

# LEGISLATIVE ASSEMBLY

Wednesday 1 November 2000

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**Mr Speaker (The Hon. John Henry Murray)** took the chair at 10.00 a.m.

**Mr Speaker** offered the Prayer.

## SYDNEY 2000 PARALYMPIC GAMES SUCCESS

**Mr CARR** (Maroubra—Premier, Minister for the Arts, and Minister for Citizenship) [10.00 a.m.]: I move:

That this House notes the worldwide recognition that the Sydney 2000 Paralympic Games were the best ever conducted and expresses its thanks to the many Australians who made this possible, including:

- (1) all those responsible for Sydney's successful bid to host the Paralympic Games, including the previous Coalition Government;
- (2) the many hundreds of thousands of people in both paid and volunteer roles who directly or indirectly contributed to the successful delivery of this massive event;
- (3) Australia's Paralympic athletes who not only produced the nation's best ever performance at a Paralympic Games but produced the best result ever by any Paralympic team from any country; and
- (4) the people of New South Wales who enthusiastically supported the Paralympians from around the world, warmly welcomed visitors to our State and accepted the inevitable inconveniences by an event of this size with great tolerance and good humour.

We have an opportunity as a community to reflect on the wonderful success of the Paralympics. Some of you might have been at a function that we held three or four months ago in the parliamentary foyer with the organisers of the Paralympics. Members from both sides of the House were apprehensive about the ticket sales that would be achieved for the Games. We contemplated that there might have to be a special promotion of the Paralympics to get the people of this State to buy tickets in the same numbers that they would have been expected to buy for the Olympics. It is fascinating that none of those special appeals were required because the people of New South Wales—indeed, the people of Australia—just fell in behind the Paralympics as one might have dreamed they would. They gave these Games fantastic support. So in any measure of appreciation we must begin by saying that the people of this State and the people of Australia swung behind the Paralympics in a wonderful fashion.

It is worth noting that more than 1.1 million tickets were sold, twice the number sold at Atlanta in 1996. So twice the number of tickets were sold here as were sold at the previous Paralympic Games. The second point I want to dwell on is that all the investment we made in the Olympic facilities proved of immense value in the Paralympics. By all accounts the Paralympians enjoyed the Olympic village at Homebush Bay and they appreciated the quality of the accommodation—those who had been at a number of previous Games acknowledged that this was the best ever accommodation provided for Paralympians. We have a great deal of time for the organisers of the Atlanta Paralympics but we cannot but help make contrasts between the attention paid to the food and accommodation for the athletes at the Atlanta Paralympics and at ours. We measured up very well.

Our splendid stadium, the multiuse arena, the Superdome, the aquatic centre—all the facilities that the people of New South Wales invested in at Homebush Bay—proved of outstanding value for the Paralympic Games. The transport arrangements worked very well. They were different from those put in place for the Olympics but they delivered the huge crowds to the venues. On the two days that I spent out there looking at events I was struck by the vast number of schoolchildren attending the Paralympics. I think that this is having a big impact on the way in which our young people view people with disabilities and their right to access and participate in all walks of life. Our schoolchildren were there cheering as these elite athletes competed in the events. Their attitude towards people with disabilities must be changed for all time. The old-fashioned discrimination, hostility or bullying that we might have seen directed at young people with disabilities in school grounds and classrooms should be a thing of the past. We might have witnessed a seismic shift in the way our community views people who live with disabilities. That will be an interesting thing to measure and to chart in the years ahead.

Anyone who looked like an athlete at the Paralympic Games was a target for autograph hunters. I do not believe that the disability factor was foremost for spectators; they were just there, thrilled by the athletic competition. That quality of competition and accomplishment overrode the issue of impairment. When it comes down to it, the massive crowds at the Sydney Paralympic Games were another indication of the Australian love of sport, but also of the surge of support, pride and unity in this country at the fact that we were hosting the Olympics and the Paralympics. The crowds embraced it. Four hundred thousand school students from across Australia went to the Paralympic Games. They filled the Olympic stadium, the aquatic centre and the hockey centre to watch football. They filled the pavilions and the tennis centre and they swept up the crowds in their enthusiasm to see as many different sports as they could all in one day. Nine hundred students from across Australia were medal bearers. They included students from Cobar public school, Hamilton Primary School and the old Guildford public school. More than 3,500 students took part in the opening ceremony.

One of the great legacies of the Sydney Paralympics is this new generation of young people aware and educated and their prejudices about disability challenged. Their memories will last for a lifetime. Who could forget Alcino Pereira, the cerebral palsy Paralympian from East Timor, who ran in the T38 5,000 metres? He had four laps to go when the others in the race had finished. The crowd urged him on, even when he was disqualified after he left the track to join the winners in their celebrations. And who could forget the Australians—Siobhan Paton, six gold medals, named Paralympian of the Year; Timothy Sullivan, five gold medals and five world records; Lisa McIntosh, Alison Quinn and Katrina Webb won gold, silver and bronze in the T38 200 metres, Neil Fuller, four gold and one bronze and flag bearer at the closing ceremony; Lisa Llorens, three gold and one silver; Greg Smith, five gold medals; Louise Sauvage, two gold and one silver. All these were inspirational performances.

I was curious about the origins of the Paralympics. The forerunner was held in Stoke, England, in July 1948. Dr Ludwig Guttman, a neurosurgeon, the father of disabled sport, was the founder of the Paralympics. He saw that competition provided real physical and mental benefit to his patients, many of whom had been maimed during World War II. The first official Paralympic Games were held in Rome in 1960, with 400 athletes from 23 countries, all in wheelchairs. In Sydney there were 4,000 athletes from 125 countries competing in six disability categories in 18 different sports. Australians again can be full of pride at the fact that this event was described as the best ever. There is a surge of pride throughout our country at the fact that we hosted something that many great countries in the world have hosted, but ours came up, according to objective observers, as the best ever.

We did not relax after hosting the best ever Olympics; we just went on, shouldered the other responsibilities and said, "The Paralympics will also be the best ever. We will make special transport arrangements and we will see that there is no slackening off of the volunteer effort. We will see that those rail workers who put in a sterling effort during the Olympics are just as motivated and just as proud. We will see that the special arrangements work to get the crowds there. We will ensure that there are 15,000 volunteers, all of them proudly motivated and on location to help people to the events. We will ensure that it is a great and memorable event for schoolchildren, some of whom will be at Homebush." When I was at Homebush I met some boys and girls from Homebush Primary School. I said, "You ought to be proud. You have got the best sporting facilities of any school in the world. You have all this in your backyard." Schools all over the State enjoy those facilities. But what another thrill of pride the Australian people must be experiencing. Having pulled off the Olympics, they pulled off these great Paralympics. CNN used one word to describe them: phenomenal.

I congratulate the Minister for the Olympics, and I congratulate the previous Government on taking the Paralympics as seriously as it did the Olympics. I congratulate all the volunteers and all the paid people. I congratulate the athletes, not just those who walked away with medals, but all who participated. I congratulate the sporting officials and all those Australians who were mobilised and motivated. But beyond that, I congratulate the Australian people, especially those in New South Wales, for just saying, "We will do this, and we will do this to a standard of excellence." There is another surge of national pride throughout this country in the wake of these Games, described around the world as the very best the world has seen. I send a message to all Australians: We can do it. We can undertake any task. Give us a tough task. Set the world's best standards, raise that bar as high as it can be raised, but we will measure up. Australians can do it.

**Mrs CHIKAROVSKI** (Lane Cove—Leader of the Opposition) [10.16 a.m.]: When we arrived at the Homebush stadium on 18 October to participate in the opening ceremony of the Paralympics we were told that it was going to be a party. The celebrations for the start of the Games were indeed a party, and they continued for the next 10 days. Australians celebrated the Paralympics in a way the world has never seen before. It was not just that we kept winning gold medal after gold medal, silver medal after silver medal and bronze medal after bronze medal. It was not just that we amassed a tally of 149 medals and produced the greatest Paralympian team

the world has ever seen. We partied because the Australian people took the whole of the Paralympic movement to their hearts. We embraced the Paralympics in a way no other country has ever embraced them, and I suspect no other country ever will again. It was truly a magnificent time. It was a magnificent time for spectators, athletes and officials.

All those who had the great privilege and delight of being able to spend some time at Homebush enjoying the Games will remember them for ever. I congratulate everyone involved. That, of course, includes all the volunteers, the members of the Government and the Minister for the Olympics, and the Sydney Paralympic Organising Committee [SPOC], Dr John Grant and Lois Appleby. All those people ensured that these Games were an enormous success for Sydney, New South Wales and the entire nation. For 10 days the unbounding energy, enthusiasm and dedication of the people who make up this great country of ours were again showcased to the world. The fact that Sydneysiders supported these incredible athletes to such a level as never previously seen is something in which we can take great pride. There was an overwhelmingly positive response from the 4,000 international athletes and the 2,000 officials and coaches who came to Australia for the way they were greeted, supported and cared for during their stay in the Paralympic athletes village.

In a short time the athletes of the Paralympics made the village their own. They celebrated together, they dined together and, as I understand it, they partied hard on the last night until the wee hours of the morning, and so they were entitled to. The sense of community spirit and enthusiasm which was aroused during the Paralympic celebrations was, as I said, remarkable and produced memories for us all that will undoubtedly last a lifetime. It was no surprise that the President of the International Paralympic Committee, Mr Robert Steadward, proclaimed at the end of the Games that the Eleventh Paralympic Games in Sydney were indeed the best ever. There were celebrations, incredible performances and a new standard of friendship and camaraderie. However, I think perhaps the most incredible success of the Paralympics came in the form of a change of perception and a new attitude by a lot of people who had never before been involved with disabled sport.

I have been very fortunate to be involved in disability sport for 10 years, so I knew what these young people are capable of. Therefore, it was incredibly exciting to see so many Australians take them to their hearts and also want to participate in their success. Now schoolchildren nationwide have a new understanding of what is possible in life, rising to a new standard of what it means to fulfill one's personal potential. Young people have a new understanding of what it means to have a disability or, more important, what it does not mean. Young people now understand that being in a wheelchair does not mean one is disabled; people in wheelchairs might be challenged but they are not disabled.

The Paralympics offered unprecedented entertainment, recreation and a display of mental and intellectual strength. Participation at the international level requires the same attributes from all athletes: sacrifice, dedication, competitiveness and a love of their sport. I think the change in attitude was best summed up by a letter to the editor in the *Sydney Morning Herald* last week which was written by a mother who had taken her son to see the wheelchair basketball that day. Coming home on the train, the mother and son passed a man in a wheelchair. Usually the boy would have turned to his mother and said, "What happened to him?" Today the boy walked up to the man and asked, "Do you play basketball?" That change in attitude is what it is all about. It is not about being disabled but about being capable, competent and, in the case of the Paralympians, terribly competitive.

The Paralympics in Sydney have done enormous things for society's growth and understanding of disability and disability sport. Children all over Australia, able bodied and disabled, now have role models, examples and heroes. They all know that they can achieve all their dreams and goals. The Australian public has embraced the ideals of the Paralympics like no other nation since the Paralympics in Rome in 1960. Today I put on the record on behalf of the Coalition a word of congratulations on the hard work of all the organisers. When Nick Greiner and his Government put forward a commitment to bid for the Games, the enthusiasm and drive to make them the best Games ever were always going to include the Paralympics. The Paralympics were to be organised under the same umbrella to make sure we achieved that statement from Mr Steadward that we would have the best Games ever. I congratulate everyone involved: You have delivered!

The Sydney Paralympics Organising Committee President, Mr John Grant, and his chief, Lois Appleby, must all be given credit where credit is due. Also, the support of SOCOG, the Minister for the Olympics, the Premier and the Government was essential in the success achieved. Since 1991 literally hundreds of thousands of people have contributed to the final effort. They each know in their hearts the level of their contribution. Each and every person—from those who sold the concept of Sydney 2000 around the world to the 15,000 volunteers who put the icing on the cake this month—can stand tall today. All these contributions built on the natural assets that the original bid team identified and gave Sydney the edge over other cities in the race to stage the 2000 Olympics and Paralympic Games.

These included the appreciation of such a wide variety of sports that is such an integral element in Australian cultural and social life; the ability of an outstanding site at Homebush proven and tested by the Olympics and the Paralympics; the ability for a variety of world-class venues and facilities to accommodate the incredibly unique range of Paralympic sports; and, most of all, the willingness of the New South Wales community to embrace the Paralympics at every level. At this point I would like to put on the record the Opposition's appreciation for the contributions of all members of the Sydney Paralympic Organising Committee and its staff in bringing us the Games. The Minister has received widespread acknowledgment for his capacity in bringing this project to fruition and I congratulate him on his success, just as I congratulate the Premier and the Government. I congratulate also every official, every volunteer and, above all, every athlete.

There are some facts that give us an indication of the dimensions of what was achieved in presenting the 2000 Paralympics. An enormous contribution in time, facilities and funds from the public sector supported the effort. The complex task of transporting, accommodating and organising nearly 4,000 athletes from 122 nations was an enormous challenge, made more of a challenge when one appreciates just how many of those athletes were in wheelchairs. An enormous part of the success of the Games was undoubtedly the 15,000 volunteers who came from New South Wales and from across Australia. I understand that most of those volunteers also gave of their time during the Olympics. It was quite extraordinary during the Paralympics to run into people who had been working for six to eight weeks as volunteers. I might add that they were all a little disheartened about what they might do this week and were not quite sure how they were going to fill in their time from here on in.

However, one of the common comments from the volunteers was that although they had enjoyed the Olympics, they had been thoroughly thrilled by the Paralympics. I think it is fair to say that there was a different attitude between some of the Olympic athletes and the Paralympic athletes. People on the buses during the Paralympics wanted to chat with every volunteer they saw. They were so willing to give of themselves, talk about what they were doing and explain some of the games in which they were involved and which many of the volunteers had never heard or, more important, never seen. That friendliness from the athletes and the officials was picked up by the volunteers, who expressed to me time and again how excited, thrilled and privileged they were to be part of the Paralympics. There is no doubt that the patience, kindness and enthusiasm of the volunteers were fantastic. They adapted very quickly to the special needs of these athletes. Nothing was a problem to the volunteers, who would go out of their way to help. The athletes and the officials have constantly told of the humour and friendliness displayed by the volunteers. That is priceless in terms of our reputation. The countless hours and hard work on the ground ensured that everything worked like clockwork.

But the Games were really about the athletes and I have left it until last to speak about them. The Paralympics are the world's second largest festival of sport. There is no other occasion when so many athletes from so many different countries come to one place to compete in different sports, other than the Olympics. There were 18 full medal sports on the program. However, due to the physical demands of each sport, not all disability categories compete in all 18 sports. Attendance at all events outstripped the expectations of the Australian Paralympics Organising Committee and overseas commentators. Public support was unprecedented—and not just at what have been referred to as the more popular events, such as swimming and wheelchair basketball, but at sports which were barely known in Australia before the Games, such as goalball and sitting volleyball. Sports that were previously unheard of and were competed before empty seats in Atlanta were cheered and heralded like never before. Athletes were elevated to hero status.

I was lucky enough to watch a number of events, and I must say I developed a particular fondness for some of them. I attended the sitting volleyball when Australia was playing. It was an extraordinary event with people sitting while playing volleyball. They are not allowed to raise their bottoms in attempting to score. They shuffle around the court on their backsides hitting a volleyball over the net. The crowd was absolutely captivated by this. People were screaming and cheering on the Australians. The Australian team has been together for only 18 months or so and it is fantastic that they did so well and were so competitive. In particular, I congratulate their coach, Weiping Tu, and all the members of the team: Edward Bray, Darren Gay, Albert Lee, Brant North, Kevin Price, Glenn Pyne, their captain, Brett Roworth, Greg Sobczak, Bruce Thompson and Mark Whiteman. I said to those blokes, "You did a fantastic job." I am looking forward to them ensuring that they qualify for Athens, improving and perhaps gaining a medal in Athens. They are an incredibly committed group of people who will do very well in the future.

I also saw the wheelchair rugby. Honourable members will recall that when I spoke in the House before the Games I said that this was an incredibly amazing sport, and it certainly is. All the seats in the Superdome were filled because so many people wanted to watch, particularly the final between Australia and the United

States of America, which had a capacity crowd. The sport has been formerly referred to as murderball—and there is good reason for that. I understand it is the only sport in the world to have a welder as a permanent member of the team, because he has to keep fixing the chairs! This sport was not well-known in Australia beforehand but is played by people who are essentially quadriplegic. They are unbelievably aggressive in their game and the Australians were incredibly competitive. The Australian team came into the Paralympics ranked number 5 and came out having almost beaten the world champions, the United States, losing by only two points. Congratulations to all those involved with wheelchair rugby.

Another sport that captured the imagination of the Australian public was boccia, which was played by people with cerebral palsy. I have been the patron of Boccia Australia for 10 years. If we have 50 people at our competitions that is a huge day. On one occasion I arrived at the boccia and the gentleman who ran the facility, a friend of mine, Ricky, said to me, "Have you seen what is happening outside?" I said, "What?" He said, "Look outside." The queue for the boccia was 200 metres long. Ricky said to me, "I never in my life would have imagined people would be that interested in boccia." People were not only interested but wanted to understand the rules and how things worked. Unfortunately, we did not win a medal but we did have a couple of successes, so congratulations to Scotty and Ian and John and everybody else in the team, because they did some personal bests. I am sure that with proper appreciation from the Australian Government and the Australian Paralympic Committee the Australian boccia team will do much better in Athens.

Another interesting sport is goalball, which is played by blind athletes who throw a ball from one end of the court to another. The people competing against them throw their bodies across the court to stop the ball from getting into the net. Goalball is the only sport in the world that is played in complete silence. The venues were full, and people watched it in absolute amazement. The Australian men's team finished ninth and the women's team finished eighth in the competition. I am sure, from the enthusiasm shown by the Australian public, that that sport too will become far more popular and we will be more competitive in Athens. There is no doubt that the Sydney Paralympics have put on the map these sports that were previously unheard of in this country.

There are other memories. There was the night the Australians took the trifecta in the T38 200 metres athletics. Lisa McIntosh won the gold, Alison Quinn the silver and Katrina Webb finished in the bronze position. There was a huge roar from the crowd and great enthusiasm for the national anthem when three Australian flags went up together. Our first gold medal was won by Matthew Gray, who outclassed his nearest competition by more than one second to win the LC1 disability class in the mixed one kilometre time trial in 1.09.929 seconds. The stadium was constantly filled with roars of appreciation for a fantastic round of achievements in the athletics. Who can forget the roar when Louise Sauvage won gold in the T54 5,000 metres? She might only have won the silver in the 800 metres, but she was never going to let the gold get out of her hands in the T54 5,000 metres. It was a magnificent win for Louise, a fantastic win for Australia and a magnificent win for all the athletes of the Australian team.

What an outstanding success the swimming team was. The rising young star in that team was 17-year-old Siobhan Paton, who managed to become the greatest Paralympian Australia has ever produced, breaking Priya Cooper's record of five gold medals by winning six gold medals in the pool. I also congratulate Siobhan Paton on being announced as the Australian Paralympian of the Year as well, a title completely deserved. David Hall won gold in the men's singles tennis. This young man has never been able to crack the gold medal before. He has won four US opens and two British opens, but was not able to win the gold medal in Atlanta. He saved his best for Sydney. He did it the hard way. He lost the first set in a tie breaker and had his head down for some time, but he managed to lift himself and won the next two sets 6-4, 6-2. The crowd went wild. These are wonderful achievements, providing wonderful memories, and achievements on which we can build for the future.

The Australian tally of 63 gold, 39 silver and 47 bronze medals would have been impossible without financial support. I congratulate the Federal Coalition Government on coming to the table to assist our teams' participation. It was an incredible investment. It was also an incredibly generous gesture when the Government paid for the Paralympians to come into the Olympic Village. It is fair to say that ticket sales extended beyond the expectations of organisers, with the highest ticket sales in Paralympic history—1,108,914 tickets sold, compared to the 500,000 sold in Atlanta. The Australian Paralympic team can celebrate its outstanding effort like it has never celebrated before. A total of 424 athletes won a record 149 medals. More than 300,000 schoolchildren travelled from every State and Territory to be part of the achievement. We cannot let debate in this Chamber pass without recognising the success of the Australian Paralympic Committee [APC]. The APC brought this team together, fostered the team and did an extraordinary job. I put on record my personal thanks

and appreciation to Brendan Flynn, the chief executive officer of the APC, to Chef de Mission of the Australian team, Paul Bird, and his assistant chefs. I know the amount of time and effort they put into these Games, which has been truly extraordinary.

As someone who has been involved in Boccia Australia I have been lucky enough to witness the passion and commitment of many Paralympic athletes over the years. The joy and pride I feel for the athletes and the people of Sydney will stay with me for a lifetime. The same goodwill and support shown by the Australian community during the Olympic Games was demonstrated during the Paralympic Games. In Atlanta there was not that level of support. That was not the case in Sydney. In Sydney we took the Paralympics to our hearts and staged the best Games the Paralympians have ever seen. We have done it in a way in which we can be justly proud. I hope the community spirit that was engendered during the Games stays with us and provides memories that will support all of us for many years to come.

**Mr KNIGHT** (Campbelltown—Minister for the Olympics) [10.36 a.m.]: I am happy to support this motion, which mirrors a similar motion moved at the conclusion of the Olympic Games. It mirrors that resolution, just as the success of the Paralympics mirrors the success of the Olympics. Like the Olympic Games, the Sydney Paralympic Games are widely regarded as the best ever, by people as diverse as the President of the International Paralympic Committee [IPC], the international media, officials from the IPC and from national Paralympic committees around the world and, above all, by the athletes.

I take this opportunity to thank everyone who made the Paralympics such a success. First and most obviously, I thank the athletes, whose wonderful performances are the reason we have the Paralympic Games at all. In particular I thank the Australian team, which achieved not only its best ever result at a Paralympic Games but the best ever result by any team from any country at any Paralympic Games ever. Indeed, for decades to come the achievements of the Australian Paralympic team will be talked about, as it could be rated as the most successful team of any description ever to represent this country.

It was a time when the Paralympics were embraced by the community and the Paralympians were embraced as elite athletes. I do not want to go through a whole range of stories about the elite athletes and the sports. The Leader of the Opposition has done that most eloquently this morning. Although there are very few things the Leader of the Opposition and I ever agree upon, one thing we do agree upon is the superb nature of Paralympic sport, and she has been most generous in her commitment to that over a long period.

I want to tell just one brief story about taking President Samaranch to see a range of events, including the swimming. We were at the swimming heats one morning to see the men's butterfly. A guy won his heat in a particular category of the men's butterfly. He had no arms and only two stumps of legs. His time for 50 metres was 42 seconds. We sat there in amazement, because none of us with two arms, two legs and a lot of training could ever dream of doing 42 seconds. This brought home the realisation that this was elite sport. This is not sport for people we should feel sorry for. This was elite sport, and the crowd were cheering wildly at the contest. It was very significant. One fellow who went out with me that day had never seen Paralympic sport before. He said, "You know, if you went down to your local suburban pool and you saw a bloke like that by the side of the pool you would be worried that if he fell in you would have to go and save him." Here we were, out there cheering for this guy who was swimming times that we could only in our wildest dreams think of achieving. That really sets the scene for the elite nature of the sport.

I thank all the staff and contractors who worked for the four Sydney 2000 organisations that delivered the Paralympics—the Sydney Paralympic Organising Committee [SPOC], the Olympic Co-ordination Authority [OCA], the Olympic Roads Transport Authority [ORTA] and SOCOG—the police and other security personnel, including those from the defence forces, and the tens of thousands of people who worked in support roles, in transport, catering, cleaning and many other areas. I also want to thank the Paralympic sponsors, without whom we could not have staged an event of such quality. In particular I thank the magnificent volunteers, whose warmth, enthusiasm and efficiency set the tone for both the Olympics and the Paralympics. Without them we could not have staged either of the Games. Above all, I want to thank the Australian people—especially the people of New South Wales and Sydney, who were the most vigorous attenders and supporters—for the way they embraced the Paralympics and made the Games their own. This has been a very special time in our country, a time when we were all proud to be Australian. I am sure I speak for all of the organisers when I say that, for us, it was a privilege to have been part of this event.

While the preparatory work for the Paralympic Games commenced well before the Atlanta Paralympics, in August 1996 while we were at the Atlanta Games we made some very dramatic decisions about

how we would deliver the Paralympics in Sydney. Regrettably, while many great things happened at the Atlanta Paralympics and the sport was absolutely fantastic, the organisers were clearly underfunded and underresourced in many ways. The separate structures they had of the Atlanta Olympic Organising Committee [ACOG] and the Atlanta Paralympic Organising Committee [APOC] effectively meant that a whole new team had to take over the venues and learn about running them in the two-week transition period between the Atlanta Olympics and the Paralympics. The quality of the event was harmed by that and by a lack of resources. Having attended both the Atlanta Olympics and the Atlanta Paralympics, I have to say that I was very saddened to see the level of support given to the athletes at the Atlanta Paralympic Games.

Separate organisations ran each of the two Games, and the relationship between them was, at best, poor. In the handover in Atlanta from the Olympics to the Paralympics the stadium was left in a putrid state, uncleaned. Indeed, the cables to the scoreboard had been cut. Because ACOG, the Olympic Organising Committee, was short of funds and trying to balance its budget, it cannibalised a lot of equipment from the venues before they were handed over for the Paralympics. For example, the airconditioners in the indoor shooting centre were ripped out and sold, and the Paralympians had to compete in an indoor shooting venue without airconditioning, although the temperature outside approached 40 degrees.

The Paralympics village was run in a very different way to the way in which it had been run in the Olympics. The food was at best ordinary; at worst, inedible. The Australian team found that by halfway through the Paralympic Games in Atlanta they were living on takeaway pizza. We also found that the dining room tent was not the same as that used during the Olympic Games. A smaller tent was laid on uneven ground. We often came across Paralympians queuing for half an hour to 40 minutes in the sun outside the tent just to get in to get food. Those in wheelchairs trying to negotiate the uneven ground that the tent floor had been laid on often ended up dropping their food and having to rejoin the queue.

Those are just a few examples of the sorts of things that happened because of the organisation there. It was not composed of bad or evil people or people who were not committed to the Paralympic Games. Quite the contrary. Those problems arose because the organisation was poorly resourced and because it was trying to come in after the Olympics and catch up on how to run the venues with very little experience and a very tight budget.

In August 1996 in Atlanta Dr John Grant, President of SPOC, David Richmond, Director-General of Sydney 2000 and I made several key decisions about how the Paralympics would be run in Sydney. We decided then that we would not build SPOC into a separate, large organisation mirroring SOCOG. Instead, we decided to insist that the core services for the Paralympics be delivered by the same people and the same organisations that would deliver them for the Olympics. OCA, SOCOG and what was to become ORTA would deliver the core services. SPOC would provide the expertise on Paralympic sport, the quality control of what the other organisations did, and would run some Paralympics-specific programs like the terrifically successful school spectator and education program. It is a tribute to Dr John Grant that he was not seduced by the temptation to build his own empire, but had the commitment and confidence to pursue this very different course.

It is a tribute to the SPOC board and to the Chief Executive Officer, Lois Appleby, that they also wholeheartedly embraced this philosophy, worked as part of an integrated team and delivered so well in the areas where they had direct responsibility. I want to compliment all the staff and the Sydney 2000 team who made the Paralympics such a success. Under the direction that David Richmond, John Grant and I agreed on in Atlanta, the same experienced managers ran the Paralympic Village as ran the Olympic Village. The athletes got the same high quality food, medical centre and entertainment facilities. The same managers ran the venues and managed the competitions in all of the big venues. The same people looked after the technology, ticketing and other support services. The same people from ORTA co-ordinated all of the transport. The same senior police took charge of security.

