective way of ensuring that this does not occur would be for Members to treat the matter in the same way as if it were sub judice.

I respectfully commend this suggestion to you for your attention when presiding over proceedings of the Legislative Assembly.

Yours sincerely,

The Hon. B S J O'Keefe AM QC
Commissioner

The President of the Legislative Council, a coalition member, commended the commissioner's comments to the upper House because he believed them to be accurate, and that is what happened. The Leader of the Opposition has a different motivation: he hopes that this inquiry will be a life raft for him so he can get back on the agenda and strike some sort of affection with his backbench members or find public support for a local issue. The Leader of the Opposition is trying to raise his dismal profile. He decided to disregard the recommendations of the ICAC commissioner, regardless of what happened. He is childish blowing kisses across the Chamber. He is supposed to be a respectable person—he is the Leader of the Opposition. Such conduct is not becoming of the Leader of the Opposition and he should not do it. The Leader of the Opposition has to explain to the House why, though the President of the Legislative Council will not have this matter debated in the upper House, he will have it debated in this place. He should explain that to me. We should all ask ourselves that question.

Honourable members must remember that the Government facilitated this matter being debated today. The normal procedure is that such a matter be debated tomorrow. I listened to the debate and I noted that Opposition members referred to the Independent Commission Against Corruption as a court. It is not a court; it is a commission of inquiry with the utmost powers. Opposition members need to be able to distinguish between a court and a commission before they can talk about pleas, explanations or guilt. Obviously Opposition members do not care because it does not suit their political purpose. I table the letter of the ICAC commissioner.

Mr O'Doherty: On a point of order. First, the Minister can table papers only at certain times and at all other times he must do so with the leave of the House. Second, the Minister is supposed to be

addressing a motion of no confidence in the Minister for Fair Trading. He has not mentioned the Minister once. Mr Acting-Speaker, I ask you to draw the Minister back to the motion, which relates to the Minister for Fair Trading.

Mr ACTING-SPEAKER (Mr Mills): The Minister has referred constantly to the debate that has taken place over the past few hours.

Mr Hartcher: On a point of order. Standing Order 307 allows tabling only outside of the ordinary routine of business on the first sitting day by leave of the House.

Mr ACTING-SPEAKER: Order! The Minister is required to seek the leave of the House if he wishes to table the document.

Mr WHELAN: I did not think the Opposition would stand in the way of that letter being tabled.

Mr ACTING-SPEAKER: Order! Does the Minister seek leave to table the letter?

Mr WHELAN: Yes.

Leave not granted.

Mr MacCARTHY (Strathfield) [11.23 p.m.]: The motion of no confidence in the Minister for Fair Trading has received considerable support from the Opposition and almost no opposition from the Government. Only two Government speakers have opposed the motion and little has been said in the Minister's defence. The Minister for Police tried to table a letter from the Independent Commission Against Corruption and said that we should not canvas the findings of the commission. The Opposition is not talking about the findings of the ICAC. The ICAC must determine whether or not there has been corruption. The Opposition is not talking about that matter; it is talking about the Parliament's confidence in the Minister. That issue relates to his competence, as demonstrated in the performance of his portfolio, his integrity and the community's trust in him.

Lying is an art form in the Australian Labor Party. Several Opposition members have referred to that great paragon of Labor virtues, Graham Richardson, and his philosophy of whatever it takes is appropriate. The Minister for Fair Trading exemplifies that philosophy. Regardless of ICAC's conclusions about the propriety of the Minister's actions and whether they constitute corrupt conduct,

the fact remains that he is a self-confessed liar. He has lied five times to an officer of the Parliament and he has lied to the press, to the Parliament and wherever he has been. He has a long history of lying, which goes back to his time as a shadow minister. Opposition members have given countless examples of how the Premier recognised that fact. For example, when the Labor Party won office its shadow minister for roads—who made the famous tollway promise—was not made Minister for Roads. The Premier recognised that he did not speak the truth.

What has the Minister for Fair Trading said in his defence about these lies? He said that it was expedient, that everyone did it. However, when he was asked to name someone who did it he could not name anyone. That was lie number six. This motion does not relate to what ICAC may or may not find; it relates to the heart of the standards of the Government and the Premier. The Government presents regular lies to the community. The Premier accepts this and refuses to hold Ministers to account. Opposition members have made much of the code of conduct and what the Premier has shown in that regard.