The same two key operational people from the Olympic Games, Jim Sloman and Mick O'Brien, fulfilled the same roles in the Paralympic Games and the same people managed all the spectator movements around Sydney Olympic Park. Overlaid with the Paralympic-specific expertise of the SPOC team, including people such as Xavier Gonzales, we had the best of both worlds—the top quality services and facilities that the Olympic athletes had but with a special focus and understanding of the needs and requirements of the Paralympians.

Other speakers have alluded to the fact that at the Atlanta Paralympics the crowds were poor. Again in Atlanta we made two decisions to try to ensure that it would be easier for people to get to the venues. We

decided on a day pass. In Atlanta there had been an ideological argument over whether to charge. Attendance at the Barcelona Paralympics was free, but in Atlanta there was a fee. There was a very important philosophical reason for that: if you are going to value the Paralympics as an elite sport you should pay a fee to attend as you would to attend other elite sports. But they had very, very poor crowds.

We decided to put a big focus on the schools program, knowing that the school students would be back at school after the holidays that coincided with the Olympic Games, to try to get as many school students involved as possible, both to give us big crowds at the venues but also as a real learning experience, an education experience, and an opportunity to raise their awareness and consciousness. So, we decided to have a day pass system whereby people would be able to go and enjoy a smorgasbord of sports.

The Leader of the Opposition has spoken about a number of Paralympic sports that people are not familiar with. It would have been difficult, for example, to sell a ticket to goalball or to boccia or, indeed, to power lifting or even wheelchair rugby, which are not sports that people are familiar with. We invented the concept of the day pass to enable people to move from venue to venue and see a smorgasbord of sport. I thank the Department of Education and Training, all of the many schools that were involved and their individual teachers, and the parents who came with the children and made it such a success. Lois Appleby and her team did a terrific job in working with the schools and also in promoting the day pass system.

We had a little problem with the day pass system when it was decided not to make the pass for a specific day but a pass for any day, and we did not know how many people would turn up each day. However, the Olympic Co-ordination Authority [OCA] and the Olympic Roads and Transport Authority [ORTA] people surmounted that problem; they found ways to move people around the venues, including day priority pass systems, and were able to find parking for about 900 buses coming to the site on the busiest days with a range of people on charters. They were not 900 buses on a spectator route; they were 900 charter buses that had to be parked on the site until the groups travelling on them—school groups, community groups, senior citizen groups and so on—were ready to leave. And they did a terrific job.

Just over four years ago in Atlanta I had the honour of receiving the Paralympic flag at the closing ceremony. I was accompanied from the field by some great Australian Paralympians, including Brendan Burkett, Louise Sauvage and Priya Cooper. That night, knowing their experience in Atlanta, I gave them a commitment that Sydney would be an occasion on which they would be treated as elite athletes and given support and the quality of Paralympic Games they deserved. Last night I was able and privileged to return the flag to the International Paralympic Committee for passing onto Athens. Thanks to the many thousands of other people involved in the Sydney 2000 team, and especially the community overall, I am pleased that we were able to fulfil that commitment.

In closing, I simply want to quote a conversation I had with an Australian paralympic athlete, the track and field competitor Don Elgan, on the night before the opening ceremony. I was talking to Don just before the Australian team flag bearer and captain and vice-captain were named. I asked Don about his experiences in Atlanta and at other international events. Don said to me, "Michael, you know, if they cancelled the opening ceremony tomorrow night, if we didn't have an opening ceremony at all, if we didn't have a Games, if I didn't get to compete in my event, this would still be the best sporting event I have been to as a competitor." I found that a strange and stunning remark. I said, "Why is that?" He said, "Because this is the first time we have been treated as elite athletes."

Don said that the treatment in the village and by the community, and the support of the volunteers and the Sydney 2000 team meant that this was the first time that he and his colleagues had been treated the way they felt they should be treated. On one level it made me very sad that this had not happened on previous occasions; on another level it made me enormously proud to be part of the team that delivered something that nobody else in the world has done, that is, raise Paralympic sport, the expectations of Paralympians and their treatment by the community to a new level, a level that they long deserve to be at and a level that we hope will be repeated in other cities and countries. I commend the motion to the House.

**Mr SOURIS** (Upper Hunter—Leader of the National Party) [10.53 a.m.]: It is with pleasure that I join the Premier, the Leader of the Opposition, the Minister for the Olympics and the speakers who will succeed me in supporting this motion on the Sydney Paralympic Games. From my perspective there can be few superlatives left which adequately describe the outstanding success of the Sydney Paralympic Games. However, if I say glorious, sensational, splendid and magnificent, that might just suffice. Hard on the heels of the Sydney Olympic Games, which were the best ever, came the Paralympic Games, which were also the best ever. What a



sensational 60-day period Sydney and Australia have witnessed, culminating on Sunday evening with the Paralympics closing ceremony and on Monday with the parade of Paralympic athletes through the streets of Sydney.

Not only were our games the best ever; our Paralympics team proved to be the best team in the world, scoring a record 149 medals, including 63 gold, 39 silver and 47 bronze. Added to the record 58 medals, including 16 gold, won by our athletes at the Olympic Games, Australians can justifiably be proud of their elite athletes, the able bodied and those with disabilities. I say that after having prepared this speech, not expecting the comments of the Minister for the Olympics a moment ago. I endorse the Minister's statement that our athletes were treated as elite athletes on their merits and were accorded the fervour and adulation that ought to be ascribed to the high performance of elite athletes representing their country. Their achievements were remarkable.

For Australia, the Paralympics represents a most important social message. The very large Australian team and the stunning medal count are a statement of Australia's social wealth. A nation that can produce this result cares about disability. Yet no-one could miss the statement made by our Paralympians as they entered the arena at the opening ceremony. Given the size of our nation, the large contingent of the Australian team was a fitting statement of the way our country cares about disability and disability support and is prepared to ascribe a very high priority to this area of social responsibility. It was a stark contrast to other nations, many of which have populations far in excess of that of Australia and an economy far stronger than our economy but which either only make a token gesture towards disability or even tend to sweep it under the carpet.

Once again our volunteers were magnificent, and the organisation by the Sydney Paralympics Organising Committee [SPOC] was equal to the great outcome of the Olympic Games. In particular I pay credit to Dr John Grant and Ms Lois Appleby. I pay tribute to the other people who made the two Games possible for their achievements: not only SPOC but SOCOG, OCA, ORTA, the police, the transport workers, all the volunteers in government and non-government departments who contributed to the great success of the two Games, the Olympic committees, the management teams, the volunteers, the employees who kept Sydney open, rolling and alive, and the Australians and visitors who attended the Olympic Games and Paralympic Games in record numbers.

In fact, nearly 6 million people attended the Olympic Games and Paralympic Games at Olympic Park, including the opening and closing ceremonies, in addition to the many thousands who attended games events at other venues and who watched the Olympic torch relay and the Paralympic torch relay, the three marathons and outside events such as sailing and the triathlons. Super Saturday, which was day eight of the Olympic Games, created a record when 400,345 people converged on Olympic Park to attend a variety of Olympic events. The previous record was 187,000 people set on Easter Monday in 1998 at the Royal Easter Show.

The huge concentration of people in Olympic Park put the city's transport system under its greatest pressure ever, and the system came through with honours. More than 4.4 million passengers travelled to and from Olympic Park over the 16 days of the Olympic Games and the opening ceremony and two dress rehearsals. Rail carried 3.38 million passengers to Olympic Park, while 1.1 million passengers travelled there and back by bus. Another 1.5 million people travelled to venues other than Olympic Park. More than 1.1 million people travelled to Olympic Park during the Paralympic Games—more than double the total attendance at the Atlantic Paralympics four years ago. This huge movement of people was achieved without drama and with the extraordinary patience and general good humour of the public. The spirits of people were buoyed by the sheer majesty of the Games and the concentration of the world's greatest athletes in Sydney.

Sydney and Australia were showcased to the world, and the world was impressed. The success of the Olympic Games and Paralympic Games proved to the world that we are capable of staging not only a world event but the best ever world event. Australians deserve to feel better about themselves now because of the Olympics and Paralympics. Sydney has earned the right to be the number one sporting city in the world, and there can be no doubt that Sydney feels a lot better about itself because of the Olympics and Paralympics.

Experts tell us that tourism benefits to Australia from the Games will be immense and prolonged. This augurs well for the national economy, particularly for small business. The balance of trade figures for the month, just released, show a surplus of more than \$600 million. That was the first monthly surplus in three years, and on that occasion a surplus was achieved by a very significant sell-off of gold by the Reserve Bank of Australia. While 200 countries and 11,000 athletes competed in the Olympic Games, 123 countries, 6,943 athletes, team officials and technical officials attended the Paralympics.

The Paralympics were larger than the 1956 Melbourne Olympic Games, larger than the Kuala Lumpur Commonwealth Games, and twice the size of the 1998 Nagano Winter Olympics, in terms of numbers of athletes. While the Olympic Games might have given Australians a new pride in themselves and their country, the Paralympics gave us a new understanding. We looked at Paralympians with admiration and emotion. We admired their courage and we saluted their wonderful spirit. The many thousands of spectators who lined George Street two days ago to cheer the Paralympians reflected that new understanding. We owe the Paralympians our gratitude for elevating our attitudes toward those in our community who cope magnificently with disabilities.

**Mr WATKINS** (Ryde—Minister for Fair Trading, and Minister for Sport and Recreation) [11.02 a.m.]: On Monday night I attended the Paralympian of the Year function, which capped off the most successful Paralympics ever. The President of the Australian Paralympic Committee, Mr Greg Hartung, spoke of the impact that the Paralympics had had on Australia. Greg said that the Paralympics had provided, and would be, a great civilising influence on society, because they showed, especially to our children, what athletes with a disability can achieve. The Paralympics will change their view of disability and they will change ours. He was so right!

About 400,000 schoolchildren from across the State—and I note with pleasure from many country schools in the remote areas of Australia—cheered on the Paralympians. I know that the Paralympians immensely enjoyed that level of support from the schoolchildren. The children will take with them down the years a totally different view of what it means to be disabled, because of what they saw. The children have been enlightened and educated and will have a positive view so far advanced from that held by our generation. As they cheered, clapped and sang the national anthem with pride they were also learning one of the most valuable lessons of all: Focussing on what we can do, what we are good at, is a critical part of achieving our best, of becoming a better human being. October 2000 will also be special to me because I had the great privilege of attending the Paralympics as the attaché to the Australian team, a singular honour which I was thrilled to accept.

That meant I was able to not only attend and experience elite sport at the highest level but also mix with an extraordinary group of inspirational athletes. It meant sharing the moment of anticipation with the athletes prior to the Paralympic opening ceremony and being down on the track with our cyclists after they claimed the first gold medal of many for Australia. It also meant sharing meal time and free time in the Paralympic village and being reminded on many occasions of the true worth of sport for our community; that it is the glue that binds us together in camaraderie, achievement, sometimes despair and loss but more often in hope. Between the opening ceremony and the closing finale I witnessed feats of great sporting prowess, saw guts and determination etched on the faces of the athletes and experienced some simply unforgettable sporting moments.

One event that will stay in my memory was seeing the Brazilian blind and beautiful athlete swept off her feet by her guide as she crossed the line in first place after being told by her partner that she had won. Their joyous dance of celebration was truly something to behold. Seeing the women's wheelchair basketball team, led by Donna Ritchie, claim silver and surpass Australia's previous best in that discipline will remain in my memory. Under the careful guidance of Donna, no-one should have been surprised. Another memorable event was seeing the cycling team, the best Australian cycling team ever to wear Australian colours, performing magnificently, day after day at the Dunc Gray velodrome and on the road. At a function at the close of the Paralympics, Kim Beazley said that this was the most successful Australian sporting team ever and that the children who witnessed the Paralympics would argue for years over which was the greatest sporting team. The 2000 Paralympics teams surely rate very highly amongst the greatest groups of sporting men and women.

As Minister for Sport and Recreation I am proud of the way that Australians embraced the Games and our Paralympians. It was fascinating to walk around the Olympic precinct and watch the faces of the happy, interested people. The 1.2 million people who attended were enthused by the sport and were enjoying new and exciting sports that they had never imagined, such as wheelchair rugby. I am also proud of the contribution that the New South Wales Government made to the best Paralympics ever. There is no doubt that the partnership between sport and government, between government and the unions and government and private industry, and the whole range of the community, contributed to the wonderful results. The New South Wales Paralympians represented approximately one-third of the Australian Paralympic team.

New South Wales athletes also contributed significantly to the overall Australian medal tally of 149 medals. They added over 35 individual medals, and contributed to the gold medal and world record in the men's T38 4 x 400 metres athletics; the gold medal and world record in the men's S14 4 x 100 metres swimming; the

gold medal in the men's S14 4 x 400 metres athletics, T46; the silver medal in the wheelchair rugby; the silver medal in the women's basketball; the silver medal in the men's tennis doubles; the silver medal in the men's 4 x 400 metres, T54; the bronze medal in the women's 4 x 50 metres swimming; and the bronze medal in the women's 4 x 100 metres medley swimming.

A co-operative arrangement between the New South Wales Institute of Sport and the Sydney Academy of Sport at Narrabeen provided New South Wales Paralympic athletes with access to premium coaching, sports science, competition and facilities in the years leading into the 2000 Paralympic Games. The Sydney Academy of Sport and Recreation is the centre of excellence for athletes with a disability. Those world-class facilities continue to be upgraded to ensure that they are suitable for athletes from a wide range of sports and are able to cater for people with a range of disabilities.

The Jindabyne Winter Academy of Sport also conducts programs for athletes with a disability in snow sports. Australia's results by athletes in the Winter Paralympics and at other international level competitions have also been outstanding. The work of the academy and supporters such as Ron Fineran ought to be acknowledged. I congratulate all athletes on their achievements. Their determination, persistence, strength and skill will be remembered by all who watched them compete. Deserving of special congratulations and acknowledgment are the dedicated and professional group of coaches, sports scientists and administrators who contributed to the success of the athletes at the Paralympic Games. Also deserving of special mention are the volunteers. We will never be able to thank them enough. They made the Games the success that they were, and they were the backbone and the smiling face of both the Olympic and Paralympic Games.

The Games captured the hearts of Sydneysiders. Many spectators had never before had the opportunity to watch athletes with disabilities compete in sport, either live or on television. I doubt that anyone who viewed the achievements and witnessed the atmosphere at the Sydney 2000 Paralympic Games will ever forget the experience. The people, especially the children, of New South Wales showed that they embrace diversity. They cheered just as loudly for the athletes with disabilities as they did for the able-bodied athletes. They demonstrated their passion for Australian success and at the same time supported and encouraged athletes from around the world.

In closing, I again mention the greatest benefit that will flow from the Sydney Paralympic Games. For 11 days thousands of disabled members of our community saw people like them strive and achieve at the highest level. In particular, recently disabled people saw that disability does not have to equal not being able to excel. It is my hope that the Games will encourage more and more people with a disability to get out and get active, and to enjoy the many positive benefits that a healthier lifestyle can bring. I congratulate our Paralympians. I thank their support crews and families who worked silently behind the scenes. I thank the volunteers and I am proud of the people of New South Wales for the way they shared the spirit of competition and helped to make the Paralympics a truly unforgettable event.

**Mr HAZZARD** (Wakehurst) [11.10 a.m.]: I support the Premier's motion and the words of honourable members on both sides of the House who have spoken in this debate. The Paralympics was a wonderful event. It was the second largest sporting event in Australia's history and was part of a 60-day festival of sport. People right around the country got involved in a way that perhaps they have never been involved before in sport generally and, particularly during the Paralympics, in sport involving athletes with a disability. Australia did very well. As was said at the closing ceremony, it was clearly the best Paralympics ever. It was the best Paralympics in every sense. The athletes did extraordinarily well. As was recounted earlier in this debate, they achieved a total of 149 medals—63 gold, 39 silver and 47 bronze. But they achieved far more than simply obtaining medals. They sent a message to the Australian community that we should all aim to achieve our very best. If we do that the whole of the Australian community will celebrate with us.

These elite athletes with disabilities lifted our spirits. They drew us into the excitement and let us share their joy. In so doing they uplifted us as a nation. I had the pleasure of attending the announcement of the Australian Paralympic team. It was an extremely exciting time for many athletes. Obviously, it was a disappointing time for the athletes who did not get to take part in the Australian Paralympic team. It underlined to me the fact that in the community over a long period of time many athletes, and the many people who support them, have committed their lives to achieving great things in sport and, in so doing, achieving great things for Australia. A number of athletes were present that day, and some of them spoke.

Priya Cooper, who is now a household name, told us about the excitement, anticipation and trepidation she felt as the Paralympics approached. Priya rose out of her wheelchair, stood at the microphone and delivered

an awe-inspiring message. She reflected the sense of excitement that we were all building to with the advancing commencement of the Paralympics. This is an appropriate time to reflect on the contribution of many people. I acknowledge the involvement of the Federal Government on that day by permitting Peter Costello to attend the launch of the Australian Paralympic team and to take part in the announcement of the athletes. I also acknowledge the Federal Government's contribution to the entry fees for Australian Paralympians.

Prior to the Paralympics an issue arose about the Australian Paralympians being required to pay \$1,080 through the Australian Paralympic Committee for their entry into the village. Fortunately, the Federal Government was in a position to assist with those payments. I thank the Federal Government, in particular Peter Costello, for its assistance. The contribution greatly assisted the Australian Paralympic Committee in facilitating the Australian athletes' entry to and occupation of the village. As the shadow Minister for Disability Services I hope that in all future Paralympics, wherever they are held in the world, Paralympians will be treated on a par with athletes without a disability. To that extent, I trust that in future Paralympians will not be charged fees that have not been charged to able-bodied athletes.

As I said earlier, this event was the second biggest event in Australia's sporting history—bigger than the 1956 Olympics. Many people's lives were involved in making it the best ever Paralympics. I have already referred to the athletes. We were fortunate enough in this House to have the benefit of hearing directly from Hamish MacDonald and Julianne Adams a few days before the commencement of the Paralympics. They spoke on behalf of the Australian Paralympic team. I acknowledge on behalf of the House, and particularly in my role as the shadow Minister for Disability Services, the amazing contribution that these athletes made to the success of the Paralympics and for uplifting the feeling, excitement and joy of Australians generally.

I also acknowledge that athletes at this level of elite sport do not get there without the support of many people. The Minister for Sport and Recreation briefly referred in his contribution to the sports administrators and coaches who contributed to the marvellous efforts and outcomes of the Paralympians. But I have not heard this morning any acknowledgment of the families of these athletes with disabilities. I am particularly aware of the need for support from family and friends for athletes with or without disabilities. But for people with disabilities that assistance is crucial.

I place on the record on behalf of the New South Wales Parliament our acknowledgment of the contribution of the families and friends of athletes with disabilities. Their role is absolutely crucial and vital to the success of those athletes. I do not mean success as measured merely by medals. I mean success as measured by the athletes' capacity, firstly, to find the inspiration and, secondly, to be able to move along the path of training and stick with the training regimes that are necessary. During those moments when they are wondering whether it is all worthwhile their families are there to support them. As a local member of Parliament I have seen that family support for a number of athletes from the northern beaches at close hand. I also acknowledge that the role of sports organisations for athletes with disabilities is vital in the development of those athletes to elite status.

As shadow Minister for Sport and Recreation in 1997-98 I had the opportunity to meet with many different sporting groups. A fair number of sporting groups with whom I met were involved with athletes with disabilities. We need to understand that athletes, whether or not they have a disability, do not just happen. They need to be supported by their families and friends, and they also need to be part of sporting organisations that can skill them up, give them the support they need and make sure that the appropriate facilities and equipment and the best possible coaching available.

Today we have heard that these Paralympics have been responsible for a change in attitude: they have somehow made the Australian public and, hopefully, a fair proportion of the world more aware of athletes with disabilities for their pure athleticism. But a lot of that battle has been fought in Australia in years gone by, by a dedicated group of sports administrators and workers who were involved in sport for people with disabilities. I acknowledge today the role of groups such as the New South Wales Sports Council for the Disabled. Its chief executive officer is Ken Grinham, a man who has been right at the front of the battle to make sure that athletes with disabilities are recognised for their enormous athletic capacity.

A number of sports facilities are located at its centre at Homebush, although I understand it will shortly move across the street. My recollection is that the sports council moved to Homebush about 3½ years ago and, in so doing, facilitated the bringing together under the one roof of a number of different sporting organisations involved with athletes with disabilities. I had the opportunity to visit the centre, which is colloquially known as the Grinham Centre because it was Ken Grinham's idea to bring these sports under the one roof. I want the House to know that the battle was fought by people like Ken Grinham and the various sporting organisations that form part of the council.

But the battle continues and it has certainly received a massive boost following the success of the Paralympics. Other member organisations of the New South Wales Sports Council have committed themselves to achieving great things for athletes at an elite level and also for athletes at a non-elite level. Both parts of the equation are necessary for sports for athletes with disabilities to succeed. I specifically acknowledge Wheelchair Sports as one of those major organisations. Jim O'Brien from Wheelchair Sports is another man who is at the forefront of the fight to ensure that athletes with disabilities are recognised for their athleticism and their contribution to sport.

My recollection is that Jim O'Brien was involved in sport for people without disabilities prior to becoming involved in sport for people with disabilities. I believe that at one point he was involved in rugby and perhaps headed up one of the rugby organisations in New South Wales. A number of people who have worked with athletes without disabilities have used their talents in working with athletes with disabilities. Although not all of them represent Olympic sports, there are 17 member organisations of the New South Wales Sports Council for the Disabled: 10 are disability specific and seven are sports specific. They include organisations such as the New South Wales Wheelchair Sports Association, the Deaf Sport Recreation Association, the Cerebral Palsy Sport and Recreation Association, the New South Wales Recreational Association for people with an Intellectual Disability and Sailability, an organisation that has been in existence for quite some time which enables people with disabilities to learn all the skills of sailing.

Members on both sides of this House have supported Sailability. Sailability operates on the northern beaches, and I know that it also operates at Rushcutters Bay. I understand that it also operates at 16 venues around New South Wales. Other organisations include Goalball New South Wales and Boccia New South Wales. I heard the Leader of the Opposition speaking earlier about her commitment to sport. I have spoken to a number of people in Boccia New South Wales about her commitment to Boccia and to athletes with disabilities, which has been recognised. I encourage others to become involved in these sorts of organisations and to lend the same support as the Leader of the Opposition.

The Amputee Sporting Association is another such organisation, as is the Blind Sporting Association. Such organisations are the building blocks for the successful development of athletes with disabilities at an elite level, and also for athletes not necessarily at an elite level but who just want to make the most of life. A few minutes ago the Minister for Sport and Recreation spoke about his hope that people with disabilities would be encouraged to take part in sport. These good words by government, both Federal and State, should be matched by a new and earnest look at what these grassroots sporting organisations are doing.

There should be a fair dinkum commitment to ensuring that they get the funding and the support they need to ensure that they can develop their roles. I know, from talking to a fairly new staff member at the New South Wales Council for the Disabled, that they have been run off their feet in the last few weeks, but even more so since the Paralympics have finished. People who perhaps thought that they would never be able to take part in a sporting activity now realise, after seeing the Paralympics, that these opportunities are available to them. If we are going to give meaning and substance to the words that have been said in this Chamber this morning, I encourage the Carr Government and the next Coalition Government to ensure that the various sporting organisations that develop and contribute to athletes with disabilities receive adequate funding.

When I visited the Homebush site of the New South Wales Sports Council for the Disabled I realised that some of the organisations are operating on a shoestring. Volunteers act as chief executive officers of some of those organisations. They do not get paid, yet they would work 27 hours a day, if that were possible. I met a gentleman, whose name escapes me at the moment, who was effectively the chief executive officer of the Deaf Sport Recreation Association. He was there all day every day and, as I understand, for no payment at all.

I encourage the Government to consider those aspects and take this opportunity to revisit supporting sport and athletes with disabilities. The motto of the Paralympics was to be inspired. If you failed to be inspired during the Paralympics that is something you will have to deal with alone, because the rest of us were totally inspired by what we saw: people achieving their maximum potential; children watching Paralympians being inspired; adults being inspired. My nine-year-old spoke to me regularly about the long jumper who imagined herself as a cheetah. He would tell me of her great achievements.

I received regular morning reports about what Louise Sauvage was doing. I did not hear anything about disabilities, and I believe that is a great step forward. I and the rest of the Australian community were hearing about what those people were achieving. That tells us all that we have great potential and can achieve great things. The achievements of these elite athletes certainly should provide a message for all of us about the way in which we go about our daily lives. I congratulate all who were involved in the Paralympics.

**Debate adjourned on motion by Dr Refshauge.**

**DEATH OF CHARLES NELSON PERKINS**

**Dr REFSHAUGE** (Marrickville—Deputy Premier, Minister for Urban Affairs and Planning, Minister for Aboriginal Affairs, and Minister for Housing) [11.30 a.m.]: I move:

That this House:

- (1) acknowledges with sadness the death of Charles Perkins;
- (2) conveys our respect and condolences to his family and friends; and
- (3) acknowledges his extraordinary work across a lifetime to bring about a better future for Aboriginal people.

The news of the passing of Charles Perkins made it a sad day in our country's history. Charlie was a catalyst for an undreamed of revolution in Aboriginal affairs; he was a pioneer of Aboriginal activism. While a nation was being born and shaped, a race was dying and fading into the shadows. Charlie Perkins was Aboriginal Australia's modern-day warrior who fought not with spears but with words. Perkins had humble beginnings. He was born in 1936 of the Arrente people at the Television Station Aboriginal Reserve in the Northern Territory. At age 10 he was taken from his tribal lands and his family—although in these circumstances his family was willing—to the St Frances children's home in Adelaide, where attempts were made to rob him of his Aboriginal culture and heritage. He was subjected also to discrimination and taught to devalue and dismiss his Aboriginality.

Many things contributed to Perkins embarking on the fight for Aboriginal rights: being made to stand outside the pub to be served, Aboriginal people being forcibly kept on reserves, the declaration of Aboriginal-free areas and the forced removal of children from their families. At a time when the willingness of Aboriginal people to stand up for their rights was gaining momentum and people who did so were gaining respect, Charlie was there. Charles Perkins was part of a younger generation that had learnt the language of dissent and the symbolism of social action. He was at the cutting edge of the struggle for the rights of the Aboriginal people. Perkins' contribution to shaping the nation had been priceless, none more so than his freedom rides through north-western New South Wales towns. They highlighted the real life for Aboriginal people and showed the exclusion, and the acidic and acrimonious reality that Aboriginal people had to live from day to day.

Charlie showed clearly how local administration acted to exclude Aboriginal people from the everyday life of towns. He was confronted with raw anger, hostility and hatred from some of the white population wherever he ventured. When he spoke of the freedom rides he spoke of how "off they had gone, in full ignorance of what was ahead, with not much courage and not too much knowledge, but he thought let's do it anyway". At Walgett and then Moree, freedom riders were confronted with ugly crowds of spitting and fruit and rock-throwing townspeople. Perkins felt every inch a threatened man. He said:

I thought I was going to get bashed up. I was punched in the back of the head. I had egg thrown down the back of my shirt, sand poured over my face and over the top of my head, and blokes, women too, pushed and shoved and bottles were flying through the air.

At Walgett there was a heated confrontation outside the local RSL club, which barred Aboriginal membership, even to those Aboriginal soldiers and nurses who had fought and nursed during World War I and World War II. In Moree they confronted the management of the swimming pool, which barred Aboriginal people from using the pool and, after hours of demonstrating, a group of Aboriginal children were allowed in. The disclosure of this blatant discrimination, coupled with the open hostility of Moree and Walgett residents, gained much publicity and favourable comment from many spheres of Australia. Growing headlines and public opinion were so strong that some changes were forced in the towns that were visited, as many uncomfortable parallels were being drawn between South Africa and Australia. Perkins had become the eyes of a nation that for so long was blinded to the plight of its Aboriginal people. He introduced many people to an Australia they never knew existed—an ugly Australia that was far removed from the tag "the lucky country". The Perkins-led freedom rides in the 1960s rejuvenated the push for black power in white Australia. From his actions grew a new-found confidence in Aboriginal people: they began to assert themselves; they stood up and took back control of their own destinies. Leading Aboriginal activist Kevin Gilbert was right when he said:

No people are willing to stand by and see their rights, their human rights usurped or eroded and not do anything.

Lyall Munro Jnr was one of the children allowed into the Moree pool on that stormy day back in 1965. He has often remarked that he saw the power of direct action that day in Moree. He later became an activist for Aboriginal rights. Charlie played an integral part in the dramatic progress of Aboriginal affairs in the late 1960s

and 1970s. A rich tapestry began to emerge of both Federal and State government programs directed towards improving Aboriginal health, education, housing and employment. Charlie had become a bureaucrat in 1969 when he joined the Commonwealth public service and eventually was appointed Deputy Secretary of the Department of Aboriginal Affairs in 1979. But even from within the walls of bureaucracy Charlie was not averse to speaking his mind publicly, even when it meant breaching public service protocol.

From time to time conservative politicians called to have him sacked because of his outspokenness, which only indicated how much his passion for his people outweighed his allegiance to the public service. Charlie spoke often of the helplessness he felt being locked up in the paper welfare of the public service, and just like a sand trap it quickly swallowed him up. Sometimes we need to remind ourselves that some people are not meant to be in cages; their feathers are just too bright. Charlie's journey may have ended but his legacy will always remain etched in Australian history. He committed his life to fighting against racism and ignorance. During his time he awakened the sleepy consciousness of Australia. During his final years Charlie focused his energy on the Aboriginal youth in Australia who he felt were real victims of not belonging and of inferiority. He spoke of a young man:

I stood in a bank here recently and watched a young Aboriginal man almost whisper to the teller with his head down. And that typifies to me the feelings and experiences of many young Aboriginal Australians today in Australian society.

Australian society, as much as any other society in the world, values people according to the colour of their skin, their race, their wealth and the suburbs they live, and the tragedy is young Aborigines are devalued in Australian society.

They learn and receive messages from society of low worth and expectations of mediocrity and failure.

I challenge these messages and dream for young Aboriginal Australians and I encourage them to believe in themselves.

Charles Perkins was to Australia what Nelson Mandela was to South Africa and what Martin Luther King was to America. One of his most enduring gifts would have to be that he gave this nation of ours a soul. Charlie is survived by his wife, Eileen, and his three children, Hetti, Rachel and Adam, and his grandchildren. His three children showed great courage on the day of their father's funeral and shared with us some of their personal memories of life with the man we all called Charlie. We pass on our sincerest condolences and sympathy to the Perkins family. He will forever be in our hearts.

**Mr HAZZARD** (Wakehurst) [11.37 a.m.]: I support the motion moved by the Deputy Premier and express the condolences and sympathy of the New South Wales Liberal and National parties to the families and friends of a great Australian, Charles Perkins. Charles Perkins was born in Alice Springs in 1936. He died at the age of 64, which might be considered a fairly young age for Australians, but, regrettably, it reflects the early age at which many Aboriginal Australians pass on. His life was typical of someone who was born into prejudice but was a fighter for his people against that prejudice. He was born to an Arrente mother and a Kalkadoon father. At age 10 he was taken to a home for Aboriginal boys in Adelaide. The Deputy Premier said there was some issue about the circumstances in which he was taken to that home, which was referred to in the *Sydney Morning Herald* on 19 October.

Speaking about the offer made to his mother by Percy Smith, who offered to take him to an Anglican hostel for boys, Charlie said that it was "an offer that she could not refuse." That raises all the arguments and debate, of course, about the stolen generation. I have no doubt that at that time, in 1946, bearing in mind the degree of racial prejudice and the lack of opportunity for Aboriginal people, his mother did not think that she had a choice. She would have thought that it was in the best interests of her son that he be given an opportunity to be educated away from the community into which he had been born. That flags to many of us an awareness of the range of ways in which Aboriginal people could become part of the stolen generation. It could have been as a result of specific government policy; it could simply have been the result of good people with misplaced priorities trying to do good things. In Charlie Perkins' case there is no doubt that the result was that he was identified as a member of the stolen generation. Through that identification he perhaps found even more passion for his support of Aboriginal Australians in their fight against racism.

Charlie was without doubt a trailblazer for Aboriginal people. He fought for Aboriginal rights and equality when Aboriginal people suffered indifference and prejudice. After he went to Adelaide he was educated at LeFevre Boys Technical School, eventually becoming qualified as a fitter and turner. He was a great sportsman and achieved a high level of ability in playing soccer. In the 1950s he went to the United Kingdom, where I think he played for Everton. He then came back to Australia and played for Croatia in Adelaide and later for Pan-Hellenic in Sydney. By 1965, after studying at the University of Sydney, he obtained an arts degree. In so doing he became the first Australian Aboriginal university graduate. He was at the cutting edge of

Aboriginal exposure to tertiary education. He was a role model for Aboriginal people. Even today there are not nearly enough Aboriginal people passing through secondary school, and very few undertaking tertiary studies. His position at the forefront of tertiary studies involving Aboriginal Australians is an example of his great capacity.

Charlie became a leading Aboriginal rights activist and it is said that his activism developed greatly whilst he was at university. That is perhaps not surprising because many university students develop their views on life whilst undertaking university studies. He was a strident campaigner, raising issues that often got people offside, both within the Aboriginal community and outside of it. But at least he ensured that Aboriginal issues were discussed. Charlie Perkins knew that if issues are hidden away and not discussed in the public forum there is no chance of change. Sometimes not everyone was comfortable with some of the things he said. Indeed, I am happy to admit that on occasions Charlie said things which caused me a degree of unease. Nevertheless, we must respect that he understood the need to get these issues out into the public forum where they could be discussed, focussed on and progressed.

Most Australians would know about Martin Luther King and the strong campaigns undertaken in the United States of America advocating freedoms and rights for black Americans. Not so many Australians would know that Charlie Perkins was pursuing similar activities in New South Wales at about the same time. He probably got the idea of the freedom rides from what was happening in the United States. I can well imagine that at that time Aboriginal people, having been downtrodden for so many years, would have wondered about the value of doing anything. I suspect that Charlie Perkins may well have thought the same thing. He was probably querying whether it was all worth it. Nevertheless, the measure of the man was that he and a group of other activists went on freedom rides principally through the north-western parts of New South Wales, where, as the Deputy Premier said earlier, he met with entrenched views which would be considered racist.

Charlie met those views with great enthusiasm and with the desire to bring them to the fore in public discussion. He met those views with the hope of changing them. We can look back on that period and say that he and the people who accompanied him were catalysts for much of the debate that has gone on in New South Wales in recent years. That debate has led to a lessening of racism—I do not say a complete removal—and, at least, to a move to try to ensure that Aboriginal Australians get a fair go. I do not believe Aboriginal people in this day and age are getting a fair go. They still suffer prejudice, health problems, inadequate education, closure from job opportunities. In essence, Aboriginal people are still disadvantaged, probably more so than any other group in our community. But at least people like Charlie Perkins put the case for disadvantages to be removed. As I said, I did not always agree with his views.

Charlie's career was one of great success. He came from very humble beginnings in Alice Springs and yet by 1969 he had entered the public service. He then progressed rapidly through the Commonwealth Department of Aboriginal Affairs, becoming head of the department in 1984. As I understand it, he had a disagreement with the then Minister, Gerry Hand, and shortly thereafter he was out of that position. But he continued to be actively involved in the Aboriginal community through many different activities. In more recent years he was one of the main players in ensuring that there was great emphasis on taking steps towards reconciliation. Again, he and I did not always agree on how those steps should be taken. Nevertheless, he advocated that reconciliation should be on people's lips, that it should be considered and thought about. After all, that is the start of bringing about change. After Charlie had passed away the *Daily Telegraph* quoted his long-time friend and former boxer Tony Mundine as saying that "Australia had lost a true champion". There is no doubt that Australia, and particularly Aboriginal Australia, has lost a true champion.

In New South Wales the Coalition parties have supported reconciliation consistently and have taken part in a series of debates. With our colleagues on the other side of this House we have a unity of spirit about the need for reconciliation. We acknowledge that the achievement of full reconciliation in the not-too-distant future will be a lasting epitaph to Charlie Perkins. By that I mean the removal of disadvantage for Aboriginal people. Contrary to what one almost defunct political party has been espousing in the Australian community, when people suffer substantial disadvantage, be they Aboriginal or not, additional resources, time and commitment must be given to those people to ensure that they are given quality of life.

The memory of Charlie Perkins will continue to remind us that as a community we need to put additional resources into ensuring that Aboriginal Australians get a fair go. The Coalition joins with the Government in its expressing its sincerest condolences to Charlie's family: to his wife, Eileen; to his children, Hetti, Rachel and Adam; to his grandchildren and to his wider family. We express the hope that Charlie's actions during his life will be lasting legacies that will benefit Aboriginal Australians. Finally, I note the words of his eldest daughter Hetti, who was quoted recently as saying:



He was determined to make a difference for our people, whether it was in the boardroom, marching the streets or on the soccer field.

Charlie certainly made a huge and very important difference. He will be remembered for being a great Aboriginal Australian who made that important difference.

**Mr ACTING-SPEAKER (Mr Mills):** I welcome to the precincts of the Parliament members of the Greys Point Rural Fire Service, who are guests of the honourable member for Miranda.

**Mr MARKHAM** (Wollongong—Parliamentary Secretary) [11.52 a.m.]: I support the motion moved by the Minister for Aboriginal Affairs. I express my deepest condolences to the Perkins family and my personal regret at the passing of a great Australian, Charlie Perkins. Much has been said about Charlie and the freedom rides, about how he brought to the attention of this nation the racism and intolerance by the white community to the black community in Australia. That is, indeed, a dreadful part of our history. Much has been said about the freedom rides. I will not go into that again, other than to say it is true that what Charlie started in 1965 brought about the referendum in 1967 that gave the Federal Government the power to legislate on behalf of Aboriginal people. However, I would like to ensure that the record of this Parliament states what came out of the freedom rides. I quote an extract from what appears under the heading "The Walgett Vigil" in Charlie Perkins' book *A Bastard Like Me*:

All day the Freedom Ride protestors stood outside the Walgett RSL Club with placards. Charles Perkins recalled:

While we stood there the town came to life like an anthep ... Walgett people could not believe it was happening in Walgett. A protest on behalf of the town niggers! The Aborigines themselves were speechless for hours on end. They just looked on. They could not believe that a group of people whom they did not know were standing up for Aboriginal rights.

The protestors were laughed at and spat on, abused and threatened and told: "You're stirring up trouble. The dirty niggers don't deserve any better and they're happy how they are." Some of the banners were torn up as the whites grew more and more hostile.

The whites were yelling and screaming at us .... and calling us a variety of names. They were swearing viciously in an attempt to provoke the fight they all wanted.

Suddenly a black woman came out of the crowd, followed by a few other Aboriginal women. They called back to most of the vocal white men: "Listen! You whites come down to our camp and chase our young girls around at night! You were down there last night. I know you!" And she called out some names. "I saw you last night! It's no good tellin' me how good you treat us Aborigines. All you do is chase Aboriginal women in the dark. Why don't you go back and tell your wives where you've been? They're over there in the crowd. Go on, go tell 'em!"

Of course, the men shot off like rockets ... When the Aboriginal woman pointed to a few other white fellows, you should have seen that crowd break up. It was as if someone had thrown a bomb amongst them. They scurried off in all directions.

That highlights what was happening in Aboriginal Australia—not only in Walgett but right across this country. It is a part of our history of which I am ashamed. If it were not for Charlie Perkins things like that would still be happening today. He raised awareness of the human soul. People in the cities were outraged after reading a headline story in the *Bulletin* about what was happening in that part of New South Wales. I first became involved with Charlie Perkins back in late 1989 or early 1990 when the Greiner Government released a green paper to amend the New South Wales Land Rights Act. Charlie was brought on board by Nick as an adviser on the bill. On the eve of the bill coming before the Parliament I attended a meeting in my capacity as shadow Minister on the tenth or eleventh floor of Parliament House. Charlie was present, together with Keith Kocken, the head of the department at the time; Paul Zammit, the Parliamentary Secretary for Aboriginal Affairs, and the Hon Dr Andrew Refshauge.

There were heated exchanges about the bill. I had said all night as we went through the bill that the Opposition would oppose it because it was a back-door attempt to abolish land rights in this State. However, before leaving the meeting I gave an undertaking that if the Government reconsidered the bill, ensured that the New South Wales State Land Council supported it and did not bring it forward the next morning, the Opposition would support the bill when it came back to the Parliament. To cut a long story short, that is exactly what happened. Paul Zammit came to see me the next morning and said, "I have spoken to the Premier; he wanted to know whether you were fair dinkum." I said, "Yes." He said, "We are not going to proceed with it." That was the first time I met Charlie. From then on Charlie and I often bumped into each other at various functions and I developed a great respect for him as the years went by.

Only last year I attended a MCATSIA meeting in Alice Springs, Charlie's home town. The meeting was to be on the Thursday and the Friday but I could only book a flight on the Wednesday because all the seats were

booked out. On the Sunday night I rang Charlie at home and I said, "Listen, Charlie, I am going to Alice Springs. Can you give me a couple of contacts I can speak to?" He asked when I was going and I said I was going on Wednesday. He said, "Great, I am going to be in Alice Springs on Wednesday. In fact, the nursing home named after my mother, the Hetti Perkins Nursing Home, will be opened in Alice Springs on Wednesday and I would love to have you there."

I went with Charlie to the opening of the Hetti Perkins Nursing Home in Alice Springs. The Federal Minister for Aboriginal Affairs, John Herron, and the Minister for Aged Care, Bronwyn Bishop, were there. We were sitting there and the ceremony was just about to start when a phone call was received that a bomb had been planted in the nursing home. There was disruption for an hour and Charlie said, "Here we go again. Even when we are acknowledging and respecting my mother, we are subjected to this racist torment." That night, Charlie and his wife, Elaine, and I went out to dinner together in Alice Springs, and we discussed many, many issues.

I know that Charlie was outspoken, and that in some quarters people believed he was outrageous, but Charlie spoke from his heart; Charlie spoke about what he believed in; he spoke for Aboriginal people in this country and for people with a real moral conscience. I can assure honourable members that his passing will leave a great void in the social conscience of white Australia. Some people have referred to the comment "Burn, baby, burn" that Charlie Perkins made prior to the Olympic Games, but that was Charlie. He grabbed the attention of the media. If he had said anything else, the media probably would not have bothered writing anything about him. He grabbed the attention of the media because that is what Charlie was like.

I recall that on the morning after he made that comment I received a phone call from a media outlet in Wollongong, asking me if I thought that what he had said was outrageous. I said, "No, I do not think what he said was outrageous. If Charlie had said anything different to that I would have been utterly surprised. Charlie said that to grab your attention. You have phoned me to find out what is going on. If he had said anything else he probably would not have got a run." Charlie brought the attention of the international media to the fact that there was a real issue in Australia so far as indigenous Australians were concerned. He intended to highlight that right up to and during the Olympic Games. His ill health and subsequent demise prevented him from doing so. I do not believe that Charlie would have wanted anything to happen, but that is what he said and that is how he grabbed the attention of the media.

No matter how sick Charlie was he would attend functions. I remember that earlier this year he broke his foot but when we walked across the Sydney Harbour Bridge there was Charlie Perkins. He did not miss that, because he believed in reconciliation and he knew that a feeling was slowly emerging within the broader community at the grassroots level that our history has to be recognised for what it is and that there has to be a change in that history. Charlie did that, Charlie the champion of social justice, not only for Aboriginal people but for all Australians. Charlie was a record breaker. He was the longest surviving recipient of a kidney transplant, having received a kidney transplant in the early 1950s. That record once again demonstrates his tenacity. He was an international soccer player and the first Aboriginal graduate from a university.

How many things was Charlie first at? I was at his memorial service last Wednesday in the Town Hall and I could not believe, although I was not surprised at, the number of people jammed into the Town Hall and the number of people outside. There could have been 5,000 people. I do not know how many were there. I listened to the speeches and heard Chicka Dixon relate stories. Chicka Dixon is a great comrade and a great fighter for social justice for Aboriginal people. He fought the good fight on the waterfront when he was a wharfie and for many years after that. He became a great friend of Charlie Perkins as well. After we came out of the Town Hall Sydney had come to a standstill. I said, "Even in death Charlie has been able to stop this city in its tracks." That is what Charlie did. In one way or another the whole spectrum of Australian society was represented at his funeral—politicians, judges and just ordinary folk who wanted to pay their last respects to a great Australian. Even in death I believe Charlie is still out there fighting, because on the 11th of this month a dinner and art auction is to be held at the Art Gallery of New South Wales. The invitation reads as follows:

The Western Desert Dialysis Appeal Art Committee and Papunya Tula Artists invite you to attend a dinner and art auction in support of the Western Desert Dialysis Appeal.

The patron is Dr Charles Perkins, AO, and the tickets are priced at \$250. Charlie supported that organisation's efforts to get a dialysis machine for Alice Springs. He will be here in spirit for ever more, because he is one of the great Australians. I have no doubt that without what Charlie has done we in this House would not be here today, as we have been on many occasions, supporting reconciliation and with members on both sides of the House arguing for a better deal for Aboriginal people and their families in this State and further afield.

To Elaine, Hetti, Rachel and Adam, and the grandchildren let me say that I feel your deep sadness in the loss that you have experienced and I know that many people in this country feel the same way. You have lost a husband and father and Australia has lost a fighter for human rights and dignity. The day of Charlie's passing was a sad day, but I think this nation is enriched because of the 64 years he was on this earth.

**Mr COLLINS** (Willoughby) [12.06 p.m.]: It is an honour for me to join with other members of this House, both Government and Opposition, in supporting this condolence motion for Charlie Perkins. It is not without a touch of irony that this condolence motion comes before the House on All Saints Day. I think Charlie Perkins would be wearing a wry smile, because he would be the last person to claim to be any kind of saint. I did not have the experience with Charlie Perkins that some other members, such as the Parliamentary Secretary for Aboriginal Affairs, has had, but I met him on several occasions and I observed him over the years. He was an Australian who instantly impressed and always spoke with enthusiasm, commitment, drive and determination. He was fun to be with; he was somebody to listen to.

Charlie Perkins would be the first to admit that sometimes he went over the top, sometimes he went too far, and sometimes what he said was too extreme, but as the honourable member for Wollongong said, he often did so very deliberately in order to make his point. I would be the last person to try to stand by every word that Charlie Perkins has uttered. I think he was pretty good at disagreeing with anyone when he felt it necessary to do so. It is not a matter of standing by every word that Charlie Perkins said; it is a matter of standing by the man and by the example he was to the people of Australia and particularly to the indigenous people of Australia. One of the things that I missed out on at university was the freedom ride in 1965. The Chief Justice of New South Wales, Jim Spigelman, a contemporary of mine, wrote about it in the *Sydney Morning Herald* last week and spoke about it at the memorial service for Charlie Perkins at the Town Hall.

Jim Spigelman went on that freedom ride, which, for the first time, brought home to a generation of Australians, to every Australian, the need to focus on recognising that the civil rights movement, which was then taking hold in the United States of America and achieving results there, had relevance here. We could not look at television and see what was happening with Martin Luther King in the United States of America and the protests in the southern part of the United States and pretend that all was well in our own backyard; it was not. Indeed, there was flagrant abuse and violation of human rights in this State in the early 1960s that had to be addressed, stopped and brought out into the open. All his life Charles Perkins was about doing exactly that.

Charles Perkins was a man of great style, a man of the colourful turn of phrase, and very deliberately so. He could make people react instantly to what he said—sometimes, I guess, creating in them a permanent grudge against him. But if there is one thing to be said about Charles Perkins it was that he stood out, he made his point and he never gave up. He made a permanent contribution to human rights in this country. He achieved a significant step in advancing the cause of the Aboriginal people. All Australians owe him a great debt of gratitude. We will miss his humour, style and sensationalism, but above all we will miss the integrity of a man who, like no other, fought for the Aboriginal cause in this country. It is a great privilege for me to have participated in this debate and to pay honour to a great Australian in this way.

**Mr THOMPSON** (Rockdale) [12.12 p.m.]: At the State funeral for Charles Perkins, which was held at the Sydney Town Hall last week, the Chief Justice of New South Wales, Jim Spigelman, delivered a eulogy that was printed in the *Sydney Morning Herald* on 26 October. The first paragraph said:

We gather here today to mourn the passing and celebrate the life of a great Australian. Charles Perkins was a hero for indigenous Australians. He was a moral force for all Australians. Australia is a better and fairer place for his life.

Throughout the article Jim Spigelman referred to the very committed and colourful life that Charles had lived, and in the last paragraph he said:

There is no shortage of people with whom Charlie had arguments. Many are in this hall. Today, however, all stand united in recognition of his contribution to the Aboriginal people and to Australia. In doing so we take a further step, as a community, towards the achievement of the goals to which he dedicated his life.

Initially Charlie Perkins won fame as the leader of the Freedom Riders in 1965 when a busload of students went to various New South Wales towns that were notorious for racism and discrimination against Aborigines. Jim Spigelman was one of those Freedom Riders. The incident that sticks in most people's minds from that time occurred at the Moree swimming pool. On 17 February 1965 Charlie Perkins led the Freedom Riders in picketing the Moree Council Chambers in protest against the council's policy of excluding Aborigines from the council pool. In the *Sun-Herald* of 22 October, Andrew West reminded us that at that time the then mayor argued that although the ban was official it was never enforced. Instead, he said, the council applied a ban on

"unhygienic, dirty or unkempt persons". However, the *Sun-Herald* story stated that no-one could recall any white man or woman being excluded on such grounds. In any event, on 20 February 1965 the Freedom Riders returned for a dramatic confrontation. In the *Sun-Herald* on 22 October Andrew West stated:

Five hundred people turned up at the pool, mostly to oppose them. The *Moree Champion* reported that some even threw eggs and tomatoes. Eddie Pitt, 12 at the time, recalls about 10 to 15 police "lined up like a riot squad".

"And we had some tough coppers in those days", he added.

The mayor and several aldermen also stood guard, trying to enforce the rule.

But three months later six of the seven Moree aldermen, whose town had suddenly become seen as a racial flashpoint in the national media voted to rescind the ban on Aborigines swimming at the local pool.

Charlie Perkins had won his first victory.

Charlie Perkins realised that the Freedom Ride activities showed young Aborigines that it was possible to collectively confront whites. Confrontation was almost a theme of Perkins' public life. He was no shrinking violet, far from it; he was a stirrer, an outstanding advocate for Aboriginal people. Through his no-nonsense, forthright manner he became widely recognised as a truly great Australian. On 19 October in the *Sydney Morning Herald* Tony Stephens and Cynthia Banham wrote:

Charles Perkins called himself a bastard. Others called him Australia's Martin Luther King. Some of his own people called him a "delicatessen kid" because of his preference for a comfortable life.

In any case, when he died yesterday, he was acknowledged as one of the most influential Australian Aborigines of modern times, perhaps the most influential.

The article quoted his daughter Hetti as stating:

He was a passionate defender of our people to the very end, and he touched many lives. Today many Australians and all Australians should draw strength from his legacy to continue striving towards what is right and what is just.

In that article the Premier is quoted as stating:

Mr Perkins, though sometimes extreme, should be remembered for his courage in speaking out on Aboriginal issues.

The article continued:

Mr Carr admired his bravery in tackling the issue of Aboriginal rights in the 1960s when most Australians were not interested in such injustices.

"He was there in that early period, when most Australians wanted to look the other way and avoid confronting the injustice that was sadly part of our life," he said.

"When he stood up in country towns in 1965 and said: 'Aboriginal people are being discriminated against', it was a relatively lonely cause."

That is what the Premier said. Charlie Perkins truly was a trailblazer in many respects. He was the first male Aborigine to graduate from university. He was the first manager of the Foundation of Aboriginal Affairs, which presented Aborigines arriving from the country with a strong and secure sense of community and a model of co-operation between well-meaning whites and blacks. Up to the time of his death he was possibly the longest surviving recipient of a kidney transplant. He was the first Aborigine to be Secretary of the Federal Department of Aboriginal Affairs; he was a Deputy Chair of the Aboriginal and Torres Strait Islander Commission; he was a champion sportsman, making the soccer big time in Adelaide, Sydney and in the United Kingdom with Everton.

Charlie Perkins played an important role in the Equal Rights for Aborigines Campaign that resulted in the May 1967 referendum, which gave the Commonwealth the power to legislate for Aborigines. He was a member of SOCOG's national indigenous advisory committee and through that helped to ensure strong indigenous content in the Sydney Olympic Games. An obituary article in the *Sydney Morning Herald* on 19 October by Debra Jopson and John Farquharson stated:

Perkins said he was often charged with being too emotional. This was how he countered the accusation in his biography: "To me Aboriginal affairs is an emotional issue. There is no crime in this. I am talking about my brothers and sisters, my mother, my uncles and aunties. When people start denigrating Aborigines they are denigrating my family. I think a bit of sentimentality is badly needed. There is too much objectivity, there are too many facts and statistics in the world today. You can just about justify mass-murder with statistics."

Charlie Perkins may have been brusque or confrontational at times, but it is fair to ask whether he would have achieved so much had he been docile or overly polite. The answer to that is an obvious no. Charlie Perkins was passionate about his causes and he said things that had to be said. He was a great fighter for human rights and justice. At times he shook white Australia from its complacency. He challenged white society to look in the mirror, he challenged racism, and he never stopped fighting for what he believed in. Peter Read, in an obituary in the *Australian* of 19 October, summed it up this way:

His abrasive public exterior concealed shame, anger, hurt and misery at the insults borne both by himself and his people. Much of his later life was clouded with pessimism that Aborigines were still aliens in their own land, eating the crumbs, he said, fallen from the table of the non-indigenous.

The article continues:

When Perkins began his career there were few educated Aborigines. Assimilation was firmly entrenched. Aborigines were expected to become, at best, manual workers. They did not enter hotels, swimming pools, clubs or hairdressing salons, buy houses or apply for bank loans. They had their own wards in country hospitals. Forty years later, non-indigenous Australians had been led or forced to the understanding that the distinction between full and part descent was irrelevant, that Aboriginal individuals could achieve anything they chose and that negotiations must be as between equal partners.

For this shift in public perceptions, Perkins was to a remarkable degree responsible, as much for the possibilities he demonstrated to younger Aborigines as what he achieved. Many of today's generation of leaders concede that, though they may have clashed with him politically, he offered a life saving model of constructive advancement when none other was available.

Perkins is survived by Eileen; his children, Hetti, Adam and Rachel; and by four grandchildren. One of the great Australians of this century, he was awarded the Order of Australia in 1987 and was named a National Living Treasure in 1997.

Australia is a far better place today because of Charlie Perkins. It is most appropriate that this Parliament acknowledges that and that we convey our respects and condolences to his family and friends.

**Mrs GRUSOVIN** (Heffron) [12.22 p.m.]: I wish to join in this motion of condolence moved by the Deputy Premier, and Minister for Aboriginal Affairs on the death of Charlie Perkins, a great Australian and a great leader of our indigenous people. I felt very privileged to be in attendance at Sydney Town Hall with thousands of fellow Australians just one week ago to celebrate Charlie's life and to pay tribute to his many achievements. One could not be but profoundly moved by a sense of the history of the moment. We had gathered to farewell this talented, troublesome, outspoken champion of his race, a man who has been and will increasingly be a role model for those who will follow him. Many times, I know, he despaired because of his perception that he had not been able to achieve many of the goals that he had set himself in advancing the cause of his people. The tributes of the last week have provided a convincing testimony to the tremendous achievements and successes he made.