The first elements of the code of conduct state that members must act honestly and strive to maintain the public trust placed in them. Clearly, the Minister for Fair Trading is not able to do that. How can we trust the Minister? He was demoted in the ministry. He is supposed to ensure fair trading. How can anyone expect to have fair trading enforced by a Minister who has no idea about honesty? This afternoon the Premier was asked about an ICAC investigation and he tried to quote a former Premier. However, the two cases are not comparable. As has been said by other Opposition members, this is the first time that a Minister has admitted to lying. Previously ICAC had to decide whether a Minister had done anything wrong. In this context it is quite clear: the Minister is a self-confessed liar. It is patently obvious to the community that the man is thoroughly incompetent. He was an incompetent shadow minister and an incompetent Minister for Transport. He was progressively demoted through that portfolio.

Mr O'Farrell: He is destined for local government.

Mr MacCARTHY: Yes, he is destined for local government. I suggest, alas, that the Minister is destined for nothing but oblivion. We have referred

to the Minister's lying, incompetence and arrogance. Why would a shadow minister charter a plane to fly a few hundred kilometres when he could catch a commercial flight or drive a car? No-one would do that except someone who is arrogant and needs the trappings of office. He needed the importance that travelling by charter flights gave him. For some time Channel 9 has had a motto for its news.

Mr O'Farrell: "Still the one."

Mr MacCarthy: No, not that one. As of today Channel 9 is doing the rounds of public relations companies in Sydney to find a new slogan. Never again will Channel 9 be confident of saying "Trust Channel 9 because Brian told you," because everyone knows that whatever this Brian says is wrong. To lie is bad enough, but the honourable member has committed an even worse sin in Labor Party circles—he has been caught.

Mr O'Farrell: That's a failure.

Mr MacCarthy: The honourable member for Kogarah cannot even get that right. As his barrister said, he is stupid. For that reason alone he should go. How can a person who is held up as dishonest, incompetent and plain stupid be the sixth most senior Minister? I do not wish to take up the time of the House any longer because in a constant litany coalition speaker after coalition speaker, for more than three hours with only inconspicuous intervention by members opposite, have amply demonstrated the incompetence of the Minister for Fair Trading. The Minister has not only compromised several of his colleagues by what he has done but, more importantly, he has compromised this Parliament. At a time when parliamentarians are low in public esteem the Minister for Fair Trading has brought us even lower. He has offended us. He has lowered all the other 98 members of this House in public esteem, and that is bad. It is bad for the Government, with a year to go before the next election and, more importantly, it is bad for democracy. The Minister for Fair Trading has lost the confidence of the people of New South Wales and of honourable members of this House. Although on the numbers the vote may go the other way, Government members know in their heart of hearts, as the honourable member for Northcott said, that this man's number is up. He is incompetent, he is a liar and he should go.

Mr COLLINS (Willoughby—Leader of the Opposition) [11.32 p.m.], in reply: Tonight we have

seen the legion of the lost. We have heard the deafening silence of the Government defending one of its own—as the honourable member for Strathfield said, the sixth most senior Minister in the Carr Government. The Minister for Local Government, who is ranked 21 in the Government, sits there reading *Vanity Fair*. He is not about to defend his ministerial colleague. He is not even raising points of order on behalf of his ministerial colleague, which is about all the Carr Government did by way of defence tonight. In a carefully planned piece of equivocation and apparent participation in this debate the Minister for Police spoke at considerable length about nothing. He said not one word in defence of his ministerial colleague's conduct in lying, to go to the core of it, not once, not twice, but five times because it was expedient to do so. At the end of the day, after four hours of debate, that is the only issue on which the House is being asked to adjudicate.

This House has not been asked to pre-empt the investigations of the ICAC. That is for another day, but that day is fast coming—it will come fast enough. The Premier, by his absence and silence, has signalled that he does not have the courage to make a decision against this deceitful, dishonest and incompetent Minister. He is leaving that to someone else because he does not have the courage, the principles, the standards or the moral authority in his party to decide to get rid of this incompetent and shameful Minister who should not be there. The issue is bigger than travel warrants or anything which may have led to the Minister's cardinal sin, that is, to lie repeatedly and to do so shamelessly on the public record in an official inquiry merely because it was expedient and because he thought he could cover his tracks and save his own skin.

The honourable member for East Hills was one of only two Government speakers in this four-hour debate. He made only a passing reference to the performance of the Minister for Fair Trading, not as Minister for Fair Trading and not even as Minister for Transport. The member for East Hills referred to the Minister in his glory days as shadow minister; he did not want to go on the parliamentary record as in any way condoning the conduct of the Minister for Fair Trading. Honourable members should carefully read the record of what the member for East Hills said. I almost said the Minister for East Hills. Of course he was passed over for a ministerial appointment. He is another member who was shafted by the Premier and who has felt the

dishonesty which goes all the way to the top of the Carr Government.