Charlie is part of Australian and Aboriginal history and he has helped us travel the road we are now on to reconciliation. Who could forget Charlie's stirring speeches? They were revolutionary calls to arms and they occurred in so many places. My own special memories are of Charlie at Redfern Park, where he had some outstanding performances. He was very forthright in telling us all what we had not done, what we were not doing right and what we needed to do. It is true that people did listen to him, and over the years more and more people listened. Having listened to him, we are working to make Australia a better country.

In latter times Charlie was a member of the No. 14 support group for the South Sydney Rugby League Football Club, the Rabbitohs. He was always one to give of himself in a community effort and he joined this cause for the little people, the battlers of South Sydney and far beyond, who were facing the loss of their beloved red and green—all because of the greed of media moguls who were more interested in packaged products and profits for their television interests than the traditions of a century so treasured by the faithful supporters. Charlie was there at numerous meetings, always giving his encouragement and always concerned about making the right thing happen.

Along with many of my colleagues, particularly those involved with the South Sydney movement, and my fellow directors, I feel that we were enormously lucky to have the opportunity to come to know Charlie Perkins in this last year or so. He was always interested in the young. He worked very hard with one of the co-directors at Souths in providing training for indigenous young people in catering services for the Olympic Games. At least 120 young people were given valuable training and employment in this period of time. He was always there making sure that things happen for the community. Charlie Perkins was a great leader. He has left behind a tradition that will be followed and taken up by those in the community who see him as a great role model. We are all the better for the life of Charlie Perkins.

**Mr LYNCH** (Liverpool) [12.26 p.m.]: I join with other members in offering my condolences to the family of Charlie Perkins. The honourable member for Heffron said that Charlie Perkins was a great Australian and a great leader. That is probably the best short description of the immense and positive contribution he has made to Australian society. He was driven by passion and a demand for justice. That is well encapsulated in something he said that I would like to place on record. Charlie Perkins said:

I am a descendant of a once proud tribe from Central Australia—the Arrernte people. Today we number very few and own nothing ... We cringe at the prospect of the "White backlash". We pray eternally that the White authority structure will not turn on us and impede what little progress we have made. We ask for land rights with tongue in cheek knowing full well that the land belonged to us in the first instance. We stagger and stumble into each other in confusion when our identity ... is contested and thus allow ourselves to be moulded by others. Our land, our pride and our future has been taken away from us and our people buried in unmarked graves. We wonder through Australian society as beggars. We live off the crumbs that fall off the White Australian tables and are told to be grateful.

That passion and regard for justice for his people clearly drove him through all his life. It is interesting to note that he was not just a great spokesman for his people and for these causes; in fact, he lived so much of it himself. His grandmother Nellie Errerke Perkins was born two hours east of Alice Springs. She personally observed the impact of the first transgressions or encroachment by white miners with the gold rushes of the 1890s. Her mother was killed and she knew where her father had been shot. She saw the Arrernte people taken away in chains to gaol. Charlie's mother, Hetti, was born in about 1900. In the late 1920s she was sent to the Jay Creek settlement for, to use a racist and appalling term, half-castes. She met Martin Connelly in about 1935 and bore Charlie as their first child.

At this stage government policy was that children of half-castes should be taken from their parents and placed in institutions. They were, in the mock scientific and even more appallingly racist and offensive terminology of that time, quadroons. Although Charlie had some exposure to Arrernte ways in his very early years, he was shortly to be educated by Anglican priests at St Marys School. In 1944, when he was about eight years of age, he ended up in a residential school where he was allowed home only at weekends. In 1945 he went to St Francis House in Adelaide to be educated. The aim of that education, to put it at its best, was to enable him to be accepted into white society. In real terms that meant crushing his Aboriginal nature and crushing his Aboriginal culture.

He was treated appallingly, as many people in such institutions were. A number of years later he said, "They've got a lot to answer for, these bastards, and the worst part, they were priests, Anglican priests." That, interpreted properly, is a reference to the institutions and the structures that treated him and so many other people appallingly. Not surprisingly, he was forced out of there; he was told to leave in 1952. He then went through the personal exposure to the racism that was inherent in our society at that stage, and in some ways it still is. He then became politically active. By the mid-1950s he was contacting people like Don Dunstan in South Australia in an effort to amend legislation, such as the Police Offences Act.

By 1961 he had been elected Vice-President of the Federal Council for the Advancement of Aborigines, one of many positions he held during a long and distinguished career. In 1961 he moved to Sydney and was persuaded, under the influence of Ted Noffs, to pursue his education. He entered Sydney University in 1963 and studied anthropology, sociology, government and psychology. In 1966 he became the first indigenous person to graduate from an Australian university. Until then he had borne the scars of his early education and had been attempting to assimilate, without understanding that that meant denying his Aboriginal culture and his Aboriginal background. Certainly, his position by then had started to change.

In the mid-1960s he travelled to the United States of America and met Jesse Jackson, and had first-hand exposure to the civil rights movement there. Following that, there were the freedom rides, about which much has already been said today. Those trips to places like Moree, Coonamble and Walgett are now part of our history, and the extraordinary and infamous exercise at Moree public baths is a very significant element in our history. Charles Perkins was not simply a spokesman who got up and said things; he actually lived it. He spoke from his direct experience, and that gave legitimacy to the sorts of things he said so well and so proudly. I should conclude, as I started, by saying that the best description that one could give of him is that he was a great Australian and a great leader.

**Mr O'DOHERTY** (Hornsby) [12.32 p.m.]: It is a pleasure to join with other members of this House and on behalf of the Coalition, in the bipartisan spirit that has always characterised debates about Aboriginal affairs in this Chamber in recent times, to pay tribute to the life of Charles Perkins. My contact with him over the years has been mainly as a broadcaster. I remember interviewing Charles Perkins on many occasions about Aboriginal issues. My career began back in the 1980s. It is interesting to compare the difference between things

in the year 2000 and in the 1980s, when I began as a broadcaster. Those were the days, perhaps even as the *Australian* remarked in its tribute to Charles Perkins on 19 October, when it was a prerequisite for Aboriginal people to speak with fury to be heard. The *Australian* said:

His loud and angry style of activism was a product of his time: when Perkins started out, nothing less than fury would get him heard. It is a tribute to his achievements that his inflammatory tactics have become almost out of place.

He was a man whose career helped to span that generation of change and empowerment for Aboriginal people—not that it has gone far enough, as I am sure the Parliamentary Secretary Assisting the Deputy Premier on Aboriginal Affairs would agree. Because of the efforts of Charles Perkins as a leader of the Aboriginal people, issues affecting Aboriginal people are now part of mainstream discussion in Australian communities. That is demonstrated by the Olympic Games opening ceremony, which showed us that the Australian community is active in the process of reconciliation, whether officially or otherwise.

It was interesting to compare the reconciliation being played out in the community, the opening ceremony and the events that took place around Cathy Freeman and others, with what Charles Perkins said should be the response of Aboriginal people to the Olympics: "Burn, baby, burn". That was clearly out of step with what is required today. But it came from a man who had to say things like that and to hold freedom marches just to get the agenda before the Australian community. A marvellous way for us to reflect on Charles Perkins' life is to consider the achievements of Aboriginal people at the Olympics. Those achievements were made possible because Charles Perkins played such a significant role in bringing Aboriginal reconciliation to the fore. I once again quote from the *Australian* of 19 October:

We grew to know him as a flawed character, but those flaws do not undermine his accomplishments. He made it okay for Aborigines to have a say. That's a legacy for which all Australians are the richer.

On behalf of my colleagues, I pay tribute to Charles Perkins.

**Mr MILLS** (Wallsend) [12.36 p.m.]: I am also pleased to speak in support of the motion of condolence moved by the Deputy Premier on the death of Charles Perkins. I recognise Charles Perkins as an Aboriginal warrior of my generation. As the Deputy Premier said, words, not spears, were his weapons. All Australians can rejoice in his achievements. I know that throughout his lifetime he made a great contribution to this country. His legacy is, firstly, in the decency and morality with which a majority of non-Aboriginal Australians have begun to approach the human rights of indigenous Australians; and, secondly, in the ongoing assertion of their rights by Aboriginal and Torres Strait Islanders, and their ongoing movement towards self-determination.

He was a bloke who caused changes of attitude and behaviour. He was a catalyst for change and progress. Charlie Perkins was smart. He took his opportunities when they came along. He took his opportunities in education when they came; he took his opportunities in sporting competition; he took his opportunities in life in general. He was a top-grade athlete and sportsman, and it has been acknowledged that that helped to open some doors and helped him to better understand the non-indigenous world better. One feature that we would all respect about Charlie Perkins was that he did not hold back. When he suffered or when he was aggrieved he set out to resolve the matter, and that takes courage: the courage of a warrior, the courage of a leader. Courage was Charlie Perkins' trademark.

When you were with him, whether it was outdoors, in a room or in a meeting, he had presence, and that indefinable presence is something that distinguishes leaders from others. Because he was a man who did not hold back and because he had courage he constantly challenged us all, both Aboriginal and non-Aboriginal. He challenged us to stop the racism, the injustice, the cruelty and the discrimination. He inspired people to join with him in challenging the racism, the injustice, the cruelty and the discrimination. Like anyone who did not hold back, he upset some people. He made some enemies, both indigenous and non-indigenous. But because of the moral force of his arguments he made most of those people who disagreed with him uncomfortable. Certainly, he had a habit of making some of the rednecks whom he upset feel most uncomfortable. In today's edition of the *Koori Mail*, under the headline "Farewell Uncle", editor Todd Condie said:

Kumantjayi Perkins has been called many things in his controversial and eclectic life, but the one description you could never attribute to him would be "uninteresting" or "bland".

... the conflicting perceptions expressed by Australians, and even many black Australians, reflected the complexity of a man not fully understood ...

Everybody in Australia in the 1970s knew of Kumantjayi Perkins, whether they liked him or not, so it was no surprise that 30 years later thousands turned up to pay tribute to him in Sydney following his tragic passing earlier in the month.

Todd Condie went on to quote Charlie's niece, former ATSIC Chief Executive Officer Pat Turner, who described her uncle at the service last week as an unorthodox public servant. She said:

He lived an extraordinary life, and was an extraordinary man who achieved extraordinary things ...

There is still unfinished business, there is no treaty yet.

The future's in our hands. Let's do him proud.

I express my condolences to his family, to his extended family of relatives, and to the Arrente and indigenous people of Australia on the loss of a great leader, great champion and hero.

**Mr NAGLE** (Auburn) [12.41 p.m.]: The *Macquarie Dictionary*, third edition, defines "courage" as follows:

1. the quality of mind that enables one to encounter difficulties and danger with firmness or without fear; bravery. 2. *Obsolete* heart; mind; disposition. – *phrase* **have the courage of one's convictions**, to act consistently with one's opinions.

I believe that sums up Charlie Perkins and the courage he had from the time he was a young man until the day he passed away. Charlie was outspoken in many respects. I did not like his comment about Byrne, but the fact of the matter is that when a dog bites a man, no-one listens; when man bites a dog, everyone wants to know why. That is what Charlie was doing, constantly bringing before the people of this nation the great difficulties faced by the Aboriginal nation of this country. Charlie's other feature was dignity. The *Macquarie Dictionary* defines "dignity" as follows:

1. nobility of manner of style; stateliness; gravity. 2. Nobleness of elevation of mind; worthiness ... 3. Honourable place; elevated rank. 4. Degree of excellence ...

That was Charlie Perkins. Many things have been said today by the honourable member for Rockdale and Opposition members about Charlie Perkins. I too should like to quote from comments by his niece which were reported in the Aboriginal newspaper. She said:

Even in the prologue of his 1975 autobiography, "A Bastard Like Me" the conflicting perceptions expressed by Australians, and even many black Australians, reflected the complexity of a man not fully understood.

I believe everybody in Australia did understand Charlie Perkins: he was a man of great courage and determination, a fiery man. I remember a recent story on radio about the time he and one of his colleagues wanted to talk to Mohammed Ali, who was fighting in Japan at the time. Charlie and his colleague went to Tokyo to meet with Mohammed Ali to ask if he would be kind enough to give support to the Aboriginal cause in Australia. They spent three days waiting for him. They could not get into the room to see him. At about 10 p.m. they received a phone call and were told that Mohammed Ali would see them the next morning at 6 a.m. They got up early, had a shower and went to see Mohammed Ali.

They walked into the room and told him where they were from. Mohammed Ali turned to his manager and said, "Get me that cheque book. I'm going to write a cheque out for these men." Charlie Perkins got up, yelled and stormed out of the room. Mohammed Ali chased after him and brought him back into the room. After a discussion in which he said he did not want money but wanted support, Mohammed Ali said, "Any time these men want to come into my room, they are first cab off the rank, they are in my room." That was Charlie Perkins' style. To sum up this man, I quote the words that have been inscribed on my mother's grave: "To live in the hearts of those left behind is not to die." I assure this honourable House, Charlie's family, all his friends and all Australians that Charlie Perkins' name will live on in history as a great Australian and great man. I commend the motion to the House.

**Mr WHELAN** (Strathfield—Minister for Police) [12.45 p.m.]: Many people have referred recently to the tremendous achievements of Dr Charlie Perkins: a talented professional sportsman, the first indigenous man to receive a tertiary degree, the first to run a government department, and his tremendous work on the freedom rides. Charlie Perkins leaves us the richer for his time here. I am pleased to have the opportunity to acknowledge his great contribution to a fairer and better Australia. His public memorial service at Sydney Town Hall and his State funeral brought together Australians from all walks of life. I was reminded of a comment by the Premier today that the Olympic Games and Paralympic Games have brought all Australians together.

Likewise, that was very much in evidence at the memorial service for Charlie Perkins. It was testament to the breadth of his achievements that such a broad cross-section of the community overflowed into the



courtyard to celebrate his memory. It is not simply a great indigenous Australian who is lost to us. No qualifications should attach to his achievements. Very few Australians from any background have achieved so much. Through his work as Chair of the Aboriginal Development Commission in the 1980s and later as a commissioner of the Aboriginal and Torres Strait Islander Commission [ATSIC] he worked for real improvements to living standards for indigenous Australians.

While he had a reputation as a firebrand, his commitment to lasting change meant that he spent most of his time working constructively within the system. He was not afraid to use strong language and bold gestures to get a point across and to make people sit up and take notice, yet at the same time he was an effective and dedicated public servant who worked long and hard at the challenges that came with his many positions. As part of the movement towards reconciliation, in more recent years he was part of a powerful community movement to effect a permanent change in the hearts and minds of the nation's people.

The formal apology delivered by this Parliament was part of that change of hearts and minds. It will lead to better policy and better results. This House rightly repudiated those who dismissed this gesture as a negative view of our history saying that we must be strong enough as a community to accept the truth of our history with all its complexity or we will compromise our future. The Bridge Walk for Reconciliation stands out. I was overwhelmed at the number of people who were ready and willing to forge a better future hand in hand with the first Australians. It is a future that will be built on the work of Australians like Charlie Perkins. Our thoughts are with his wife, Eileen, and their family at this time.

*Members and officers of the House stood in their places.*

**Motion agreed to.**

### **SYDNEY 2000 GAMES ADMINISTRATION BILL**

**Bill introduced and read a first time.**

#### **Second Reading**

**Mr KNIGHT** (Campbelltown—Minister for the Olympics) [12.50 p.m.]: I move:

That this bill be now read a second time.

The Sydney 2000 Olympic and Paralympic Games have been successfully staged and have been widely acclaimed as the best games ever. Of course, the Games are now over. The Games tasks assigned to the Sydney Organising Committee for the Olympic Games [SOCOG], the Sydney Paralympic Organising Committee [SPOC], the Olympic Co-ordination Authority [OCA] and the Olympic Roads and Transport Authority [ORTA] have, essentially, been completed and I place on the public record my appreciation to the staff involved. Their job was done very well. Indeed, all those involved deserve thanks. Having said that, there was always to be an end to these organisations, and there is a need to wind up. In the case of SOCOG, many of the staff have already gone on to their next challenge, and the great majority of staff will depart by the end of December 2000.

Naturally, there are some ongoing activities including: first, the payment of Olympic financial claims or accounts and contract finalisation for the key Olympic agencies—in all, more than 4,500 contracts require finalisation; second, managing any post-Games litigation that may arise—for example, Reebok is suing SOCOG and SOCOG is counter-suing Reebok; third, providing information for a final report by the Auditor-General on the cost of the Games and providing a formal report to the International Olympic Committee [IOC] on the staging of the Games; fourth, disposal of the media village site and clearance off the site of temporary buildings; fifth, decommissioning of the Olympic overlay such as temporary seats, tents, et cetera, making good of venues and finalisation of claims from contractors; sixth, cataloguing, classifying and placing into protective storage the official Games archives; seventh, the handover of Sydney Olympic Park and other Olympic facilities to the relevant post Olympic agencies, a matter that the Government is yet to finally decide upon. Therefore, there needs to be a continuing legal entity.

The bulk of the work that is still to be done already falls under the responsibility of the OCA. As the underwriter of SOCOG, any debts fall on the State Government to cover so it is therefore sensible for the OCA to be the body responsible for the wind-up and conclusion of these matters and for it to effectively become the post-Olympic repository, with the OCA itself winding up around the end of 2001. It is fitting that the OCA is the last of the Olympic agencies to be wound up. After all, it was the OCA that so successfully built the venues,

managed all aspects of the New South Wales Government's support for the Games, then went on to have a huge impact on the actual conduct of the Games including the running of Sydney Olympic Park and the Olympic live sites in the city. The enactment of the Sydney 2000 Olympic Games Administration Act will effectively locate all of the post-Games activities of the Olympic agencies with OCA and under the direct control of the Government.

With the exception of any liabilities incurred by SPOC, all of these responsibilities and obligations will be, in fact, the responsibility of the Government by that time because of the financial position of SOCOG and the Government's position as underwriter. Any obligations attaching to SPOC are considered to be minor in nature, and ORTA obligations already lie within government, so the greater benefit to the Government is to bring all of the responsibilities and obligations together in one entity. The bill proposes that the OCA take responsibility for all aspects of the wind-up of SOCOG, SPOC and ORTA. Any responsibility, in contract or otherwise, to any of these organisations shall be transferred to the OCA. The boards of SOCOG and ORTA will therefore no longer exist.

Any reference made in legislation to the Board of Directors of SOCOG or the chief executive officer of either SOCOG or ORTA will be taken to be a reference to the Director-General of OCA. As a member of the SOCOG board, the SOCOG chief executive officer automatically ceases to hold office. However, the bill is explicit in protecting the salary rights of the incumbent until the completion of his contract in March 2001 and it also allows the acceptance of other positions and responsibilities within the New South Wales Government during that period. I am pleased to say that Mr Hollway has accepted a secondment at his existing salary for the remainder of his contract to work on behalf of the Government on the International Year of the Volunteer.

As I stated at the outset, Sydney 2000 organisations are now winding up their operations following the successful conclusion of the best Olympics Games ever and the best Paralympic Games ever. One fortunate consequence of the success of both Games is that there are few disputes or complex matters requiring resolution. The SOCOG accounts prepared at the end of November should be close to final. Adequate provision will be made for recurrent expenditure during December 2000 so that the board of SOCOG can consider in mid-December accounts which are expected to be very close to the accounts as at the end of the period to 31 December 2000. The board will be asked to approve those accounts. That approval will not be the formal approval for audit purposes—this will not occur until after audits are completed early in 2001—but the board will have the satisfaction of seeing as near as possible the final accounts recording the financial outcome of its work during the Olympic period.

The bill provides simply for the board of SOCOG to be replaced with the Director-General of OCA on and from 1 January 2001. SOCOG will continue as a legal entity as distinct from an ongoing operational organisation for two main reasons. The first is that SOCOG will continue to have some employees involved in the wind-up who are not subject to the Public Sector Management Act. Also, some of SOCOG's contracts are subject to foreign law and it is convenient to avoid arguments about the effect on those contracts of a statutory transfer of assets and liabilities. When administration of those contracts is complete the remaining assets and liabilities of SOCOG will be transferred to OCA. A simpler position applies in relation to SPOC, and therefore the bill contemplates that on and from 1 January 2001 the assets and liabilities of SPOC will be transferred by operation of statute to OCA. As with SOCOG, the board of SPOC will go out of office at the transfer date.

The third agency with which the bill deals is ORTA. Unlike SOCOG and SPOC, ORTA is already a public sector agency and not as much turns on the date of transfer of its assets and liabilities to OCA. Therefore the bill provides for that transfer to occur at a date to be proclaimed. In conclusion, I take this opportunity to thank the members of the board of SOCOG. While there were debates and disagreements throughout the years, I am proud to say that the board generally worked co-operatively and worked well. Contrary to the impressions sometimes conveyed in the media, the political involvement of many of the board members in their past or present occupations did not shape their views when it came to decisions made on important Olympic issues.

Instead, board members made their decisions conscious of both their fiscal duties and of what each saw as the best interest of the Games. Both Ian Armstrong and Chris Hartcher are good examples of this. I hope I do not damage Chris Hartcher's prospects in the Liberal Party when I say how much I appreciate the fairness, bipartisanship and genuine commitment to the Olympic Games he displayed as a member of the SOCOG board in its most difficult period. Similarly, the board of SPOC did an outstanding job. Far from being caught in the shadow of the Olympics, it set new records and sold close to double the budgeted number of tickets—with a final figure of approximately 1.1 million ticket sales. I pay tribute to Dr John Grant for his leadership, fundamental decency and commitment to the Paralympic spirit over decades. It is an honour to know him and to have worked with him.

The advisory board of ORTA worked successfully with senior ORTA staff to effectively co-ordinate all aspects of Games time transport for both the Olympic Games and the Paralympics. That success will have an ongoing legacy as its experience in major events transport co-ordination is now second to none. Again, I thank those in all the Olympic agencies who worked effectively to deliver: the construction of the best venues; the best Olympic look—both in the venues and in the city; the best city entertainment; the best Olympic transport system; the best utilisation of technology; the greatest environmental legacy; the best sport management; an outstanding industrial relations record; undoubtedly the best volunteers; and quite simply, as others have said, the best Olympic and Paralympic Games ever. I commend the bill to the House.

**Debate adjourned on motion by Mr Piccoli.**

*[Mr Speaker left the chair at 1.00 p.m. The House resumed at 2.15 p.m.]*

**LEGISLATIVE COUNCIL VACANCIES**

**Joint Sitting**

**Mr SPEAKER:** I report the receipt of a message from His Excellency the Governor convening, on Wednesday 1 November 2000 at 3.00 p.m., a joint sitting of the members of the Legislative Council and the Legislative Assembly for the purpose of the election of persons to fill the seats in the Legislative Council vacated by the Hon. John Planta Hannaford and the Hon. Andrew Bruce Manson.

**PETITIONS**

**North Head Quarantine Station**

Petition praying that the head lease proposal for North Head Quarantine Station be opposed, received from **Mr Barr**.

**McDonald's Moore Park Restaurant**

Petition praying for opposition to the construction of a McDonald's restaurant on Moore Park, received from **Ms Moore**.

**State Taxes**

Petitions praying that the Carr Government establish a public inquiry into State taxes, with the objective of reducing the tax burden and creating a sustainable environment for employment and investment in New South Wales, received from **Mr Debnam**, **Ms Hodgkinson** and **Mr Maguire**.

**Kings Cross Policing**

Petition praying for increased police presence in the Kings Cross area, received from **Ms Moore**.

**Redfern, Darlington and Chippendale Policing**

Petition praying for increased police presence in the Redfern, Darlington and Chippendale areas, received from **Ms Moore**.

**Paddington Policing**

Petition praying that the House prevent the closure of Paddington Police Station and praying for increased police presence in the Paddington area, received from **Ms Moore**.

**Surry Hills Policing**

Petition praying for increased police presence in the Surry Hills area, received from **Ms Moore**.

**East Sydney and Darlinghurst Policing**

Petition praying for increased police presence in the East Sydney and Darlinghurst areas, received from **Ms Moore**.

### **Malabar Policing**

Petition praying that the House note the concern of Malabar residents at the closure of Malabar Police Station and praying that the station be reopened and staffed by locally based and led police, received from **Mr Tink**.

### **Engadine Police Station Downgrading**

Petition praying that any downgrading of Engadine Police Station be opposed and praying that the station be staffed 24 hours a day by locally based and led police, received from **Mr Tink**.

### **Manly Hospital Paediatric Services**

Petition expressing concern at the decision of the Northern Sydney Area Health Service to discontinue paediatric services at Manly Hospital and praying that full services at Manly Hospital be maintained, received from **Mr Barr**.

### **Coffs Harbour Health Services Funding**

Petition praying for increased funding for health services in the Coffs Harbour area and a reduction in surgery waiting lists, received from **Mr Fraser**.

### **Wallsend After Hours Primary Care Service**

Petition praying that assistance be provided to enable the continuation of after hours primary care services to residents of Wallsend and surrounding districts, received from **Mr Mills**.

### **Genetically Modified Food**

Petition praying that the House take action to prohibit the sale and distribution of food containing genetically modified organisms, received from **Ms Moore**.

### **Macksville Hospital Funding**

Petition praying that sufficient recurrent funding be allocated to Macksville and District Hospital to enable restoration of hospital services to the level that existed prior to cutbacks instituted by the Mid North Coast Area Health Service, received from **Mr Stoner**.

### **Non-government Schools Funding**

Petitions praying that the Government reimburse the \$5 million in funding that has been withdrawn from non-government schools and reverse its decision to withdraw a further \$13.5 million in funding in 2001, received from **Mr Humpherson** and **Mrs Skinner**.

### **Revesby Railway Station Access**

Petition praying that Revesby railway station be designated an easy access station, received from **Mr Ashton**.

### **Pittwater Road, Narrabeen, Speed Limit**

Petition praying that a speed limit of 60 kilometres per hour be introduced on Pittwater Road, Narrabeen, received from **Mr Brogden**.

### **Moore Park Light Rail**

Petition praying that consideration be given to the construction of a light rail transport system for Moore Park, received from **Ms Moore**.

### **Eastern Distributor Tunnel Ventilation**

Petition praying that air purification systems be installed on the Eastern Distributor and cross-city tunnel, received from **Ms Moore**.

### **South Dowling Street Traffic Management**

Petition praying that the Roads and Traffic Authority investigates all possible traffic management options and implements measures to restore residential amenity and safety to South Dowling Street between Flinders and Oxford streets, received from **Ms Moore**.

### **Moore Park Passive Recreation**

Petition praying that Moore Park be used for passive recreation after construction of the Eastern Distributor and that car parking not be permitted in Moore Park, received from **Ms Moore**.

### **Oxford Street Pedestrian Crossing**

Petition praying that an additional signalised pedestrian crossing be installed on Oxford Street, Paddington, received from **Ms Moore**.

### **Windsor Road Upgrading**

Petitions praying that Windsor Road be upgraded and widened within the next two financial years, received from **Mr Richardson** and **Mr Rozzoli**.

### **Warrell Creek Pacific Highway Realignment**

Petition opposing the Roads and Traffic Authority's design and access arrangements for the realignment of the Pacific Highway at Warrell Creek and praying that the House rejects the authority's proposal and provides proper access to nearby properties, received from **Mr Stoner**.

### **Kempsey and Macksville Pacific Highway Upgrade**

Petition praying that the House improve safety on the Pacific Highway and fast-track the proposed bypassing of Kempsey and Macksville, received from **Mr Stoner**.

### **Old-growth Forests Protection**

Petition praying that consideration be given to the permanent protection of old-growth forests and all other areas of high conservation value, and to the implementation of tree planting strategies, received from **Ms Moore**.

### **Wagga Wagga Electorate Fruit Fly Campaign**

Petition praying that the Government resources the Fruit Fly Campaign for the years 2000, 2001, 2002 and 2003, upgrades the Wagga Wagga electorate to a fruit fly control zone, and develops and implements a fruit fly strategy to eliminate fruit fly from the electorate within the next five years, received from **Mr Maguire**.

### **Animal Experimentation**

Petition praying that the practice of supplying stray animals to universities and research institutions for experimentation be opposed, received from **Ms Moore**.

### **Animal Vivisection**

Petition praying that the House will totally and unconditionally abolish animal vivisection on scientific, medical and ethical grounds, and that a new system be introduced whereby veterinary students are apprenticed to practising veterinary surgeons, received from **Ms Moore**.

### **National Parks Entry Fees**

Petitions praying that the proposal to introduce a \$6 entry fee per car per day into national parks be rejected, particularly in Bundjalung National Park and Iluka Nature Reserve, received from **Mr George, Ms Hodgkinson, Mr Oakeshott, Mr Piccoli, Mr Souris and Mr J. H. Turner.**

### **Freedom of Religion**

Petition praying that the House rejects proposals to reform the Anti-Discrimination Act which would detract from the exercise of freedom of religion, received from **Mr Humpherson.**

### **White City Site Rezoning Proposal**

Petition praying that any rezoning of the White City site be opposed, received from **Ms Moore.**

### **MINISTRY**

**Mr CARR:** In the absence of the Minister for Local Government, Minister for Regional Development and Minister for Rural Affairs, the Minister for Small Business, and Minister for Tourism will take questions on his behalf.

### **QUESTIONS WITHOUT NOTICE**

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#### **HONOURABLE MEMBER FOR FAIRFIELD SEXUAL ASSAULT ALLEGATION**

**Mrs CHIKAROVSKI:** My question is directed to the Premier. How does the Premier reconcile his statement to this House yesterday that he first learned of allegations of sexual assault involving the member for Fairfield some days after 18 September with his comments to the media on 20 October that he knew nothing about the incident. Which statement is a lie?

**Mr CARR:** The only alert to my office came from media inquiries that were not based on any fact and which I did not seek confirmation of for the reason I highlighted yesterday, that is, that when I am told that things are the subject of active, current, live police investigations I, as is fitting, stay out of it.

#### **CANNABIS MEDICAL USE**

**Ms BEAMER:** My question without notice is to the Premier. What is the latest information on the working party chaired by Professor Wayne Hall into the medicinal use of cannabis for people suffering from terminal illnesses?

**Mr CARR:** Last October the Government launched an inquiry into whether there is a role for cannabis in the treatment of symptoms associated with serious or terminal illness. At the time I made two important statements: first, that this inquiry was not about the recreational use of cannabis. Those who advocate the legalisation of cannabis should not consider this inquiry a sign of support for their case. Second, any change to current policy would be the subject of extensive community consultation. The decision to conduct an inquiry followed representations from a number of groups, including the Law Society and the Australian Medical Association. Ultimately the Government's decision was motivated by compassion.

There are people in our community suffering serious illness and unrelenting pain. Cannabis is already permitted for medicinal purposes in nine American States. On 3 March last year the Canadian health minister authorised clinical trials of the medicinal use of cannabis. The Tasmanian Government has referred the matter to the State Parliament Community Development Committee. To some extent, therefore, New South Wales is behind other jurisdictions. The expert working party chaired by Professor Wayne Hall was asked to thoroughly investigate the health, legal and social aspects of this issue. They concurred with an investigation by the United States of America Institute of Medicine that cannabis may have therapeutic potential. I released the working party's report today.

In no way does the working party's report endorse the decriminalisation of cannabis, nor does it support the use of cannabis other than as a pain management and therapeutic option. The report sets out the risk of cannabis. It also identifies the problems associated with smoking cannabis but notes that at this time and in these circumstances there are few other options. The active ingredients of cannabis are not widely available in other forms. The report highlights the need for more research and recommends clinical trials of pharmaceutical preparations of the active ingredients of cannabis. Research is also recommended into the basic chemistry and pharmacology of those active ingredients. This would assist in isolating them in a form that can be delivered more safely and effectively than smoking, for example, in a tablet or nasal spray. In the interim, the working party recommends a two-year trial of what they call a compassionate regime. This would allow patients to gain the benefits of cannabis without facing criminal sanctions, pending the development of safer and more efficient methods.

A limited exemption from criminal prosecution would apply only to, first, patients certified by an approved medical practitioner or, second, certified as suffering from a restricted set of medical conditions. These conditions would include cancer, HIV-AIDS and some neurological disorders. Under the compassionate regime, authorised doctors would be permitted to prescribe cannabis for patients suffering from lack of appetite and wasting associated with cancer and HIV-AIDS, nausea and vomiting in cancer patients undergoing chemotherapy, or for pain unrelieved by conventional treatments.

Only accredited and trained medical practitioners would be able to issue certificates, and patients would be counselled about the risks of smoking cannabis. The exemption would also apply to the carers of patients too sick to obtain cannabis. It would apply only in cases where the patient or carer is in possession of a statutory small quantity of cannabis, that is, 30 grams or no more than five plants under 25 centimetres, or two plants above that height. Cannabis clubs, which offer to supply cannabis for patients, would remain illegal.

The onus of proof would rest with the patient and carer. Medical certificates would have to be renewed every six months by an accredited doctor. This is not Government policy. These are the recommendations of an expert working party. They will now be subjected to extensive community consultation. From the outset, I can flag some concerns. The matter of the amount of cannabis is controversial. I am concerned, for example, about the recommendation allowing five plants under 25 centimetres or two plants of unlimited height. Community feedback on this issue would be welcomed.

I also have reservations about the list of conditions for which the regime may apply. The working party has recommended that Tourette's syndrome be included. I am not persuaded. I think more information is needed. A broad range of views will be sought on all aspects of the report during the consultation phase. We will proceed on this issue, as we have with other drug issues, with caution. However, on compassionate grounds we must give this matter our consideration.

#### **HONOURABLE MEMBER FOR FAIRFIELD SEXUAL ASSAULT ALLEGATION**

**Mr SOURIS:** My question is directed to the Minister for Police. Given that the police prepare a daily serious incident report for the police executive and that the Minister's office is routinely briefed on items of interest, when was the Minister advised that serious allegations of sexual assault had been made against the honourable member for Fairfield? When did the Minister advise the Premier or his office?

**Mr WHELAN:** On 19 September, and I did not advise the Premier.

#### **GLENBROOK RAIL ACCIDENT INQUIRY REPORT**

**Mr MARTIN:** My question without notice is to the Premier. What is the Government's response to the second interim report of the Special Commission of Inquiry into the Glenbrook rail accident?

**Mr CARR:** At 8.22 a.m. on Thursday 2 December an eight-car inter-urban train travelling from Lithgow to the city collided with the rear of an Indian Pacific service travelling in the same direction. None of us will forget that sad day. I express once again my sympathy to the families who lost loved ones, the people injured, and the many others touched by this tragedy. Acting Justice Peter McInerney, a former Supreme Court judge, was appointed on the day of the accident to head an inquiry. At 9.00 a.m. this morning Acting Justice McInerney presented a copy of his second interim report to the Governor. I seek leave to table the report entitled "Second Interim Report of the Special Commission of Inquiry into the Glenbrook Rail Accident", dated November 2000.

**Leave granted.**

**Report tabled.**

The terms of reference of the Acting Justice were to examine the causes of the accident, the adequacy of risk management procedures and changes required to improve rail safety, and safety improvements including any relevant structural changes which the Acting Justice considers necessary as a result of his findings. The second interim report makes a series of recommendations concerning structural changes, which the Acting Justice considers are necessary to improve rail safety. These recommendations include that legislation, where necessary, be enacted to achieve the following: to formalise the Office of the Co-ordinator General of Rail for a transitional period, and then transfer his functions to a new rail regulator; to merge the Rail Access Corporation and Rail Services Australia; to make the State Rail Authority responsible for network control, timetabling and train movements for the CityRail network; and to make the merged Rail Access Corporation and Rail Services Australia responsible for the network in all areas in New South Wales other than those controlled by the State Rail Authority. The Acting Justice also recommended that the development of legislation specifically dealing with safety regulatory functions be deferred until the release of his final report.

The people of the Blue Mountains, Lithgow and throughout New South Wales have the absolute right to travel in safety. That is why today I can announce that the Government intends to introduce legislation during the current session of Parliament in response to the recommendations of Acting Justice McInerney's second interim report. The legislation will, first, formalise the Office of the Co-ordinator General of Rail for a transitional period and give him sufficient powers to enable him to implement the structural changes necessary to ensure that trains will operate efficiently and safely; second, it will establish the Office of Rail Regulator, which will take over the role of the Co-ordinator General of Rail after the transitional period; and, third, it will merge the Rail Access Corporation and Rail Services Australia as a State-owned corporation, but modified in a way that addresses Acting Justice McInerney's concerns, with the objective of delivering safe and reliable passenger and freight services in an efficient, effective and financially responsible manner.

In accordance with Acting Justice McInerney's recommendations, the Government will not be dealing with safety regulatory functions until after his final report. Clearly, safety is of the essence, but before safety regulatory functions are considered, the Government and the Co-ordinator General of Rail will need to consider the final report of the Acting Justice and other issues which arise during the transitional period. In the meantime, as I have already stated, the Co-ordinator General remains the number one consideration in the operation of the system. In conclusion, I express once again my sympathy to the families who lost loved ones, the people injured, and the many others touched by the Glenbrook tragedy.

#### **HONOURABLE MEMBER FOR FAIRFIELD SEXUAL ASSAULT ALLEGATION**

**Mrs CHIKAROVSKI:** My question is directed to the Premier. In view of advice I have received this afternoon from the parliamentary leader of the Australian Democrats, the Hon. Dr A. Chesterfield-Evans, that the young woman victim of the alleged sexual assault by the honourable member for Fairfield is prepared to co-operate with an independent judicial inquiry, provided her anonymity is maintained, will the Premier now agree to set up such an inquiry?

**Mr CARR:** The position of the Government is this—

**Mr SPEAKER:** Order! I call the honourable member for Wakehurst to order. I call the honourable member for Wakehurst to order for the second time. I call the honourable member for Wakehurst to order for the third time. If members of the Opposition continue to interject they will be placed on three calls to order. I remind them that the honourable member for Wakehurst is on three calls to order.

**Mr CARR:** A matter of sexual assault is a serious criminal offence. As such, it belongs in one forum, that is, the courts of New South Wales, brought there after a police investigation.

#### **GLENBROOK RAIL ACCIDENT INQUIRY REPORT**

**Mr MOSS:** My question without notice is directed to the Minister for Transport. Will the Minister outline the role of the Co-ordinator General of Rail in implementing the recommendations of the second interim report of the Special Commission of Inquiry into the Glenbrook Rail Accident?

**Mr SCULLY:** It is nearly a year since the Glenbrook tragedy occurred. We all remember the circumstances of this terrible accident that took the lives of seven people on 2 December 1999. The police emergency services and rail staff put in a magnificent effort in difficult circumstances and deserve to be applauded. I support the remarks made by the Premier and express my condolences to the families of the



victims. As the Premier has indicated, the Government acted quickly to set up a full, open and independent inquiry on the day of the accident. The initial terms of reference included a request that Justice McInerney consider, first, the causes of the accident and the factors that contributed to it and, second, the adequacy of the risk management procedures applicable to the circumstances of the railway accident. The Government subsequently broadened those terms of reference to include any safety improvements to rail operations including relevant structural changes which he considers necessary as a result of his findings under the first and second considerations and as a result of consideration of the reports of the rail safety investigations and any coronial report into a number of railway accidents.

I thank Justice McInerney for the thoroughness of his efforts on behalf of the people of New South Wales. The first phase of the inquiry considered the direct causes of the accident. The first phase produced more than 11,000 pages of reports on risk management procedures for the rail agencies here and overseas. Evidence was heard from 96 witnesses and 92 exhibits were received. On 6 June Justice McInerney provided to the Governor his interim report on the direct causes of the Glenbrook accident. It contained eight recommendations for safety improvements. All were adopted by the Government and are being acted upon by the rail agencies. Honourable members will recall that the Government appointed Mr Ron Christie to improve the overall performance of the railways and ensure that the rail agencies work together more closely. The Government also asked Mr Christie to oversee the implementation of the Glenbrook recommendations.

Following the completion of the first phase of the inquiry, Justice McInerney began to review broader issues of safety and industry structure. The Government agreed to his request to investigate railway operations overseas. The inquiry conducted extensive investigations into rail safety and risk management systems in Great Britain, France, Norway, The Netherlands, Germany and Canada. Hearings were held in October to hear the evidence of Mr Christie, union officials and rail experts. Today, the Government has received a second interim report with a further 15 recommendations. They deal with the structure of the rail industry. Many reflect the evidence of the Co-ordinator General of Rail, Ron Christie, before the inquiry of last month.

The Premier indicated the Government's response to the recommendations. The implementation will be co-ordinated by Mr Christie. As recommended in the interim report, the Government will move swiftly to formally establish the Office of the Co-ordinator General of Rail. He will be empowered to examine and assess the ramifications of any structural changes of the New South Wales railways. He will be empowered also to manage those changes so that the level of safety is not reduced and will ensure that customer service is a key focus.

Further, he will oversee the transfer of network control to the State Rail Authority for the CityRail network as recommended by Justice McInerney. That will be done in consultation with management, staff, unions and other relevant stakeholders. The co-ordinator general will also manage the merging of the Rail Access Corporation and Rail Services Australia. The Government notes Justice McInerney's observations regarding the need for the portfolio Minister to be given sufficient powers to direct this proposed agency. The new agency will be a modified State-owned corporation with special provisions that make it clear that the portfolio Minister can direct its activities. That will ensure a greater degree of accountability to the Minister with the key objective of delivering a safe and reliable passenger and freight service in a financially responsible way.

Passenger services will continue to be given priority. It will be clear to both agencies that they share common objectives to act in the best interests of the whole rail network. As Justice McInerney noted in his interim report, there will need to be a transitional period to put the new arrangements in place. The first step will be to introduce appropriate legislation during this session. I assure the House that the Government intends to act promptly. The McInerney inquiry will now move to its final stage to consider rail safety generally. The inquiry will consider further evidence and the Government will await the final report due on 31 December. As the Premier noted, legislation covering safety issues will be considered by the Government following the final report. We accept Justice McInerney's recommendations that we await his final report on these matters.

*[Questions without notice interrupted.]*

## LEGISLATIVE COUNCIL VACANCIES

### Joint Sitting

#### **Motion, by leave, by Mr Whelan agreed to:**

That notwithstanding the order of the day, the following message be sent to the Legislative Council:

MADAM PRESIDENT

The Legislative Assembly having received the Governor's Message dated 1 November 2000 relating to the Joint Sitting to elect members of the Legislative Council has agreed to meet with the Legislative Council for that purpose at the conclusion of Questions Without Notice at approximately 3.15 pm., Wednesday 1 November 2000.

Legislative Assembly  
1 November 2000

J. H. MURRAY  
Speaker

## QUESTIONS WITHOUT NOTICE

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*[Questions without notice resumed.]*

### HONOURABLE MEMBER FOR FAIRFIELD SEXUAL ASSAULT ALLEGATION

**Mr TINK:** My question is directed to the Minister for Police. Was the alleged sexual assault victim told by police that she needed a Monica Lewinsky-type dress to prove her case in court, which is in breach of the Police Service handbook on sexual assault that states that police should make no assumption about the strength of the case when interviewing the victim?

**Mr WHELAN:** I know nothing of the police investigation.

**Mr SPEAKER:** Order! I call the honourable member for Gosford to order. I call the Deputy Leader of the Opposition to order.

**Mr WHELAN:** I find the remarks of the honourable member for Epping in this Chamber outrageous. He is deliberately and wilfully endeavouring to interfere with a police inquiry.

**Mr Tink:** That is a cover-up.

**Mr WHELAN:** You are deliberately trying to intimidate the Police Service on this issue. That is serious.

**Mr SPEAKER:** Order! On two prior occasions I have asked the Serjeant-at-Arms to remove the honourable member for Epping from the Chamber for conducting himself in the way he has just behaved. The Chair will not tolerate that sort of behaviour. If he conducts himself in that way a third time he will be named. I place him on three calls to order.

### MAGNETIC RESONANCE IMAGING FACILITIES

**Mr LYNCH:** My question without notice is to the Minister for Health. What is the latest information on the allocation of magnetic resonance imaging [MRI] facilities in New South Wales?

**Mr KNOWLES:** I am sure that all members would remember the Commonwealth Government's scan scam, that seemingly extraordinarily coincidence of a massive boost in the number of MRIs just ahead of the Commonwealth announcement on substantial Medicare rebates in the Commonwealth Budget. Scan scam was tantamount to giving private MRI operators a Government guaranteed licence to print money. Today I reveal what is shaping up to be scan scam two; more MRIs for private operators at the expense of our public hospital system. This is red hot! Until the MRI scam blew up in Michael Wooldridge's face there was a rational process of allocating MRIs around Australia. As one might expect, allegations were based on need and location. For example—

**Mr Souris:** And it stays on your pension.

**Mr KNOWLES:** It is interesting that the Leader of the National Party, who one might think would have an interest in the location of diagnostic services for health, especially in rural New South Wales, is chattering away. He is disinterested in what the Commonwealth Government and his own party are doing.

**Mr SPEAKER:** Order! I place the Leader of the National Party on three calls to order.

**Mr KNOWLES:** As part of that process, for example, in December 1998 the Federal Minister for Health, Michael Wooldridge, in conjunction with the Minister for Finance and Administration, John Fahey, issued a press release announcing their support for the placement of an MRI at Liverpool Hospital. The press release is explicit. It is an unequivocal undertaking to locate an MRI at Liverpool Hospital. The press release says it all. It says that Liverpool Hospital is the largest new teaching hospital in Australia, that it serves more than three-quarters of a million people, and that in an underserved region Liverpool Hospital has made a strong case for an MRI and "is clearly eligible for assistance under the Federal Adjustment and Relocation Scheme".

The Wooldridge-Fahey announcement is full of reasons why Liverpool should receive an MRI, which it presently does not have. John Fahey stated that it will be a tremendous boost to radiological, neuroscience, cancer and trauma services. Michael Wooldridge said, "MRI is extraordinarily helpful in providing greatly improved imaging of the brain and spinal cord ... I expect the hospital to have an MRI as soon as possible". Wooldridge and Fahey promised an MRI at Liverpool, it is on its way, but, as we all remember, scan scam smashed into the plan and everything stopped dead. In the context of that inquiry the States were advised that the Commonwealth funding scheme had to be put on hold and would be reconsidered for funding only after the Health Insurance Commission investigated it.

History moves on and investigations take place. The scan scam is technically over, no-one has been charged. It is worth noting that now there are 66 MRI machines dotted around Australia, operating like cash registers in a supermarket. Most of them are in the private sector, but Liverpool Hospital is still waiting. What is really amazing, based on that commitment and the inquiry as well as the unequivocal undertaking by Fahey and Wooldridge, is that the Director-General of the New South Wales Department of Health together with his counterparts from other States and Territories were advised at the last meeting of the Australian Health Ministers Advisory Council [AHMAC] that the Commonwealth is about to allocate another seven MRI units nationally. That is good news, great news, except that Liverpool Hospital is not one of them. More importantly, the Commonwealth has advised the State and Territory heads of health departments that they will not go into the public system but into the private sector.

How extraordinary! One would have thought that the Commonwealth might have learned something from the MRI scan scam over the past 12 to 18 months. Naturally enough, the clinicians at Liverpool Hospital are very angry. Right now the clinicians are in Canberra expressing their anger to Dr Wooldridge's staff. They have copies of the press release under their arms and they have John Fahey's statement: the paper trail. They have that horrible feeling that they are about to be duded by the Commonwealth on its 1998 promise.

No-one would deny that for the private sector an MRI is a terrific diagnostic tool. As a matter of good public policy, something that the Federal Government does not understand, an MRI in a public hospital not only offers diagnostic capabilities. Its presence in the public system allows the ongoing development of all manner of clinical services, vastly enhanced teaching and research potential and an ability to retain specialist staff. I make the point that in Australia it is in the public system, not the private sector, where one finds the excellence, the leading research and the teaching capabilities. That is as it should be, and that is where the MRIs should go.

It is entirely appropriate that we challenge Michael Wooldridge to reject the Commonwealth official advice to States and Territories and to recognise in accordance with his press release that Liverpool Hospital should be first cab off the rank. It is, as he says, the largest new teaching hospital in Australia in one of the most underserved regions in the country. From my discussions with the clinicians at Liverpool Hospital it is clear that the MRI promised to them by Mr Wooldridge and Mr Fahey in 1998 is now more essential than it was two years ago. For Liverpool Hospital to service the region and, importantly, to retain staff, Michael Wooldridge has to make the first of the MRIs available to that hospital.

As I said, there are now 66 MRIs in Australia, and most of them are in the private sector. One might reasonably assume that since the scan scam the private operators have had their fair share. It is not unreasonable to expect that it is time for the public sector to get a fair go. I look forward to Michael Wooldridge's response to my remarks and to the clinicians who are camped on his doorstep in Canberra as I speak. My hope is that he will deny what the Commonwealth has told the State officials at AHMAC. More importantly, I would like to work with him to not only get an MRI at Liverpool Hospital but for New South Wales to get its fair share of the seven new allocations. Ideally, they should be located in public facilities right around the State so that public patients can have the benefit of them.

#### **HONOURABLE MEMBER FOR FAIRFIELD SEXUAL ASSAULT ALLEGATION**

**Ms SEATON:** My question is directed to the Minister for Women. In light of the Minister's statements that men who abuse women are mongrels and her advice to young women victims of sexual assault to make a fuss, yell about it and carry on, why has she failed to take action to protect the reputation of the young woman victim in the Tripodi affair?

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

**Mrs LO PO':** My views on men who hit women are well known and I do not resile from them.

**Mrs Skinner:** This is more than hitting.

**Mrs LO PO':** They are the ones we were talking about. Every young woman who feels that her safety is in jeopardy should contact the police, as this young woman did. Every young man who is aware that allegations have been made against him should do as the honourable member for Fairfield has done and make himself available to the police at the earliest opportunity. My view is that the matter is where it should be: with the police. The police should be left to investigate this matter without any political interference.

**Ms SEATON:** I ask a supplementary question. In light of the Minister's answer, will she comment on statements about the alleged intimidation of young women in these situations? Why does she not move to make it easier for women to make a fuss, yell about it and carry on in situations such as this?

**Mrs LO PO':** I have just answered the question.

### **PRIORITY SCHOOLS FUNDING PROGRAM**

**Ms HARRISON:** My question without notice is to the Minister for Education and Training. How is the Government assisting schools in disadvantaged areas?

**Mr AQUILINA:** I thank the honourable member for Parramatta for her question about the Government's priority funding support for government schools. I welcome her keen personal interest in the welfare of students in western Sydney. I am pleased to announce a new policy that will benefit schools such as Auburn West Public School, Yanderra Public School, Airs High School and Woodenbong Central School. The \$164,000,000 Priority Schools Funding program will improve literacy skills and employ more teachers. The new policy replaces the Disadvantaged Schools program. Key changes are a new focus on literacy and numeracy, the basic skills of education; phasing of staffing supplementation to allow greater ease in timetabling and certainty for the future; and an improved focus on country New South Wales.

I am sure that will be welcomed by Country Labor. I thank Country Labor members for their representations on this matter—thank you one and all. Once again, a commitment undertaken is now a commitment fulfilled. I firmly believe that students from disadvantaged families should not be left behind. The Priority School Funding program will assist 547 primary, central and secondary schools that serve 159,000 students. All students, regardless of where they live or the financial circumstances of their families, deserve a high-quality education. Some students need additional support with their literacy and numeracy. The Priority Schools Funding program delivers that additional support. A total of 278 teacher positions will be funded through this program. Those positions can be used to assist in a number of ways, including in the reduction of class sizes.

Opposition members may think it is a bit of a novelty to reduce class sizes by providing additional teachers. We well remember what the Opposition did when it was in government: it reduced the number of teachers. There were 2,000 fewer teachers, more composite classes and increased class sizes. I remember it well, as does the Premier. The Coalition sacked the teachers. Like my colleagues, I have been looking for Opposition policies. I am sure that many of their colleagues have been looking for Opposition policies as well. One would have to search far and wide to find an Opposition policy; it would require a strong magnifying glass, because Opposition policies are very scarce. However, I managed to find one Opposition policy on education. It is incorrectly titled "Smaller class sizes". It was on the New South Wales Coalition chat website and was dated 20 October this year at 11.16 a.m. The date and time are very precise. On that Coalition website, the shadow Minister for Education and Training in another place, the Hon. Patricia Forsythe, said:

The last thing we need to do is spend money on capital works ... The State of California had disastrous consequences following this introduction of small class sizes. It ended up with Inner City schools with an inability to expand.

**Mr Scully:** Could you repeat that?

**Mr AQUILINA:** It is here in black and white. It says:

The last thing we need to do is spend money on capital works ... The State of California had disastrous consequences following this introduction of small class sizes. It ended up with Inner City schools with an inability to expand.

If one takes that to its logical conclusion, it means that the Opposition stands for no more spending on capital works; it will not spend any more money on capital works. The Opposition stands for large classes and no more

inner-city schools. It is here in black and white that the Opposition actually believes in large-sized classes. The Minister for Small Business is shaking her head, and well she might. It is here in black and white on the Coalition website. I can assure honourable members that the Government believes in priority education, and in funding priority for schools. Under this program an additional 278 teachers will be allocated to reduce class sizes; to provide one-on-one reading or numeracy assessment and support for students with special literacy and numeracy needs; to provide more literacy support groups for one-teacher rural schools—again recognising representations from Country Labor; and to create teams of teachers in secondary schools to target literacy needs.

The new positions can be used to provide teachers dedicated to integrating literacy and numeracy learning needs across the curriculum; to share best practices across priority schools, recognising that this is the Priority Schools Funding program; and to implement home-school partnerships to support reading skills outside the classroom. One of the most encouraging aspects of our literacy program is that we are involved like never before with parents in the training and teaching of young students. When I visit schools I always ask to look at literacy lessons. Quite often I see parents and grandparents sitting down with children, one on one, taking them through their literacy program.

**Mr O'Doherty:** That was your idea, was it?

**Mr AQUILINA:** It took off under Labor in a big way. More often the mums, but sometimes the dads as well, participate in the program.

**Mr O'Doherty:** And you thought of it, did you?

**Mr SPEAKER:** Order! The honourable member for Hornsby has made his point.

**Mr AQUILINA:** They started this program when their own children were at school, but they no longer have the need for one-on-one literacy training and they are attending to the children of other people. They are happy to provide and support the service. The Government is happy and proud to support the \$400 million literacy program, which was brought in by this Government. Those new positions—

**Mr O'Doherty:** There are two sides to every story.

**Mr AQUILINA:** The shadow Treasurer is very vocal. Obviously, he is still smarting over his demotion from shadow education Minister. I looked at the website when he was shadow Minister and I found about as much policy then as I find now. Whenever he ventured to write a bit of policy, I found the Leader of the Opposition had also ventured to write some policy but that they conflicted. They were not the same. Does the honourable member for Hornsby remember the back-to-school allowance? Under this policy and under this funding program we will run parent workshops to strengthen home support for literacy and numeracy learning; and we will create stronger links between secondary schools and their feeder primary schools. Perhaps the honourable member for Hornsby might like to tell me who introduced the ELLA test, the English literacy and language assessment test?