The Minister for Police's speech was an extraordinary non-contribution. He spoke at length but said nothing in defence of his ministerial colleague. That says it all. The fact that the Premier did not come to the Chamber at any time during this four-hour debate or avail himself—if absence from the House is a problem—of the opportunity to participate in the debate by having it adjourned until tomorrow shows that he is not game to go on the parliamentary record to defend this indefensible and disgraceful Minister whose continued presence on the Government front bench brings shame on this House.

Only one solution is available to resolve this problem as it should be resolved, that is, for the Premier to sack the Minister for Fair Trading. While the honourable member for Kogarah is Minister for Fair Trading he makes a mockery of that position and portfolio, that noble challenge of government which has been pursued by a number of honourable members present in the House. The Minister for Fair Trading makes a mockery of honest representation. He stands for everything that his department wants to stamp out and that is why he must go as Minister for Fair Trading—and go now. If he does not go now, the guilt of the Government collectively and the guilt of the Premier in particular continue each day that passes, and the Government will be targeted by the Opposition for as long as the Minister for Fair Trading remains on the front bench.

I thank Opposition members who have participated in this debate, which has been an important benchmark of the Government's integrity and honesty. Yet we have no resolution. We have the cowardice and absence of the Premier, the absence and silence of his Ministers and the gutlessness and expedience of Labor members who have been absent from the Government benches during this debate. Once again I thank my colleagues for supporting this motion. In conclusion, the Minister for Fair Trading has forfeited his right to the confidence of the House. The Minister for Fair Trading brings disgrace to his portfolio, his Government and this Parliament. For all those reasons this Minister must go, and he must go now.

Question—That the motion be agreed to—put.

The House divided.**Ayes, 46**

Mr Armstrong	Mr O'Farrell
Mr Beck	Mr D. L. Page
Mr Blackmore	Mr Peacocke
Mr Brogden	Mr Phillips
Mr Chappell	Mr Photios
Mrs Chikarovski	Mr Richardson
Mr Cochran	Mr Rixon
Mr Collins	Mr Rozzoli
Mr Debnam	Mr Schipp
Mr Ellis	Mr Schultz
Ms Ficarra	Ms Seaton
Mr Glachan	Mrs Skinner
Mr Hartcher	Mr Slack-Smith
Mr Hazzard	Mr Small
Mr Humpherson	Mr Smith
Mr Jeffery	Mr Souris
Dr Kernohan	Mrs Stone
Mr Kinross	Mr Tink
Mr MacCarthy	Mr J. H. Turner
Dr Macdonald	Mr R. W. Turner
Mr Merton	
Ms Moore	<i>Tellers,</i>
Mr Oakeshott	Mr Fraser
Mr O'Doherty	Mr Kerr

Noes, 50

Ms Allan	Mr Martin
Mr Amery	Ms Meagher
Mr Anderson	Mr Mills
Ms Andrews	Mr Moss
Mr Aquilina	Mr Nagle
Mrs Beamer	Mr Neilly
Mr Clough	Ms Nori
Mr Crittenden	Mr E. T. Page
Mr Debus	Mr Price
Mr Face	Dr Refshauge
Mr Gaudry	Mr Rogan
Mr Gibson	Mr Rumble
Mrs Grusovin	Mr Scully
Ms Hall	Mr Shedden
Mr Harrison	Mr Stewart
Ms Harrison	Mr Sullivan
Mr Hunter	Mr Tripodi
Mr Iemma	Mr Watkins
Mr Knight	Mr Whelan
Mr Knowles	Mr Windsor
Mr Langton	Mr Woods
Mrs Lo Po'	Mr Yeadon
Mr Lynch	
Mr McBride	<i>Tellers,</i>
Mr McManus	Mr Beckroge
Mr Markham	Mr Thompson

Pair

Mr Cruickshank Mr Carr

Question so resolved in the negative.**Motion negatived.****BUSINESS OF THE HOUSE****Suspension of Standing and Sessional Orders**

Mr WHELAN (Ashfield—Minister for Police)
[11.48]: I move:

That standing orders be suspended to allow the tabling of a letter from the Commissioner of the Independent Commission Against Corruption.