We introduced it to provide a more direct link between primary and secondary schools. This year we introduced SNAP, the Secondary Numeracy Assessment Program, which will provide strong links between primary and secondary schools. Each school will receive direct payments that can be targeted to provide additional literacy and numeracy programs. The program will also support senior literacy and numeracy experts to train school staff. Under this new policy schools will receive the additional funding each year from 2001 to 2005. The program is on top of the \$400 million literacy and numeracy policy that funds programs such as the successful Reading Recovery program. Perhaps the honourable member for Hornsby might like to tell me who introduced the Reading Recovery program in our schools, and funded it.

**Mr O'Doherty:** The Minister has asked the question. The answer is plainly the Coalition Government of John Fahey introduced the Reading Recovery program, and the Minister knows it. If he asks me some more questions I will tell him more about it.

**Mr AQUILINA:** Who introduced the additional funding?

**Mr O'Doherty:** We did, with an additional 100 literacy teachers in the 1994 State budget.

**Mr AQUILINA:** The Carr Government did it. We did it because the Coalition Government funded zilch. We ended up funding the program. The Priority Schools Funding program being undertaken by the

Government—and I draw to the attention of the honourable member for Hornsby the fact that it is called a funding program because he is now the shadow Treasurer—will ensure that no student is left behind, because it will target those schools serving communities in greatest needs. This is great news for western Sydney and country New South Wales. A number of schools will join the program for the first time—schools such as Ballina High School, Mullumbimby High School and Crystal Creek Primary School, which is on the Far North Coast.

The schools will also include Bourke High School and Nymagee Public School in the Far West of the State, and Yagoona Public School and Seven Hills High School in western Sydney. The Priority Schools Funding program will support a record 311 schools in Country New South Wales. I would like to name them, but I will resist the temptation. I will inform honourable members of the schools in their electorates that have received priority funding, and I know they will be only too happy to take the names to their constituents. I hope the Opposition is taking note that the Government's policies that support students stand in stark contrast to the education policy of the Opposition.

Again I make the point that in 18 months I have seen only one example of a policy by the Opposition. It is on the website now. Honourable members should not forget that the Government had every school connected to the Internet by 1996. In the presidential election in the United States of America this year the candidates are vying with each other about who will be the first to connect all of the schools to the Internet. The Government has already done it. We made it happen in 1996. Honourable members should also remember the Opposition's policy: no more spending on capital works, disastrous class sizes and no more inner-city schools. That is what the Coalition stands for. To let members know that the Government not only favours Country Labor—although well we do—we also acknowledge the needs in Opposition electorates.

I point to the electorate of Ballina, which will have five new schools. The electorate of Barwon will have six new schools. The electorate of Bathurst will have six new schools. Well done! The electorate of Clarence will have nine new schools. I will tell the Minister about that later. The electorate of Coffs Harbour will have five new schools. The electorate of Lismore will have 10 new schools. The electorate of Murray-Darling will have 10 new schools. The electorate of Oxley will have 12 new schools. It is good news all around! The Government knows no bounds when it comes to dealing with real need, and that is what the Government is proud of. The Priority Schools Funding program recognises need where it exists and provides funding in the interests of all students.

**Questions without notice concluded.**

## **LEGISLATIVE COUNCIL VACANCIES**

### **Joint Sitting**

At 3.20 p.m. the House proceeded to the Legislative Council to attend a joint sitting to elect a member to fill the seats in the Legislative Council vacated by the Hon. John Planta Hannaford, resigned, and the Hon. Andrew Bruce Manson, resigned.

*[The House reassembled at 3.30 p.m.]*

**Mr SPEAKER:** I report that the House met with the Legislative Council in the Legislative Council Chamber to elect members to fill the seats in the Legislative Council vacated by the Hon. John Planta Hannaford, resigned, and the Hon. Andrew Bruce Manson, resigned and that Gregory Stephen Pearce and Ian William West were duly elected.

## **CONSIDERATION OF URGENT MOTIONS**

### **National Insurance Ombudsman**

**Mr BLACK** (Murray-Darling) [3.34 p.m.]: Obviously this matter is urgent and has been for some time. It is now doubly so with recent information we have.

*[Interruption]*

Members opposite laugh but people like Max and Judith Hams have been living in a caravan for nine months since the rain that fell in February caused flooding of the Paroo and Koralta Station, which is owned by

Max and Judith. We have been studiously trying to redress the circumstances experienced by the many graziers of the Western Division—and they no longer vote for the National Party; they now vote for Country Labor. When we tried to address this situation, the Federal Government—John Anderson, Warren Truss and the rest of the list—did not support the appointment of an ombudsman. The situation cannot continue for much longer. No community as great as New South Wales should tolerate people living in a caravan for nine months because of inaction by the Federal National Party.

### **Honourable Member for Fairfield Sexual Assault Allegation**

**Mrs CHIKAROVSKI** (Lane Cove—Leader of the Opposition) [3.35 p.m.]: My motion is urgent because a pall hangs over the whole of the Parliament for as long as a judicial inquiry into the matter is not held. A slur hangs over all members of the Labor Party because they will not support an inquiry. A cloud hangs over you, Mr Speaker, and over the President of the Legislative Council because there are allegations of your involvement and the President's involvement, as well as that of other Labor Party members of Parliament. While this matter is not properly investigated, no-one in this Parliament can sleep comfortably at night. This matter is urgent because the member for Fairfield answered absolutely nothing in his statement.

*[Interruption]*

The member for Coogee laughs because he believes it is a joke that an allegation of sexual assault in this Parliament can be made and nothing done about it. The Minister for Police said he has known about it since 19 September. What did he do? Nothing! What did the Premier do? We do not know when the Premier found out about it because he told us yesterday he found out about it some days after 18 September and told the media he found out about it on 20 October. "Some days after 18 September" is certainly not four weeks! This matter is urgent because it is important for the reputation of every member of this House that the contradictions are reconciled and the truth comes out.

It is important also for the member for Fairfield to have the truth come out through an independent judicial inquiry; it is important that we test his comments. It is particularly important for the young woman involved because of the allegations that she has been intimidated and threatened with the most outrageous slur campaign. There are allegations that Labor Party members have been ringing journalists and accusing this woman of the most disgusting conduct. They have called her outrageous names.

**Mr Martin:** That's hearsay.

**Mrs CHIKAROVSKI:** That is exactly what we are saying. That is why we need to have the matter investigated. It is significant that we have the Labor men on that side screaming abuse at me while I am trying to argue the case. Where are the Labor women?

**Mr SPEAKER:** Order! I call the honourable member for East Hills to order.

**Mrs CHIKAROVSKI:** We need to get to the bottom of all these allegations.

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

**Mrs CHIKAROVSKI:** Where are the Labor women saying, as they have said so often in this House, "We believe in standing up for the rights of women and we believe that women who come out in these circumstances should do everything they can to make sure the allegations are fully investigated." Where is the Minister for Women? Where is the Minister for Small Business? I give credit to the honourable member for Heffron because she is here; I know of her commitment to women. I am sure she will feel strongly that these matters need to be investigated. This motion is urgent because if we do not get this inquiry under way this matter will continue to drag on and on. The allegations about the cover-up and the behaviour of certain Labor Party members in trying to intimidate this woman will continue.

The only way to resolve this is to have a judicial inquiry. On this side of the House we have said that women in this State who have the courage to come forward and take these sorts of stands deserve to be supported. They do not deserve to be intimidated; they do not deserve to be threatened. These women should not be subject to the sort of slur campaign to which this young woman has been subjected. What we need now is for the Premier to have the courage to initiate a judicial inquiry and get this matter resolved.

**Question—That the motion for urgent consideration of the honourable member for Murray-Darling be proceeded with—agreed to.**

**NATIONAL INSURANCE OMBUDSMAN****Urgent Motion**

**Mr BLACK** (Murray-Darling) [3.41 p.m.]: I move:

That this House:

- (1) supports the campaign by Coffs Harbour, Illawarra and Western Division families to get the Federal Government to introduce an independent federally funded national insurance ombudsman;
- (2) welcomes the bipartisan support from the honourable member for Barwon, Mr Ian Slack-Smith;
- (3) expresses its anger at the decision by Deputy Prime Minister and National Party leader, Mr John Anderson, to personally write to the Premier formally rejecting the plan, saying current arrangements are satisfactory and changes unwarranted; and
- (4) calls on the Federal Government to immediately reverse its decision and help provide justice for families like the Hams of Koralta Station.

The Opposition has just taken a very interesting decision. I note that the National Party did not intend to vote that either motion should have precedence because some members of the National Party support the proposal for a national insurance ombudsman. All of Australia should support the proposal, which will ensure that working families get a fair go from their insurance companies. Until recently I assumed that everyone in this House supported hardworking families over big insurance companies. Honourable members will recall the plight of families in Broken Hill, Coffs Harbour and the Illawarra whose homes were wrecked in major storms and floods over the last two years.

More than two years ago insurance companies refused to meet their obligations to thousands of Wollongong families whose homes were destroyed by storms and floods. My colleagues from the Illawarra will deal with that issue more closely. This issue was brought home to me as the member for Murray-Darling when 16 families in far west New South Wales, including the Hams family of Koralta Station, were denied insurance payouts after heavy flooding in February this year. They were refused assistance from their insurers because of fine legal disputes over the wording of their policies.

The Hams have paid premiums to CGU-Elders Insurance for more than 30 years, during which time they have only claimed \$500. Their policy covered flood damage but CGU-Elders Insurance defined their flood as accumulated stormwater run-off and refused to pay. CGU Elders refused to pay a family that had suffered estimated losses of \$600,000, a family that had been a loyal customer for more than 30 years. As a result, to this day they are forced to live in a caravan. I took the matter to the Premier on their behalf in the hope that justice would be done for all those in the Western Division affected by flood. Following those representations and approaches from the Hams and members of Country Labor, in August the Premier wrote to the Prime Minister, Mr Howard, urging the Federal Government to introduce a national insurance ombudsman to independently investigate the growing number of complaints against insurance companies around Australia. He also wrote to the Insurance Council of Australia seeking support for the national proposal. The idea seemed simple enough. It was a commonsense plan that should have gained bipartisan support.

A national insurance ombudsman would operate similar to the Private Health Insurance Ombudsman, who independently investigates complaints against health providers. The Hams could then have their inquiry heard before an independent umpire, who would be a qualified person independently funded by the Federal Government, not by donations from the deep-pocketed insurance industry. This would bring complete independence to all disputes. The problem is not having insurance. Most families have insurance on their home, contents and car. The problem arises because there is no ombudsman to investigate complaints and ensure that justice is done. Put simply: unlike the health industry there is no independent umpire.

What are families left with if they get a raw deal from their insurer? They face the impossible challenge of having to take their insurer to court, with the huge expense and delays associated with that. To most this is no contest at all. Families cannot match multinationals with endless pockets, such as Elders. Insurance companies realise this and, disgracefully, some refused to honour their policies, instead inviting policyholders to pursue the matter in the courts. They are daring people to do this because they know the odds are stacked in their favour. I congratulate the honourable member for Barwon, Ian Slack-Smith, who is present in the Chamber and who agrees with my stance and that of the Hams and Ruth Sandow. A letter to the Hams and the Premier received on 7 September states:



I noted your comments and agree that the introduction of a national insurance ombudsman to independently investigate the growing number of complaints against insurance companies will make them more accountable to the public.

But what about the Federal National Party? Do they support country families such as the Hams and the Sandows over big insurers, as do Country Labor and the honourable member for Barwon? The answer is no. It is good old buck-passing such as a letter stating "I would love to help but". Tony Lawler, who has also been in the Hams' corner, wrote to the Federal Minister for Agriculture, Fisheries and Forestry, Mr Warren Truss. The Minister responded on 12 October with a case of first-class buck-passing in which he stated:

The issues raised relate to the protection of insurance holders which, at the Commonwealth level, is the responsibility of the Minister for Financial Services and Regulation and, at the State level, the Minister for Fair Trading.

The response from the Minister for Financial Services and Regulation, Joe Hockey, was even worse. This buck-passing is supported by the general insurance industry that is currently regulated by the Australian Prudential Regulation Authority [APRA], which monitors the solvency of insurers and promotes industry standards, and the Australian Securities and Investment Commission [ASIC], which oversees consumer protection arrangements in the industry. The Insurance Council of Australia refers complaints to APRA, which refers them to ASIC and ASIC then sends them back to APRA—more buck-passing to keep the bucks from the families who deserve it. The only option is a costly legal war, an option that we all know favours insurers, so just like the nationals that support it, the system itself passes the buck.

If someone wants a fair go, the only option open is to go to court. Until recently, though, nobody from the Federal Government has ruled out the Premier's commonsense plan for a national insurance ombudsman, a plan, I might add, that has the support of families like the Hams. They have written to the Premier backing his plan. However, we finally received a response from the Federal Government, from none other than the Deputy Prime Minister and Leader of the National Party, John Anderson. On 12 September the Premier received a personal letter from the Deputy Prime Minister dismissing calls for a national insurance umpire and instead supporting the current buck-passing system. The Federal Leader of the National Party is supporting big insurers over country families. Amazingly, the letter stated:

It does not appear that the current arrangements are unsatisfactory and that a national ombudsman for the general insurance industry is warranted.

It is nothing short of outrageous! For a member of the National Party and Deputy Prime Minister to write such a letter shows just how low they have sunk. The honourable member for Barwon and the Federal member for Parkes must be shaking their heads. It is the mother of understatement to say that the Hams family deserves better. The letter proves once again that the Nationals are unwilling or unable to represent country families. I urge all honourable members, including National Party members opposite, to support my call for an independent general insurance ombudsman. As I said in a letter to the Federal member for Parkes on 25 October:

Very few, if any, Murray-Darling residents would accept that Max and Judith Hams have received anything like a fair go in this long and drawn out matter.

Surely now it is time for action so that justice can be delivered to families like the Hams family. In conclusion, I challenge members of the National Party opposite to put weight on their Federal colleagues. As I have said, I welcome the support of the honourable member for Barwon and I know that at the national level Tony Lawler, the Federal member for Parkes, is on side. But the bottom line is that Warren Truss, the Federal Minister for Agriculture, and John Anderson, the Deputy Prime Minister, are not. They are the two key people who have to be moved on this issue. I challenge our State National Party members in this place to come on side and support this proposition.

**Mr SLACK-SMITH** (Barwon) [3.51 p.m.]: The Opposition supports this motion for the creation of a national insurance ombudsman. We are all no doubt aware of many instances of what we consider to be the unfairness of insurance companies in honouring claims. Some in particular come to mind: The Newcastle earthquake, the Wollongong flood tragedy, many fires and crop losses where people believed they were insured but found they were not when they read the fine print. On the other hand we are aware that there are people who have attempted to extort money or defraud insurance companies by means of a number of scams. It works both ways.

Speaking from a personal viewpoint, I have not had a problem with insurance companies. They appeared to believe my claim that I had hit a kangaroo, and repaired my car without any trouble. On this topic, it is also important to note that many people in New South Wales are not insured. That is, firstly, not only dangerous, but, secondly, very unfair on those people who have taken out insurance. Of course, the person who

is insured eventually has to pay for those who are not insured. We have all heard of cases of drivers who have been involved in a collision with an uninsured vehicle and whose insurance company has to pay for the damage. It is a large and complex problem, but I believe that a national insurance ombudsman would be of assistance to many. The honourable member for Murray-Darling mentioned the Hams family in Broken Hill. I would like to table a photograph of the Hams family homestead taken earlier this year.

**Mr SPEAKER:** Order! The member cannot table the photograph. However, he may lay it on the table for the perusal of other members.

**Mr SLACK-SMITH:** I lay it on the table. As the honourable member for Murray-Darling said, they are still not in their home 10 months after the flooding occurred. They are still fighting with the insurance company, merely because of a definition. They paid their premiums in good faith and believed that they were covered for this catastrophe. However, the fine print indicated they were not. I believe there needs to be better communication between insurance companies and their clients. When one signs an insurance policy, the insurance company must act for that person. This is something that insurance companies seem to have forgotten. In many instances people believe that the insurance companies are bogymen who will not assist them at all. Quite frankly, when one signs on the dotted line, that constitutes a contract for the insurance company to act on your behalf. A national insurance ombudsman would be of great assistance in that regard.

Although the honourable member for Murray-Darling has been somewhat scathing in his comments about my colleague and friend Deputy Prime Minister John Anderson, who earlier this year mooted a national insurance scheme which all the States endorsed. The last State to endorse it was the New South Wales Government through Minister Amery. New South Wales finally came to the party, kicking and screaming all the way. Under that proposal, farmers in the entire wheat belt would be insured under one scheme. If a catastrophe occurred in one area the insurance scheme could cover it because, hopefully, other areas would have a successful harvest.

I believe that the proposal for a national insurance ombudsman has great merit, not only in respect of floods and fires but also droughts, hailstorms and other quirks of nature. Such events occur naturally, and we do not know when they are around the corner. An ombudsman could play a very proactive role in that regard.

The honourable member for Murray-Darling mentioned six other families in his electorate who have been affected by floods. I met some of those people after the flood when I came in by helicopter from White Cliffs. They were quite cheerful because they had plenty of feed and water, but they knew that they would not get their car to town before Christmas. Out in that area floodwaters take a fair while to subside. I believe that insurance companies should take a long look at the damage to roads and fences and especially to some of the homesteads and shearing sheds. The Hams family was exceptional in a way. The tragedy occurred, the fine print said they were not insured, but, for the sake of its reputation, I believe the insurance company should have taken the hard yards and honoured its commitment.

It was not as though the Hams family took out insurance only the day before the tragedy; they had been long-time clients of the insurance company. A certain amount of loyalty is involved on both sides and it is important for insurance companies to show that loyalty. I am sorry to say that the banks have forgotten about loyalty. There used to be loyalty between banks and their customers and insurance companies appear to be going along the same route. Loyalty and honour have gone out the window and, in my view, that is unfortunate.

Insurance companies are, of course, very important. It is absolutely essential for farmers who lease, or obtain on hire purchase, equipment or motor vehicles to have the equipment or vehicles fully insured. I have no problem with that. Everyone complains about insurance premiums. I know I do. I think it is the norm that insurance companies are seen as a necessary evil. No-one likes paying the premium when not having to make a claim, but farmers know that they must always insure their crops against anything they can—fire, flood and the rest of it. Farmers also know full well that the year that they do not insure is bound to be year they will be wiped out. So far as good management is concerned the farmer must cover his crop by paying a premium. He needs to know that if he suffers a loss on his crop, or damage to buildings or equipment, his insurance company will cover him for that loss or damage.

In some situations insurance companies have hoodwinked, misled or misguided consumers, sometimes bordering on fraud. This is a two-way practice: insurance companies sometimes commit fraud but there are many more instances of people committing fraud against an insurance company. Insurance companies have been cautious and careful, and they have certain protocols to follow, but even then some people get away with fake

injuries, fake accidents, or fake claims for stolen or lost jewellery or other items. We have all heard stories like that. And who pays for all that? We do, the people who pay the premiums. And we also pay for people who are not insured, because if you are involved in a motor accident and the other driver is not insured, your insurance company has to pay. And your premiums reflect that cost. It is very important, first, for people to be insured and, second, that a national insurance ombudsman be appointed to liaise between the insurers and the insurance companies. I hope that that will happen very soon.

**Mr CAMPBELL** (Keira) [4.01 p.m.]: I am more than happy to join with the honourable member for Murray-Darling and the honourable member for Bathurst in standing up for working families against insurance companies. I acknowledge and echo the comments of the honourable member for Barwon, who encouraged people to take out insurance. That is important. This issue has had a great impact on my electorate, as it has had on the electorate of the honourable member for Murray-Darling. Last August I spoke in this House on the second anniversary of the destructive storm that struck Wollongong. That storm caused massive damage to homes and impacted on the lives of many people.

I pay tribute to the courage and stoicism of the Wollongong community and acknowledge the hard work and commitment of both the trained and untrained volunteers such as the State Emergency Service and the Rural Fire Service. During that storm, people left their homes to give help to their neighbours. There was a real sense of community. The community also demanded action; such as ongoing improvement to the drainage structures and systems in Wollongong. In that regard the Government responded on the day after the storm.

The Premier and the Minister for Emergency Services arrived in Wollongong within hours of the storm; the same cannot be said about insurance companies. While everyone was digging in and lending a hand, the insurance companies were thinking only about their bottom line. From day one the community had to battle the insurance industry. Many local people and organisations, such as the *Illawarra Mercury*, took up the battle against the industry. The stormwater action group played a major role in targeting and focusing attention on the insurance industry. They obtained great support from people such as Mark McDonald from Maguire and McInerney and Michael Sargeant from Legal Aid.

As a result of that sustained activity by the community, the NRMA, the market leaders, paid some claims and subsequently changed its policy approach and policy wording. So there was some action but only after the insurance companies were embarrassed and shamed into it. Storms of the type that occurred in Wollongong can now be covered by insurance without a significant increase in premiums. And that is an important point; it proves that honouring a policy does not greatly affect the bottom line of insurance companies.

Insurance companies can well afford to pay claims. It must be remembered that a number of people in the community whom I represent still have not had their insurance claims met by some of the smaller insurance companies, particularly QBE. Just like the Hams family, they are victims. The present industry-run insurance claims tribunal fails families and small business operators who have made legitimate claims. That is why I support the Premier's call on the Prime Minister to establish a national ombudsman scheme for the insurance industry.

I am sure that most members of Parliament would have received complaints from constituents about insurance companies having done the wrong thing by them. For example, I am sure that the honourable member for Coffs Harbour knows full well the trauma occasioned by families in circumstances of that kind. It seems that everyone except the Deputy Prime Minister knows that that is the case, and he seems to think that everything is rosy. I only hope that his refusal of the Premier's suggestion is one of those now infamous non-core promises of the Federal Government. I know that most people in Wollongong believe that the Insurance Council of Australia has failed miserably to protect them. They know that the present system has failed them. A national insurance ombudsman that is an independently funded umpire would support people whose properties are damaged or destroyed by such natural disasters as storm, flood and bushfire.

On occasions when it is considered that an insurance company does the wrong thing, a national insurance ombudsman would provide those affected with some peace of mind. Insurance policies are extremely detailed and complex and the fine print is often not well understood by the insurer's representatives, far less by the prospective customer. The Hams case and the Wollongong families who are still awaiting cover drive home the fact that there is a deficiency in the general insurance industry: there is no independent dispute resolution. That is why there needs to be an alternative to expensive legal action. The time has come for an independent ombudsman to investigate customer complaints. For the Federal Government to let this situation continue is

nothing short of disgraceful. I am pleased that this proposal has received bipartisan support and that the Opposition is supporting this motion for urgent consideration. I hope this turns out to be another non-core promise that can be broken. I hope through this motion and continued effort and pressure that the Federal Government will come to realise that a national insurance ombudsman is an appropriate policy decision.

**Mr PICCOLI** (Murrumbidgee) [4.06 p.m.]: Unfortunately we are again debating what is essentially a Federal issue. Motions for urgent consideration are becoming a little mundane; I could almost use the same speech for every one of them. I need only two notes: hypocrisy and stupidity. That applies to most of the debates raised by the Government in urgency motions. I agree with the honourable member for Murray-Darling; I do not support attempts by insurance companies to deny people's rightful claims for property damage for which they have paid good premiums. I would like to see an improvement in the way in which they are handled.

The honourable member for Murray-Darling mentioned buck-passing and a couple of Federal members who are buck-passing. Members on the other side of this House are members of the State Government and have their hands on the levers, so to speak. I notice that the first paragraph of the motion includes, among other things, a proposal to introduce an independent federally funded national insurance ombudsman. I would have thought that if the honourable member for Murray-Darling was so critical of buck-passing he would have suggested that the New South Wales State Government contribute to funding for the ombudsman. That is essentially what this motion is all about.

This debate is about who will fund an ombudsman. Whilst we always want to see increased accountability not only for the public sector but also for the private sector by the provision of an ombudsman, it brings the issue of funding to the fore. I have raised this only because the honourable member for Murray-Darling was so insistent about buck-passing. If the motion had called for the introduction of an independent ombudsman funded jointly by the New South Wales State Government and the Federal Government I would have no difficulty in supporting it.

*[Interruption]*

In response to the interjection about this being a Federal issue, which I do not deny, I remind honourable members that prior to the last election, or perhaps the previous one, the policy of the then Minister for Fair Trading, the Hon. Faye Lo Po', was to bring insurance regulation under State jurisdiction. As we now know, that promise was never fulfilled. As the honourable member for Keira said, this was one of the State Government's non-core promises to bring insurance regulation under State jurisdiction. If the Minister at the time had gone through with that promise, perhaps we would not be having this debate because the State Government, in its glory, would have done the right thing by the Hams family and instituted a State-based ombudsman. Non-core promises, core promises—who knows what the Government is on about? I also note that the Australian Labor Party was in government federally for 13 years. During that time it did not introduce anything like this.

Has the honourable member for Murray-Darling had a brainwave and suddenly raised this issue as a platform for the Labor Party, when for 13 years—when it controlled the Federal coffers and, at some stage, also controlled the State—it did not do anything? The Government is being hypocritical to now call on the Federal Coalition. I have great sympathy for what happened to the Hams family at Koralta Station and also for the suffering that the people in the Illawarra and Coffs Harbour areas had to endure. Perhaps the honourable member for Murray-Darling should speak to the Premier about sending a bit more funding their way during natural disasters. The matter of assisting families is in the hands of the State Government, of which Country Labor members are all members. It is up to them to do something.

**Mr MARTIN** (Bathurst) [4.11 p.m.]: I support the motion of urgency moved by the honourable member for Murray-Darling, which has been eloquently supported by the honourable member for Keira and the honourable member for Barwon. The less said about the last speaker, the honourable member for Murrumbidgee, the better.

**Mr Piccoli:** Are you embarrassed?

**Mr MARTIN:** You should be embarrassed. I particularly put on record the diligence of the honourable member for Murray-Darling. This is the sixth or seventh time he has raised the predicament of the Hams family. The matter has been supported by the Opposition, except for the honourable member for Murrumbidgee, who wants to kick heads and is not interested in the real issues and people. The performance of insurance companies is a timely matter. There can be little doubt that natural disasters such as storms, bushfires and floods have a devastating impact on families and communities.

To lose one's home, business or farm, together with the accompanying memories, must be devastating. Recently my electorate of Bathurst experienced Macquarie River floods, which also affected Bathurst a couple of years ago. Such floods are, unfortunately, too regular. As the Macquarie River burst its banks, Bathurst looked like Sydney Harbour, not like Mount Panorama or the sweeping Evans Plains. After the floods the Premier came to the central west and saw a community working together and helping each other out. Luckily, no-one in the central west was treated as shabbily by the insurance companies as were the Hams of Koraltia. From what I have heard today, their treatment would be impossible to top.

Today I want to concentrate on the Hams family's ongoing battle with CGU-Elders Insurance. Among the many prominent people from whom the Hams sought help was the Federal Minister for Financial Services and Regulation, Mr Joe Hockey. On 23 August Mr Phillip Hams sent a letter to the Minister. Two months later he received a response. The three-page letter explained why, in the eyes of the Federal Government, the Hams did not have a case. The letter was written by Andrew Lumsden, the chief of staff to Federal Minister Hockey, on behalf of his Minister. Unfortunately, it gives no joy to families like the Hams. That demonstrates how the Federal Government supports the present system of buck-passing, leaving the expensive legal process as the only avenue open to families in dispute with their insurer. In contrast to the reactions of country families like the Hams, the executives in boardrooms of insurance companies would have done cartwheels when they saw the Minister's letter, which stated:

In response to concerns about the conduct of insurance companies that emerged following recent major sporting events, ASIC—that is, the Australian Securities and Investments Commission—conducted a national survey of their disclosure, sales and claims handling practices in relation to insurance for flood damage.

The survey focused on those regions that have experienced recent flooding and involved consultation with insurance companies as well as local councils and consumer representatives.

Here comes the knockout blow. The letter continued:

The results were released by ASIC on 6 June 2000. In undertaking this survey ASIC found no examples of conduct by insurance companies or their intermediaries that warranted enforcement action.

One wonders what sort of survey it was and who did it. Did insurance companies conduct it themselves? I will repeat:

In undertaking this survey ASIC found no examples of conduct by insurance companies or their intermediaries that warranted enforcement action..

In other words, the Federal Government thinks that everything is working well and it is not going to do anything about it. It is not lifting a finger to help the Hams.

**Mr Piccoli:** They did not say that. They said that they did not break the law.

**Mr MARTIN:** It is time the honourable member for Murrumbidgee sat down and listened. He obviously needs a bit of educating. The letter concluded:

I trust this information will be of assistance to you.

Talk about rubbing your nose in it! The only thing this letter will do is inform the Hams of how out of touch the Federal Government is. It is in the corner of the big insurers, while Country Labor is out there supporting working and farming families. Anyone who does not believe this should read John Anderson's appalling letter to the Premier. It is no wonder people are abandoning the National Party if this is the treatment it gives out and the support it provides in their hour of need. Country Labor will continue to take up the fight for families and demand an independent ombudsman for insurance disputes. A program on *Four Corners* recently showed how the insurance companies have used every underhanded method they can to stop people justly getting their insurance. If the honourable member for Murrumbidgee would stop and listen for two seconds I might penetrate that thick skull of his and instead of apologising for that poor excuse of a government in Canberra he might realise that justice is about helping people. I commend the motion.

**Mr BLACK** (Murray-Darling) [4.16 p.m.], in reply: At the outset I commend the matters placed before the House by the honourable member for Barwon, the shadow Minister for Agriculture. What a contrast between the honourable member for Barwon, who cares about small farmers, and the honourable member for Murrumbidgee, who, at best, would be described as not worrying about anything. The honourable member for Barwon drew the attention of this House again to the absolute nonsense by insurance companies of redefining

the words "flooding" and "inundation". I welcome the support—which the honourable member for Barwon did not mention—of the New South Wales Farmers Association in this matter, which might be of some interest to the honourable member for Murrumbidgee.

The honourable member for Barwon said that Warren Truss has a love of the competition policy and nothing else. He certainly does not care about bush farmers. He referred to John Anderson as a friend, which I found surprising. He also referred to Joe Hockey. I will come to him later. With respect to the four grades only insurance, I caution the House that before we go too far down this line we ought to know that the Warren Trusses of this world want to get rid of "exceptional circumstances". That is the deal. The deal is to reduce federal funding for farmers in trouble, not the other way around. The honourable member for Barwon referred to Elders. I thought he said that Elders had some credibility in this matter. It has none.

I would strongly suggest that if the honourable member for Murrumbidgee wanted to do anything at all he might chat to some of his constituents about their continuing support for Elders. Elders pulled this nonsense in the first place. John Anderson a friend? John Anderson said, "It does not appear that the current arrangements are unsatisfactory." A friend! He is certainly not a friend of the farmer or the small businessman when he says that sort of thing. I welcome the contribution of the honourable member for Keira. In this Chamber during this debate we have a former Lord Mayor of Wollongong, a former mayor of Lithgow for 16 years, I am a very proud former mayor of Broken Hill, and the Speaker, who was in the chair when I commenced my speech in reply, is a former mayor of Drummoyne.

It would be a good thing if the honourable member for Murrumbidgee did a bit of training in local government before he came to this House. He said urgency motions are becoming mundane. How can he say that this matter is mundane? I again draw a comparison between what the honourable member for Murrumbidgee said and what the honourable member for Barwon said. I will have a beer with the honourable member for Barwon at any time, but not with the honourable member for Murrumbidgee. He who offered lukewarm support, at best, is not going all the way to support the establishment of a national ombudsman. He wants State funding for the position because he does not want to go all the way after what the shadow Minister said. This member, who purports to speak for Murrumbidgee and wants New South Wales State funding, is the same member who wants to put Deniliquin into Victoria.

He was rung three times before the story was run in the newspaper, and asked, "Do you really want to run with this?" He said, "Yes." But now he wants to come back to New South Wales to get some money out of New South Wales. What an effort! I congratulate the former mayor of Lithgow, the honourable member for Bathurst. What a comparison, Country Labor versus the National Party—they do not even call themselves the Country Party any more. I congratulate the honourable member for Bathurst on drawing the attention of this House to the Joe Hockey letter. What a disgrace! When undertaking the survey ASIC found no examples of conduct by insurance companies or their intermediaries that warranted enforcement action. Compare that with the action taken by Elders, and tell that to the Hams family!

**Motion agreed to.**

## **SPEAKER OF THE LEGISLATIVE ASSEMBLY**

### **Motion of Censure**

**Mr HARTCHER** (Gosford) [4.22 p.m.]: I move:

That this House censures the Speaker for his failure to stand down while police inquiries into allegations that he sought to intimidate a complainant in a sexual assault case are continuing.

It is with some sorrow that I move this motion of censure against the Speaker on behalf of the Opposition. The Speaker holds a privileged and historic role in this Chamber, dating back since the sixteenth century. His independence was fiercely fought for as part of the movement to parliamentary democracy in the United Kingdom, and many famous and illustrious names have been attached to those who occupied the office of Speaker in Australia and in the United Kingdom. That office has traditionally been above politics and, hopefully, above criticism.

The Speaker at all times by tradition seeks to enhance the status of the Parliament and seeks to ensure that the reputation of the Parliament and the integrity of his office is protected, even at his own personal cost. Regrettably, in this State Speakers have come under adverse notice. In 1965 Speaker Ray Maher, a Speaker

representing the Labor Government then in power and representing the electorate of Wyong, was the subject of—members will be surprised to know—complaints of sexual harassment in Parliament House. It was alleged that he indecently exposed himself to a parliamentary staffer.

That allegation led to his being charged, despite the initial efforts of the Renshaw Labor Government to stonewall the issue, and Speaker Ray Maher was compelled to resign from the Parliament. That is the last time a Speaker of this Parliament was subject to police investigation. Now, regrettably, the present Speaker, the member for Drummoyne, is also subject to police investigation. The Premier confirmed yesterday that the police investigation is still continuing into allegations surrounding the Joe Tripodi incident on 14 September 2000.

Those allegations concern not just the conduct of Mr Tripodi, but they also concern the conduct of the honourable member for Kogarah, they concern the conduct of the member for Drummoyne in his capacity as Speaker, and they possibly concern the conduct of certain other members, including the Hon. Dr Arthur Chesterfield-Evans. However, in respect of the member for Drummoyne, the present Speaker, the allegations are well known and they are of the most serious nature. The primary allegation is that the member for Drummoyne, at his meeting with Dr Arthur Chesterfield-Evans, indicated to Dr Arthur Chesterfield-Evans that he was in possession of a statutory declaration, or a declaration in some form that had been put down in writing, which sought to portray the victim of Mr Tripodi's antics as, in fact, the provocateur; that she, at the party upstairs, had been acting in an inappropriate manner; that she had been drinking; and that she had been a flirt. On 31 October Dr Chesterfield-Evans said this about the statutory declaration:

I think it is the usual sort of defence that people make when they are accused of sexual assault. Provocatively dressed, encouraged, you know, the sort of classic blokey defence.

Dr Arthur Chesterfield-Evans went on television to say:

The affidavit wasn't signed by a JP, but it more or less suggested that she had too many drinks and was contributing to that which may have happened. It was classic boy stuff. There is no other way to describe it.

That is what he said on 30 October. He went on about this defence:

I expected them to behave in a tribal way and do the time-honoured, or time-dishonoured defence, that she was the sort of girl who was asking for it.

That in itself is disgraceful, that a potential complainant was subject to harassment or intimidation because there was a document by an alleged witness that would indicate that the girl, the subject of Mr Tripodi's antics, had provoked him. But more than that—and this is the genesis of my censure on the Speaker—it was the Speaker of this House who drew the attention of Dr Chesterfield-Evans to that written document. And on 30 and 31 October Dr Chesterfield-Evans testified publicly to that on television to three million people. The Speaker, in his carefully crafted statement to this House yesterday, did not refer at all to the statutory declaration or to the written document.

The Speaker adopted the same approach as that adopted by the member for Fairfield in coming to this House with a prepared statement, which carefully avoided the fundamental issue. The fundamental issue for the member for Fairfield was: Was he in Parliament House on 14 September and what did he do at Parliament House on 14 September? What happened in his room? The fundamental question to be answered by the Speaker of this Parliament is: What did he say to Dr Chesterfield-Evans and did he show a document to Dr Chesterfield-Evans that sought to portray the victim as acting in a sluttish or inappropriate way?

The classic defence of the rapist throughout generations is: The girl provoked me. The Speaker had a document which suggested that, and the Speaker has been the subject of police investigation and is still the subject of ongoing police investigation, according to the Premier yesterday in this House. The Speaker, notwithstanding that, continues to preside over this Chamber, a Chamber that contains the member for Fairfield—the member for Fairfield who will not stand up in this House and deny that the girl was in his room; who will not stand up in this House and deny that he acted inappropriately towards that girl in his room on 14 September.

This is the Speaker who seeks to preside over this House, who seeks to come before this House as a man of impartiality and a man upholding the high integrity of the office of Speaker. We are here to censure him not because we are adjudging him guilty at this stage—we are passing no judgment upon that—but because he is refusing to stand down until the police investigation is finalised. Or if it goes to the next stage of a proper judicial inquiry, as called for by the Leader of the Opposition, then he should continue to stand down until the proper judicial inquiry is finalised and a decision is known.

The case involving the honourable Ray Maher in 1965 is the great precedent because just as the Labor Government stonewalled him when he was finally forced to resign as the member for Wyong in this House—not just as Speaker—that precedent comes through to the Speaker in the year 2000. If he is to maintain the integrity and reputation of this House, he will stand down until the allegations against him are resolved and until it is clear that he did not act in the way alleged by Dr Arthur Chesterfield-Evans on television on 30 and 31 October. Further, it is alleged against the Speaker that his adviser Christian Gillies was at the party on 14 September. It is believed that this Christian Gillies prepared the document that was in the Speaker's possession when Dr Arthur Chesterfield-Evans saw him; that this Christian Gillies is a friend of the member for Fairfield, Mr Joseph Tripodi; that he is a Young Labor member; and that he is a member of the same faction of the Australian Labor Party as Mr Tripodi.

This is the Christian Gillies who was on the roof, who is on the Speaker's staff, and who prepared the document that the Speaker had in his hand, which he intimated to Dr Arthur Chesterfield-Evans would be or could be used if the woman continued to pursue her complaint against the member for Fairfield, Mr Joe Tripodi—the document which stated that, in effect, she was asking for it. This is a most serious allegation pressed by Dr Arthur Chesterfield-Evans, who is a member of this Parliament and the leader of the Australian Democrats in another place. He is the person who has made these allegations against Mr Speaker that are being investigated by the police. Yet the Speaker of this House, at the invitation of the Opposition parties on 31 October, refuses to stand down until the police inquiry is completed.

We are concerned that this House is now being presided over by an officer who is the subject of an ongoing police investigation that could lead to his being charged with a serious offence under the Crimes Act: an attempt to suborn a witness or to pervert the course of justice by preventing a criminal prosecution being instituted. They are serious matters. It is all very well for the Minister for Police—who admitted being aware of these matters on 19 September but did nothing about them and then told this House he did not even bother to inform the Premier about the police concern and reports of the conduct of Mr Joe Tripodi, the member for Fairfield—to rant and rave, but at the end of the day the Minister for Police seeks to protect the Speaker from being censured for refusing to stand down.

Unfortunately, this is a very sad day in this Parliament. It is reported that the statement was shown to Dr Chesterfield-Evans on 28 September when he visited the Speaker to lodge a complaint against Mr Tripodi. The signed statement was at the centre of the scandal and was an attempted cover-up to frighten the woman out of proceeding with charges. Yesterday the Speaker did not rebut those specific words in his statement. His statement was carefully crafted to avoid the allegation of the declaration. Yesterday the Speaker said:

At no time did I seek to intimidate the person concerned to stop pursuing the complaint either directly or indirectly ...

At no time did he address the issue of the declaration.

**Mr Whelan:** You are deliberately being—

**Ms Saliba:** Misleading.

**Mr HARTCHER:** The member for Menai interjects—a woman who has said nothing about attacks on women in this Parliament! What is she, the member for Georges River?

**Ms Saliba:** Don't worry, it doesn't matter. It just shows how much he knows about anyone.

**Mr HARTCHER:** It just shows how inconsequential you are. It just shows what a non-entity you are that people do not even know what seat you represent.

**Ms Saliba:** Illawarra.

**Mr HARTCHER:** The member for Illawarra—who has had nothing to say about women and who, with other women from the Australian Labor Party, has nothing to say about the sexual antics of Joe Tripodi—comes in here and interjects. We want her to go downstairs and tell the press gallery what she thinks about Joe Tripodi's conduct. Is she prepared to do that? No, she is not. She and the other women are not prepared to do that because they are trying to shield one of their Labor mates.

The bottom line is very clear: Until the member for Drummoyne is prepared to state to the House exactly what was in that document, until the member for Drummoyne is prepared to read out the contents of that



document, until the member for Drummoyne is prepared to acknowledge that that document was produced by him on 28 September to Dr Arthur Chesterfield-Evans, and until the member for Drummoyne is able to satisfy this House that that document was not an attempt to portray that girl as the provocateur and as the person responsible for Joe Tripodi's conduct, then the member for Drummoyne should stand down as Speaker of this House. He should not seek to preside over it and he should not seek to allow the high office of Speaker to be called to account by an ongoing police investigation.

The member for Drummoyne deserves the censure of this House because he has failed to uphold the high traditions of Speaker. Precedents have been established. Neville Wran was the last Labor Premier involved in a royal commission investigation into his conduct concerning the Balmain Leagues Club and he stood down; former Speaker Ray Maher went to trial also on sex charges—a common complaint in the New South Wales right wing of the Labor Party. The Speaker is adjudged as failing to uphold the high standard of his office. He is not adjudged at this stage of being guilty of any offence. That is a matter for further investigation, but while he remains under investigation he should stand down. His failure to stand down renders him worthy of censure.

**Mr WHELAN** (Strathfield—Minister for Police) [4.37 p.m.]: Mr Speaker, you were not in the Chamber when the honourable member read part of the statement you made yesterday. For the sake of completeness it is worthwhile reading it to the House. It appears at page 6 of the *Hansard* proof of 31 October. The second paragraph states:

I advised the Hon. Dr A. Chesterfield-Evans that, if he considered the matters raised by him were of such a serious nature, they should be referred to police. At no time did I seek to intimidate the person concerned to stop pursuing the complaint either directly or indirectly and this has been confirmed by the Hon. Dr [Arthur] Chesterfield-Evans.

This was confirmed by the Hon. Dr Arthur Chesterfield-Evans. In the *Sydney Morning Herald* of 28 October Arthur Chesterfield-Evans is quoted as follows:

The idea of any pressure being applied is not true because she [the woman] already had taken a firm decision not to proceed with the complaint.

That was in the *Sydney Morning Herald*. On 30 October he said:

She made the decision herself. Really before I was in the picture she spoke to police.

Is it possible that someone can be intimidated after an event? It is not possible. Not in your wildest dreams could the Opposition say that is at all possible! Arthur Chesterfield-Evans was also quoted in an article written by Les Kennedy on Tuesday 31 October. The article stated:

A Democrat Upper House MP, Dr Arthur Chesterfield-Evans, who was at the same meeting last week, told Inspector Cooper yesterday [30 October] that no pressure was applied to the woman, identified only as a member of the Young Democrats.

There are the three instances in which Arthur Chesterfield-Evans has been quoted as saying that: on 28 October, on 30 October and he again reaffirmed it on 31 October. On 31 October he took it a step further by saying that he, Arthur Chesterfield-Evans, told Inspector Cooper that no pressure was applied to the woman identified only as a member of the Young Democrats. The question is: How could the alleged intimidation have taken place post the meeting? It is not possible. One cannot have retrospective conversations. They have to be contemporaneous. There is no way this could have occurred. It would have been a different matter if, arising out of the meeting or before the meeting, he said it was intimidatory, but this all occurred after the woman herself had made the decision. How do I know she made the decision?

**Mr O'Doherty:** Because Guido told you so.

**Mr WHELAN:** I will come back to that in a minute. We know she made the decision because Arthur Chesterfield-Evans has told us so. He said that on three occasions. In the *Sydney Morning Herald* of 28 October he is quoted as saying:

The idea of any pressure being applied is not true because she [the woman] already had taken a firm decision not to proceed with the complaint.

Again on 30 October he said:

She [the woman] made the decision herself. Really before I was in the picture she spoke to the police.

If one can believe the *Sydney Morning Herald*, he told Inspector Cooper the day before that no pressure was applied to the woman. That is what the *Sydney Morning Herald* states that Arthur Chesterfield-Evans has said.

Therefore, on three occasions the Hon. Arthur Chesterfield-Evans has said that there was no intimidation from anyone, let alone the Speaker of the Legislative Assembly. The honourable member for Gosford was mischievous when he read out his quote of the Speaker's statement to the House. He left out the key words, which are "and this has been confirmed by the Hon. Dr Chesterfield-Evans". That shows that his motivation is not based on fact; it is based on politics.

I want to tell the Opposition a few things. First of all, members of the Opposition do not know anything about police investigations. They should understand this: police investigations do not close. No-one should ever be under any misapprehension about that—and I refer to any police investigation. Another important thing the Opposition has lost sight of in this instance is that the young lady can, at any time of her choosing, make the decision to go to the police and proceed with her complaint. She can do it at any time, and no-one should ever lose sight of that.

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

**Mr WHELAN:** The other political stunt the Opposition tried to put up yesterday, which I notice it has dropped very quickly, was the motion of which the Leader of the Opposition gave notice: that Parliament should consider inviting the young woman, the lady, the victim, to address the Chamber. That is just ridiculous. Has anyone ever heard anything so ridiculous, so desperately politically based, to try to support the failed position of the Leader of the Opposition in New South Wales? How desperate she is! The Opposition is trying to burn up this young lady for its own political gains.

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

**Mr WHELAN:** The Opposition does not want a police inquiry or a police investigation; it wants its own inquiry. It does not want any investigation except a political investigation. I turn to the role of the police officer referred to earlier. Senior police in this matter acted very promptly when they discovered that he was a member of the Australian Labor Party. They immediately stood him down and, upon hearing that, I referred the matter to the Police Integrity Commission for it to consider the whole process of the investigation. I have confidence in the Police Integrity Commission. No-one is asserting that the officer, and he was only one of a number reporting up through the system, has done anything wrong. No-one is suggesting that, but this much is very clear: We must ensure that no inquiry or criminal investigation, which is what police are involved in all the time—whether it involves a police officer who may be a member of Rotary, a church, an organisation or a political party—involves an apparent conflict of interest. The maxim that one must have clean hands is very applicable to police officers, and that should be the case. No-one has criticised the officer. The police have not, and his senior officers indicated when they issued the statement that he was off the case—

**Mr O'Doherty:** You are not prejudging?

**Mr WHELAN:** There is not a chance that I would prejudice, but you have because all day you and the honourable member for Epping have continually interjected and claimed that it is a cook-up. However, when put to the test you now say that the Police Integrity Commission will make the decision. The commission will make the decision because I was not satisfied and I, as Minister, referred the issue to the commission for its consideration to ensure objectivity. The Opposition has lost sight of objectivity in this debate. The honourable member for Gosford read only half the detail and half the defence because he knew it was not in his interest to disclose to the Parliament what Arthur Chesterfield-Evans had said.

Three times Arthur Chesterfield-Evans has said that there has been no intimidation. Someone should ask him whether it is correct that he told the police on 31 October, as referred to in the *Sydney Morning Herald*, that he told Inspector Cooper the previous day, that is 30 October, that no pressure was applied to the woman identified only as a member of the Young Democrats. That is what Arthur Chesterfield-Evans said. The allegation the Opposition now makes is that the Speaker has intimidated someone, someone he said yesterday that he had never met directly or indirectly. He said:

At no time did I seek to intimidate the person concerned to stop pursuing the complaint either directly or indirectly.

Is that not a denial? It has been confirmed by Arthur Chesterfield-Evans and is post the event. This motion is an untidy and desperate attempt by the Opposition, clutching at straws, to maintain a leadership role for Chikarovski. The Opposition is at rock bottom in public opinion polls, and now that it is right down in the pit where it belongs it is attempting to make something out of this issue. The *Sydney Morning Herald* of 31 October stated:

A Democrat Upper House MP, Dr Arthur Chesterfield-Evans, who was at the same meeting last week, told Inspector Cooper yesterday that no pressure was applied to the woman.

Are honourable members expected to believe that? Of course they are. The Hon. Dr Arthur Chesterfield-Evans, who is in the Speaker's gallery, might remain mute. I understand that, but I assume what I have read is correct. If Dr Arthur Chesterfield-Evans has said that no pressure was applied to the woman—and that is stated in the *Sydney Morning Herald*—I assume that is true. I have not heard him say it is untrue. If Dr Chesterfield-Evans is quoted in the *Sydney Morning Herald* of 28 October as saying that the idea of any pressure being applied is not true because she was a woman who had already made a firm decision not to proceed—in other words at the time that Dr Chesterfield-Evans had had a meeting with the Speaker the decision by the young lady had already been made—how could the Opposition now claim that the Speaker has been involved in intimidation? It is after the event.

The young woman has already made the decision not to proceed. That is her decision. I have already said to this House that she can make a different decision at any time. The timing of her decision not to proceed preceded the meeting between Dr Arthur Chesterfield-Evans and the Speaker. How could there be possibly any intimidation? This is a cruel hoax on a poor young woman whom the Opposition is now using for its own personal political advantage. Shame on the Opposition. The Opposition is using this motion to censure the Speaker for the purposes of political aggrandisement. It is so down in the polls that it will do anything it possibly can to drag itself up and it does not mind who it abuses to do it.

**Mr HUMPHERSON** (Davidson) [4.52 p.m.]: That was a typical mock-indignant contribution from the Minister for Police. He threw up a typical smokescreen. Not once did he focus on the core problems, nor did he bother to touch on many of the facts. It was the typical waving of hands, long-winded diatribe that this Minister uses to cover up. There have been many great Speakers. This man in the chair is not one of them by a long stretch. He should have stood aside yesterday and he should stand aside today. A matter of this nature—a potential sexual assault in the Parliament involving a member of this House—should have been pursued without reservation by the Speaker. He has not done, and has not been seen to do, the right thing. He admitted yesterday that he has been deeply involved. He should have stood aside at the very beginning, remained out of it and allowed the House to sit and debate matters relevant to this subject. He should have not presided in the chair in this Chamber until the end of the matter. The Minister might like to make play about what happened between Dr Chesterfield-Evans and the Speaker, but he tries to cover it up with a smokescreen.

Let us get to the central question of the statutory declaration, which the Minister did not touch on substantially. The very thing that was central to the core of what Dr Arthur Chesterfield-Evans has said over the past week, a statutory declaration, was not mentioned either yesterday or today. The Speaker showed the statutory declaration to Dr Chesterfield-Evans with the intent that Dr Chesterfield-Evans would go away knowing that a threat was being held against the victim, something that would be used to besmirch her reputation and dissuade her from proceeding with the matter. As the Minister for Police said, the police investigation is open. Anything can happen down the track.

The Speaker was trying to pressure the victim not to pursue the matter. Let us go to the specific point the Minister made, which is interesting. Police investigations never close. Over the last couple of days the Minister and the Premier have made play of the fact that while a police investigation is open, nothing should happen—in other words, the police investigation continues and the member for Fairfield will never be liable for his actions either to the police, the community or this House. The Minister pursued Terry Griffiths in the past and held him accountable to this Chamber.

**Mr Whelan:** After Carmel Niland.

**Mr HUMPHERSON:** After Carmel Niland and the independent judicial inquiry, which the Minister opposed. He opposed an inquiry yesterday; he opposed one again today. The Minister does not want an independent judicial inquiry because it would expose the member for Fairfield for what he really is. Will the Minister support an inquiry? The smokescreen continues. The issue is serious. Yesterday the Minister and the Speaker, in typical conspiratorial fashion, were smirking, laughing and giggling throughout a serious debate. The Opposition wants these matters pursued on behalf of the victim. However, the Minister treats the whole thing as a joke.

**Mr Whelan:** I do not.

**Mr HUMPHERSON:** The tape shows the Minister and the Speaker, like two schoolboys, smirking and giggling yesterday throughout a serious debate. The Minister should view the tape. His procedure is typical.

How many statutory declarations were there? The Opposition would like an answer to that question. Who initiated them? How were they obtained? The Opposition has not heard about them. The Minister knows all about the statutory declarations but he will not answer to this House. How about some responsibility to this Chamber for his actions? It is a typical cover-up. The Minister is free to make a statement to the House and tell honourable members all that he knows. The option is there. Honourable members have not heard everything. The Minister has responsibilities that he has shirked. He should have done far more than he has done and there are some things he has done which he should not have done. This whole exercise between the Minister, the Speaker and other members of the Parliamentary Labor Party is about covering up, backing their mates and doing all they can to make sure that the matter does not proceed.

The Speaker is the head of the parliamentary workplace. When did he first become aware of the matter? Did parliamentary security refer to him on the evening that he was here? Was it the next day he was told about the problems with the party and the fact that there had been an assault? What did the Speaker know? What did he do when he first heard about it? What sort of concern does he have for women in the workplace? Young staffers, employees of the Parliament, walk the corridors in fear and concern because they do not know exactly what the story is in relation to the member for Fairfield. The cleaning staff have to go into the honourable member's room not knowing what they will find, not knowing what his actions will be. Other parliamentary staff are fearful of being alone in a lift with him.

**Mr Whelan:** Point of order: This is a censure motion. It does not relate to any other issue in the Parliament.

**Mr SPEAKER:** Order! The House is debating a motion of censure of the Speaker. The motion has nothing to do with the actions of other members of Parliament in lifts or in their rooms. I believe I would be in order in drawing the honourable member for Davidson back to the substance of the motion.

**Mr HUMPHERSON:** Mr Speaker, we are holding you accountable for your actions in relation to this entire matter. You are responsible for the staff of the Parliament. You are responsible for protecting them and for giving them a workplace where they do not walk around in fear for their own safety. That is the reality of the issue I was drawing to the attention of the House. Members of staff of the Coalition and other minor parties fear for their safety if they pass this particular member in the corridor. They do not want to. You have this swarthy political thug walking the corridors late at night and nobody wants to go near him.

**Mr Whelan:** You are the thug.

**Mr HUMPHERSON:** Hang on, this guy's integrity and judgment are at stake here and he is responsible for protecting the staff.

**Mr SPEAKER:** Order! It has long been a tradition in this House that a member who wants to cast aspersions on another member should do so by way of substantive motion. If the honourable member for Davidson wishes to follow that tradition, the Chair will give him the opportunity to do so at the appropriate time. In this debate he should not make allegations of the sort he has made against another member.

**Mr HUMPHERSON:** As a Presiding Officer of this Parliament you are responsible for the safety of staff when they go into a member's room or walk past that member in the corridor. If they have concerns about that, you are responsible as Speaker—

**Mr Whelan:** Point of order—

**Mr HUMPHERSON:** This is another cover-up, is it? Because Genitalia Joe is walking the corridors of the parliamentary offices and you want to protect him.

**Mr SPEAKER:** Order! The honourable member for Davidson will resume his seat. If I have to raise my voice again because he does not abide by the standing orders I will direct him to resume his seat for the remainder of the debate.