Mr HARTCHER (Gosford) [11.48]: This motion is a tribute to the determination of the Minister for Police because every word of this letter has already been read into *Hansard*. Because the Minister was denied the right to table the letter earlier, everybody will have to sit here tonight. The Minister is determined to be proved right in every circumstance. He comes into this House with a jackboot approach to the standing orders and to the management of this House and, no matter what happens, he will win. Where is the honourable member for Canterbury? The story for the honourable member for Canterbury is "Whelan will win." We all know that the honourable member for Canterbury and the honourable member for Lakemba are here on borrowed time. The man who sits beside you is also on borrowed time because Stewart will win. Let's hear it for Tony Stewart! Goodbye Kevin Moss because Paul Whelan will go to the administrative committee—

Mr Whelan: I will go to Gosford.

Mr HARTCHER: Please come to Gosford! I would like nothing better than the Minister coming to Gosford. The honourable member for Ashfield already lives in the Gosford electorate. Only on a few occasions can anyone walk down the main street of Gosford and not run into the honourable member for Ashfield.

Mr SPEAKER: Order! The member for Gosford will return to the substance of the debate.

Mr HARTCHER: I was provoked by the Minister for Police. The management of this House has commenced badly in 1998. After a four-month

break the Government finally has the courage to face the House, but the business paper has a pathetic list of only three bills for debate. What has the Government been doing for four months? Its members have not been sitting on their hands. They have been worrying, fretting, examining public opinion polls and redistribution maps. They have all been worrying whether there will be enough chairs when the music stops! The music has stopped for the honourable member for Canterbury and the honourable member for Hurstville. It has possibly stopped for the honourable member for Cabramatta, but that matter will be discussed at a later date. The coalition will ask the honourable member for Cabramatta about her relationship with the Mekong Club. The Leader of the House has moved for suspension of standing orders to enable him to table a letter that has already been read into *Hansard*. Suspension is denied, just as the Government will be denied victory in 1999.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 49

Ms Allan	Mr Markham
Mr Amery	Mr Martin
Mr Anderson	Ms Meagher
Ms Andrews	Mr Mills
Mr Aquilina	Mr Moss
Mrs Beamer	Mr Nagle
Mr Clough	Mr Neilly
Mr Crittenden	Ms Nori
Mr Debus	Mr E. T. Page
Mr Face	Mr Price
Mr Gaudry	Dr Refshauge
Mr Gibson	Mr Rogan
Mrs Grusovin	Mr Rumble
Ms Hall	Mr Scully
Mr Harrison	Mr Shedden
Ms Harrison	Mr Stewart
Mr Hunter	Mr Sullivan
Mr Iemma	Mr Tripodi
Mr Knight	Mr Watkins
Mr Knowles	Mr Whelan
Mr Langton	Mr Woods
Mrs Lo Po'	Mr Yeadon
Mr Lynch	<i>Tellers,</i>
Mr McBride	Mr Beckroge
Mr McManus	Mr Thompson

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Mr Armstrong	Mr O'Farrell
Mr Beck	Mr D. L. Page
Mr Blackmore	Mr Peacocke
Mr Brogden	Mr Phillips
Mr Chappell	Mr Photios
Mrs Chikarovski	Mr Richardson
Mr Cochran	Mr Rixon
Mr Collins	Mr Rozzoli
Mr Debnam	Mr Schipp
Mr Ellis	Mr Schultz
Ms Ficarra	Ms Seaton
Mr Glachan	Mrs Skinner
Mr Hartcher	Mr Slack-Smith
Mr Hazzard	Mr Small
Mr Humpherson	Mr Smith
Mr Jeffery	Mr Souris
Dr Kernohan	Ms Stone
Mr Kinross	Mr Tink
Mr MacCarthy	Mr J. H. Turner
Dr Macdonald	Mr R. W. Turner
Mr Merton	Mr Windsor
Ms Moore	<i>Tellers,</i>
Mr Oakeshott	Mr Fraser
Mr O'Doherty	Mr Kerr

Pair

Mr Carr	Mr Cruickshank
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Question so resolved in the affirmative.

Motion agreed to.

INDEPENDENT COMMISSION AGAINST CORRUPTION PARLIAMENTARY TRAVEL ENTITLEMENTS INQUIRY

Mr Whelan tabled a letter from the Commissioner of the Independent Commission Against Corruption to the Leader of the Government in the Legislative Assembly concerning the preparation of the report into parliamentary travel entitlements, dated 31 March 1998.

House adjourned at 12.01 a.m., Wednesday.