**Mr Whelan:** My point of order is the same as before. This is a censure motion related to your failure to stand down while police inquire into allegations that you sought to intimidate a complainant. None of the matters referred to by the honourable member is relevant to this censure motion. I ask that you bring him back to the subject of the motion. If he offends for the fourth time, he should be sat down. He is using this debate as an opportunity—

**Mr Hartcher:** You are wasting time.

**Mr Whelan:** If it was a good speech, I'd give him an extension. It is a lousy speech.

**Mr SPEAKER:** Order! I uphold the point of order.

**Mr HUMPHERSON:** You are the subject of an inquiry as well. The police have an interest in you. You are a person of interest to the police. You should not preside in this place as long as that situation remains. We do not want you there. We do not trust you. We do not regard you as impartial. [*Time expired.*]

**Mr WINDSOR** (Tamworth) [5.02 p.m.]: I wish to speak briefly to this censure motion. As the House would appreciate, I have very rarely supported a motion of censure or of no confidence. Since I became a member of Parliament I have not been involved in the games that are played in this Chamber. I have heard a whole range of allegations, some of which may be correct and some of which may not be correct. I do not know whether they are correct. I have spoken to the Hon. Dr A. Chesterfield-Evans because I was listening to some of the debate and the allegations—"he said", "they said", "you said", "someone else said", "there was an inference in the media about what you all did." I have made a decision to abstain from voting on this motion. I have asked the Hon. Dr A. Chesterfield-Evans if he could make a statement in the other Chamber as to what actually happened and whether he felt that the actions of Mr Speaker pressured him in some way, or attempted to pressure him in some way, as the allegations within the censure motion suggest. For that reason I will abstain from voting and I hope that the Hon. Dr A. Chesterfield-Evans will make a clear statement about what he did—

**Mr Whelan:** He has made three.

**Mr WINDSOR:** He can make one in the other Chamber. We are going on what has supposedly been reported in the press, but we all know that from time to time what is written in the press is not necessarily what occurred. The Hon. Dr A. Chesterfield-Evans and the Speaker, of course, are the individuals involved in this censure motion. As an individual who has not tended to support censure motions in the past, I will abstain from voting and listen to what he has to say in the other Chamber. If he verifies some of the suggestions that have been made by the honourable member for Gosford or by the Leader of the House—

**Mr Whelan:** Or changes his mind.

**Mr WINDSOR:** They are your words, not mine. I will hold my view until I hear what he has to say in relation to that matter.

**Mr HAZZARD** (Wakehurst) [5.05 p.m.]: It is with some reluctance that I support this motion.

**Mr Whelan:** I'll bet you do.

**Mr HAZZARD:** The Leader of the House interjected to say, "I'll bet you do". I support the motion reluctantly because I believe that this type of motion brings us all down. It is a difficult motion to have before the House. I do not like being involved in it, but it is a necessary motion. Let me say at the outset that being the Speaker of the House is a very difficult job. It requires you to exercise impartiality and balance, both in the Chamber and outside of it. Having looked at Erskine May to remind myself of the role of the Speaker, and having looked at past practice in this place, I find it extraordinary that you would occupy the Chair during this debate. That reflects, as much as anything, your lack of judgment in your position as Speaker. People in any other sphere would stand down if their role was under challenge. There is ample precedent for that in other areas, such as the judiciary. Magistrates or judges who are asked to exercise impartiality—something that you are asked to do—would never remain in office while being challenged as to their capacity to make impartial judgments.

[*Interruption*]

One of the great difficulties I have at the moment is the number of interjections from the Government benches, which I do not expect you to respond to because you are not exercising the impartiality I have referred to. I ask that you reflect on that as you listen to the interjections that are currently crossing the Chamber. I am speaking in a moderated tone and using moderate words about this issue. It is your function, if you are listening, to ask Government members to desist from interjecting. If you do not, and the interjections continue, that indicates one further aspect of the very problem that has brought us to the motion before the House.

The issue before the House is what you did and what you should have done, and the consequences of both your action and inaction when certain issues were brought to your attention. This afternoon I searched the Parliament of New South Wales web site and the documents in the administrative office. I found a document that is headed "Harassment-free work place—Parliament of New South Wales". The document says, under the heading "Responsibilities of Management"—and you are at the peak of the tree of management:

All managers and supervisors have a responsibility to take appropriate action where they become aware of harassment, whether or not a complaint has been lodged.

A complaint was lodged to you, Mr Speaker. It was drawn to your attention by the President of the Legislative Council. It was drawn to your attention following approaches by Arthur Chesterfield-Evans. I spoke to Arthur Chesterfield-Evans a few minutes ago and he told me—

**Mr Ashton:** You are verballing him.

**Mr HAZZARD:** With his approval; with the approval of Dr Chesterfield-Evans I am actually recounting the words that he gave me in the presence of other people just a few minutes ago. Dr Chesterfield-Evans told me that when he went to your office on the first occasion you had already been made aware of the situation by the President of the Legislative Council. Dr Chesterfield-Evans was offered a seat, and he sat on the lounge in your office. The sequence was that he said to you, "You know what we are here for." Before he had a chance to say anything else, you said to him words to the effect—

**Mr Ashton:** Allegedly.

**Mr HAZZARD:** Allegedly, I acknowledge that. I acknowledge that these are allegations. Your response was—and for this you stand indicted for your lack of impartiality and for your readiness to be involved in the bullyboy tactics of the right wing of the New South Wales Labor Party—"I have got some other facts you might like to consider." You handed to him a document, 1½ to 1° pages, on which was a statement which may or may not have been an executed statutory declaration. But it was completed by a person who is a member of your staff. That statement was handed to Dr Arthur Chesterfield-Evans. The purpose of handing it to him, I submit, is quite clear.

Mr Speaker, your purpose was to make sure that this matter went no further. That was the sole purpose. You gave him a document which, in any other sense and possibly even in the light of what you were doing, was defamatory of that young lady; it made allegations which were derogatory of her character. And I do not propose to put them in this place. When Dr Arthur Chesterfield-Evans asked you, "Can I have a copy?" you denied him that right. But you said to him, "No, but if you want to, you can take a precis." I am told that he jotted down some of the details. I asked him, "What did you take from all that, doctor?" He replied, "I concluded that the Labor Party would come out fighting if it were taken any further. I wasn't surprised." Mr Speaker, if that fits with your Parliament's policy on an harassment-free workplace, you, sir, need to revisit your policy or revisit what you did during that meeting. Mr Speaker, it got worse. You then sent him away and a couple of days later, after he had had some discussions, as I understand it, with the young lady involved, your worker then attended at his office and had discussions with him.

**Mr O'Doherty:** The same worker?

**Mr HAZZARD:** The same worker, the person whom I understand appeared on television last night sitting next to the honourable member for Hornsby. I do not intend to name persons, but the fact is that when he went to see Dr Arthur Chesterfield-Evans it was apparent that you were hoping that nothing further would occur. Then you had him back and had another discussion, and this is where it gets particularly bad. What you then wanted to do was to protect your own backside. You, as the Speaker of this Parliament, wanted to protect your own backside. You queried Dr Arthur Chesterfield-Evans about precisely what you had said. According to Arthur Chesterfield-Evans' statement you said to him words to the effect—

[*Interruption*]

Mr Speaker, you were about protecting your own backside. The conversation that took place then was an indictment of your independence. I really do put to you that both your action on that first day when you completely defied all the harassment policies of this Parliament, and your action on the second day when you sought to protect yourself so you were not going to be held out to have threatened any particular action to Arthur Chesterfield-Evans on behalf of this girl or towards this girl, says quite clearly to us and to the community that you have no other choice. You should stand down. You should not wait for the outcome of this vote; you should stand down. [*Time expired.*]

**Pursuant to sessional orders business interrupted.**

## PRIVATE MEMBERS' STATEMENTS

### MENTAL HEALTH SERVICES

**Mr DEBNAM** (Vaucluse) [5.15 p.m.]: I appeal to the Premier to address a matter which is of concern to the Bondi community: the fundamental failure of the Government to deal with community safety and mental health problems involving an individual in a street in Bondi. I will not name the person or the street involved. The Premier is well aware of this person, because this issue has been ongoing for nine years. This is a David and Goliath battle—David being the distressed residents of that street in Bondi versus the might and arrogance of the Carr Government and, I add, previous governments which in years before the Carr Government was elected also did very little to resolve this issue. On 25 August I received a letter from a gentleman who had written on behalf of his very elderly mother, a resident of the street in question. In part the letter stated:

Therefore this letter is a request that you act now so that the government can be held responsible for the compensation that will be sought by the residents if we suffer any personal health problems or damage to or loss of property as a result of a fire.

This issue revolves around a woman who has a mental health problem—she collects rubbish. She has done this for nine or 10 years and, consequently, the inside and outside of her house on its quarter-acre block have become literally loaded up, six foot deep, with rubbish she has collected from the streets of Bondi. It has featured in the media in recent months. I am concerned that this matter has gone on for nine or 10 years and that the Government simply refuses to address the main issue, and several issues are involved. Following receipt of the letter, I wrote to the Premier as follows:

The enclosed letter ... and photos are self explanatory and document a fundamental failure of Government to address issues of mental and public health and an extraordinary failure to protect community amenity.

This is an issue for urgent resolution by Premier's Department—not for the Departments of Health or Local Government because those Departments have failed under the current division of responsibilities. I understand Waverley Council is also currently constrained by court action.

This is a blatant example of ongoing Government failure to serve the community. Mental health challenges should be addressed by our entire community, led by Government. Instead, the burden of this problem falls heavily on residents of ... and surrounding streets.

Your Office—

the Premier's Office—

can facilitate a solution which:

- a) delivers mental health support for ... on a daily, or, at least, weekly basis; and
- b) ensures Waverley Council has the necessary power and funding to clean the property each week (including removing the overgrown vegetation between ... [and the next house].

It is unacceptable that problems of this kind are tolerated because they are out of sight of most people and bureaucrats in New South Wales ... The residents of ... are appealing for help ...

Your Office can overcome the paralysis of government authorities and deliver the above solution ...

There was a flurry of activity by the Carr Government for about a fortnight. After receiving a bureaucratic reply from the Minister for Health, I sent another letter to the Premier, saying:

I have received the attached bureaucratic letter from your Minister for Health ... The Health Minister's "business as usual" response is unacceptable to our local community and clearly demonstrates the paralysis of your Government when confronted by a difficult issue.

About three weeks ago there was an incident in the street. A young lady was assaulted by this resident after leaving a party up the road. Thankfully, the young girl reported the incident to the police and, as a result, the resident was readmitted to hospital. Nothing at all has changed in the street. The rubbish is still there, although the resident's family has made a minor attempt to clean it up. On 21 September I received a letter from the Director-General of the Premier's Department, which states in part:

This matter will be pursued through proper legal resources for non compliance.

The Premier has failed for the 5½ years his Government has been in office, and the previous Government failed for an almost equivalent number of years. There is only one way to solve this problem. I say to the Premier:

Come with me to this street, have a look at the house and talk to the residents. He will be as horrified as I was when I stood outside this property and looked at what the residents of this street have had to put up with for almost 10 years. It is not good enough for the rest of New South Wales to say it is simply their problem.

### PAYDAY MONEYLENDERS

**Mr STEWART** (Bankstown—Parliamentary Secretary) [5.20 p.m.]: On 11 October I raised in this House strong concerns about the recent spate of payday moneylenders, with particular focus on an organisation known as ChequEXchange, which is now operating in the Bankstown area and throughout Sydney. ChequEXchange and other payday lenders are ferocious loan sharks that prey on people who are desperate for cash. As I have previously pointed out to this House, I have a particular concern about ChequEXchange, which is now operating on a national basis.

My main concerns about ChequEXchange and other similar payday lenders is that consumers have virtually no rights when they use the facilities offered by this moneylending institution. That is because the payday loans made by ChequEXchange are offered for terms of less than 62 days. Consequently, borrowers who obtain money from ChequEXchange are not covered by the national credit code, which regulates other credit providers and provides accountability for their behaviour and actions and their treatment of consumers.

ChequEXchange targets people who have money problems, have little chance of getting credit elsewhere, and have not been able to get credit in the past. When people borrow money from ChequEXchange they are charged a fee rather than interest on the money they borrow. I am informed that this fee is usually \$20 to \$25 for each \$100 borrowed. For loans of just a few weeks this equates to an annual interest rate of approximately 1,300 per cent. One does not need to be an actuarial genius to work out that based on these figures ChequEXchange, simply and bluntly, is a lending institution that is ripping off the financially vulnerable in our community, without shame and without proper accountability.

As I expected, since I made my initial remarks to this House about the operation of ChequEXchange on 11 October, I, along with a number of media outlets, have received a flurry of panic correspondence from this payday lending organisation attempting to counter the strong concerns I have raised about the way it operates. ChequEXchange has claimed, in short, that I have misled this Parliament. I strongly stand by the concerns I have raised about ChequEXchange and other similar payday lenders. In correspondence to me ChequEXchange has indicated that it does not charge 1,300 per cent. It says that it charges only 295 per cent interest. I have received advice that the interest has been calculated at 1,300 per cent. ChequEXchange says that the national credit code affects them, but then admits "As you know, we do not fall under the credit code." So it admits it is not accountable.

ChequEXchange has told me that its Bankstown organisation does not target people on the poverty line. I have a brochure from ChequEXchange. If that brochure does not target poverty-stricken people I will give it away. It says: "Rent due and no cash? No need to stress!" It has a photograph of a bloke who looks like he is about to stick a 38 special in his mouth. He obviously looks like he is under stress and financial hardship. That is how the organisation is operating at the moment, but it tells me that it does not target those types of people.

I have real concerns about the way this mob operates. It does not have any concern for the financially vulnerable and it is clearly aiming at the lower end of the loan market, where people are unable to effectively deal with the circumstances of their loans. Of even more concern is that the disgraced tycoon Alan Bond, his son Craig and former Perth fraud convict Mr Phil Simcock have recently bought the British franchise rights to ChequEXchange, known in Britain as the Money Centre. Honourable members will recall that Alan Bond served 3½ years in prison for Australia's biggest corporate fraud, milking approximately \$1.2 billion out of the Bell Resource company. Phil Simcock, Bond's partner in the ChequEXchange venture, was gaoled in the 1980s for defrauding Custom Credit during a failed property development.

This is the calibre of the people now on the jockey straps controlling and holding a major franchise in the international ChequEXchange operation. Speaking about jockey straps, I have been advised that Robbie Waterhouse also has an interest in this venture. The House may recall that Mr Waterhouse had difficulties with a horse called Fine Cotton. This organisation is the Fine Cotton of the credit lending institution in Australia. I want to see it wiped out. I applaud the Minister for Fair Trading for what he is doing to make this mob accountable.

**Mr MARKHAM** (Wollongong—Parliamentary Secretary) [5.25 p.m.]: I thank the honourable member for Bankstown for again raising this matter in Parliament. This issue will affect every member of every



Parliament in this country. We are dealing with the grubbiest parasites in our society fleecing the most vulnerable people in our society. Federal, State and Territory governments should do something right away to address this issue. These are the very people that the parliaments of this country are designed to assist, and yet we are doing nothing about it. I believe that we should be taking up the fight—the fight that the honourable member for Bankstown has brought to the attention of this Parliament again—on behalf of these people. The sooner we do it the better because these companies will continue to flourish and fleece the most vulnerable people in our society.

### **BURRINJUCK ELECTORATE ROADS**

**Ms HODGKINSON** (Burrinjuck) [5.27 p.m.]: I raise a matter that is of major importance to the people of Burrinjuck, that is, the condition of our regional roads. The road system in the electorate or Burrinjuck displays a gamut of conditions. It would be difficult to find a road in the electorate of Burrinjuck, other than those that are Federally funded, which could be described as being in good repair. I am often approached by constituents who, after travelling within the greater Sydney metropolitan area, are angry that the State Government spends so much money in Sydney whilst ignoring the many pleas for help about regional roads. These pleas have been many and varied.

In the last three months I have made 15 separate representations to the Minister for Transport about the state of the Burrinjuck roads. The Minister takes on average about three months to reply. I am still awaiting a response from either him or any of his parliamentary secretaries to eight of my representations dating back to 3 August. The standard theme running through all the Minister's answers, or those of his parliamentary secretaries, is that he has already very generously given the councils involved sufficient money and it is their inefficiency which has led to the parlous state of our roads. This arrogant and insulting attitude is the reason that councils and citizens alike are revolting against the Government. When speaking recently to the general manager of one local shire council I asked him how his State Government road funding was going. He gave me a one word answer: "Down".

There are particularly bad areas within this existing road system. I draw the attention of the Minister to the Harden-Jugiong Road, Lachlan Valley Way, the Tumut to Batlow Road and the Gocup Road, which connects Tumut with Gundagai and is the main transport route between the industrial area of Tumut to the northbound route of the Hume Highway. The condition of the latter two of these roads is such that the Roads and Traffic Authority has recently imposed a speed limit of 80 kilometres per hour on them in an effort to reduce the likelihood of serious accidents. Both roads are winding, mountainous and dangerous in their current condition of disrepair. The region around Tumut is suffering particularly hard times, with reductions in State Government funding. It would seem that the Minister refuses to acknowledge that when these roads were built in the 1960s they had a life expectancy of between 25 and 30 years.

The time limit has well and truly expired, and the roads are desperately in need of repair. The State Government simply must address this major issue as a matter of urgency. The Minister must know that drivers frustrated by poor roads, slow speeds and long stretches of road equal disaster and equals fatalities. The areas around Tumut are being especially hard hit as the state of the roads and bridges is significantly hindering business activity. The two bridges over Adelong Creek, Purcells and Rimmers bridges, have recently had load limits placed upon them. These limits are forcing farmers, carriers and logging contractors to detour across the Tumut to Batlow road, the state of which is so severe that reduced speed limits are now in place.

An example of the State funding reductions for the Gunning local shire shows that the grants given to them have followed a uniformly downward pattern since 1996-97. In that year the council received \$541,000 in State funding for the 3 x 3 grants and traffic facilities; the next year it received \$531,000, then \$506,000 then \$499,000 and this year it received \$456,000. When the Regional Repair Program funding is added the picture only gets worse. This funding has dropped with some fluctuations from \$250,000 in 1995-96 to only \$135,000 this year. The situation is so bad and the response from the State Government is so poor in the Tumut region that the community is rallying together in what can only be described as a people's movement, in an attempt to address the problem of their roads.

One local citizen, Louise Halsey, recently compiled a video of the condition of the regional roads in the area, which she will present to me shortly and which she has asked me to forward to the Minister so that he can see first hand by way of a video exactly what the situation is. She is currently putting together petitions that she will forward to me so that I can table them in this place. I have written urgently to the Minister for Roads asking for an appointment so that I can lead a delegation from the Tumut Shire Council and the Adelong Progress Association to meet with him to reinforce their great concerns about the regions roads.

To date I have not yet received a reply. For too long the residents of regional New South Wales have been ignored by this city-centric State Government. Although millions of dollars have been spent on roads in the greater Sydney metropolitan area, the cost of our appalling regional and local roads is measured in hospital wards and road tolls. It is just not good enough. We in country areas demand that more attention be given to regional roads. The people are demanding it and there is no reason why it cannot happen.

#### **INDEPENDENT COMMISSION AGAINST CORRUPTION FORMER COMMISSIONER BARRY O'KEEFE, AM, QC**

**Mr GIBSON** (Blacktown) [5.32 p.m.]: All politicians are accountable to their electorates. Politicians today are under the microscope, no matter how people look at us. I suppose each time we look sideways and every time we do anything we are accountable to the public, and so we should be. It is the public who pays our wages. But the people who judge politicians should also be accountable. I refer in this case to the former Commissioner of the Independent Commission Against Corruption [ICAC], Mr Barry O'Keefe, and the ICAC annual report that was released yesterday. Mr Barry O'Keefe served five years as Commissioner of the ICAC, finishing in 1999. It is interesting to look at his performance over that time.

His salary package, which was published yesterday in the ICAC annual report, amounted to well over \$500,000 per year. Compare that with the Prime Minister's salary. It is nearly double. But the most interesting part of his salary package was accrued annual leave of \$139,887, which was paid to him in November last year. In actual fact more than six-months leave was accrued in five years. I would like to know the make-up of the annual leave and how it accrued. I would also like details of the fringe benefits that were included in the report for the year 1999 to the year 2000, which totalled an amazing \$55,696. I would like to see a comprehensive break-up of that money. It would be very interesting to look at.

I am staggered to note that his contract included first-class air travel for his spouse; repairs and maintenance for his nominated private vehicle. In the early days it was his Bentley—only a \$300,000 vehicle that every battler can afford—and he finished up with a Mercedes. His telephone and security at his home premises were also paid for. A puzzling part of the report about which I would like more detail is that fringe benefits in some areas could not be calculated. I refer specifically to life insurance and maintenance of a professional library. Of course, all workers have these types of things! Most of these fringe benefits are in every award, and most unions pursue them!

It is also a fact that Commissioner O'Keefe had paintings hanging in his ICAC office that he brought from home from time to time. I did not see anything in the report, but I believe that the ICAC and the taxpayers of this State have been paying something in the vicinity of \$5,000 per year to insure his paintings that he hung in his ICAC office. I would like to know a little bit more about that. I note that last Christmas he had the temerity to send every member of Parliament a Christmas card. Probably everybody in Australia got one. Of course, that was at the expense of the ICAC and the taxpayers of this State. I would like to know the validity of and the reason for his doing that.

In answer to a question to evaluate the extent to which the ICAC services, products and advice are used in and beyond New South Wales the commissioner said that the performance record of the ICAC for 1998-1999 was that seven research reports were produced, analysing preventative strategies; 16 delegations visited from overseas; more than 80 presentations were made to conferences and workshops by ICAC officers; and the commissioner and/or delegates accepted 20 invitations from 20 overseas agencies or conferences. He based his performances on how many overseas visits he took each year! The commissioner is the greatest example in the history of this State of someone milking the taxpayer. There should be an inquiry into his activities. He is the greatest leech in history: he sucked every morsel out of the package that was given to him, and he made sure he did not miss anything. Barry O'Keefe, more than anyone else, has rorted the taxpayers of this State and he should be made accountable.

#### **KINCUMBER POLICING**

**Mr HARTCHER** (Gosford) [5.37 p.m.]: I wish to speak about crime and police in the Kincumber area of my electorate. On Wednesday 25 October a well-attended meeting was held at the Uniting Church at Kincumber. The meeting was attended by me as the member for Gosford; the Hon. Michael Gallacher, the Leader of the Opposition in the Legislative Council; the honourable Jim Lloyd the Federal member for Robertson; and Detective Inspector Dennis O'Toole, the Crime Manager for Brisbane Water Local Area Command. Notable non-attendees, despite invitations, were the Hon. John Della Bosca, who claims to be the Minister for the Central Coast; the Premier; and the Commissioner of Police.

The meeting was attended by 200 residents of Kincumber. It was organised by the group Kincumber Residents Opposing Crime [KROC]. Two worthy representatives of that group are Ms Jan Armstrong and Ms Dane Favier. I congratulate them both on their organisation and their concern for the ongoing issue of crime, and law and order in the Kincumber area. The Brisbane Water Local Area Command is seventh on the list of crime areas in New South Wales. It is seriously affected by ongoing law and order problems and the residents attended the meeting to make their voices heard. One of their complaints, which I undertook to raise in this Parliament, was Kincumber police station.

I have repeatedly spoken about Kincumber police station, but it is worth ventilating again. It was an election promise in 1995 by the Australian Labor Party. That promise was honoured by the Labor Party when it took office in 1995. The police station was built at a cost of \$1.13 million. It was opened with great fanfare by the Minister for Police, the Hon. Paul Whelan. For the first three years after it opened the police station, which was built to accommodate some 14 officers, had only one officer on light duties, who had no gun or car and could answer queries only over the counter. His hours of operation were from 9 a.m. to 1 p.m. and then from 2 p.m. until 5 p.m. Monday to Friday. That was the police presence in Kincumber, despite the Government's promise.

Now even that officer with no gun and no car has been removed. The police station effectively is closed; it is used only as an overflow area for detectives working on a crime task force. It carries out no operational policing duties in the Kincumber area. Like the pub with no beer, it is the police station with no police. Kincumber residents are most concerned about this ongoing defiance of the Government's election commitment. Every day as residents drive past the station on the main road they see it as a reminder of the denial of police presence in Kincumber. The residents expressed concern also about the lack of youth facilities in the area. In a resolution carried overwhelmingly they called upon the Government to provide proper youth facilities to address the issue of young people committing offences in the area. The area needs more youth workers.

Kincumber has a well-functioning and strong neighbourhood watch; its residents are prepared to co-operate with the police. But as Detective Inspector Dennis O'Toole said, the police are hamstrung: there simply are not enough of them. The Brisbane Water local area command is poorly staffed. Its police do an excellent job and the residents are proud of them. I have the highest regard for them, but there are not enough of them. Pleas to the Government to allocate more police to the Brisbane Water local area command continue to fall on deaf ears. The residents meeting called for an allocation of a further 75 police to the Brisbane Water local area command, the minimum number necessary to ensure a proper police presence in our area.

It is a disgrace that Kincumber's crime figures are the seventh highest in the State. It is a disgrace also for this area to have ongoing problems of juvenile delinquency and gangs terrorising citizens. It is a disgrace that this police station sits idle. We are concerned for ourselves and for our safety. Elderly people, of whom there are many in the Kincumber area, are concerned about going out at night. I call upon the Government to at least once honour its commitment and put police in Kincumber. [*Time expired.*]

### **PACIFIC HIGHWAY UPGRADE**

**Mr NEWELL** (Tweed) [5.42 p.m.]: I draw to the attention of the House the major development and construction program being undertaken in my electorate and, indeed, across a number of electorates from Hexham to the Queensland border. I refer to the Pacific Highway reconstruction program. I wish to place on the record my thanks and that of my electorate to the Ministers responsible for getting this reconstruction under way. The Minister for Roads, Carl Scully, is obviously closely involved with the project. The program dates back to an agreement signed on 25 January 1996 by the respective transport Ministers from New South Wales and the Commonwealth—Mr Michael Knight and Mr Laurie Brereton.

Not long after construction began there was a change in the Federal Government, but the agreement ensured that the Pacific Highway finally received funds to upgrade it to a dual carriageway and consequently a standard suitable for the volume of traffic it carries today. I thank the Minister for the Olympics now for facilitating this project in 1995 because I might not have the opportunity to do so later as he will soon be leaving politics. The purpose of the Pacific Highway reconstruction agreement was to provide financial assistance from the Commonwealth Government to the New South Wales Government to accelerate a major reconstruction of the highway. The agreement points out:

[The scope] works will include, but not be limited to, major reconstruction and a capacity upgrade on the Pacific Highway from Hexham to the Queensland border.

A number of agreed outcomes and outputs were included in the agreement. In regard to the timing of the project it states:

The period covered by this Agreement is from July 1996 for 10 years to June 2006. Funds could be advanced before July 1996 subject to Agreement between the parties.

Under the heading "Management and Approval Process" the agreement states:

There will be two programs of works on the Pacific Highway in NSW.

The NSW ongoing program, which it will maintain at the current level over 10 years.

A second program of works on the Pacific Highway is jointly funded, with the Commonwealth and State each contributing funds on a dollar for dollar basis.

That dollar-for-dollar basis has resulted in approximately \$1.5 billion going into the construction program to develop the highway. Obviously the agreement put in place a number of other factors, but it was signed on 25 January 1996 by Laurie Brereton, Federal Minister for Transport at the time, and Minister Knight, who was New South Wales Minister for Roads. The signing took place on the highway just outside Grafton and was well reported in the news. As Minister Knight will leave Parliament later this year or early next year it is appropriate that I thank him now for his work on that agreement and on getting the project under way.

I bring to the attention of the House also that part of the construction program which involves major work on the Yelgun to Chinderah section of the highway, which is probably the biggest section of the work. It will result in 28.5 kilometres of divided dual carriageway to replace what is known as the Burringbar section, which presents a real problem with safety and has been the scene of many accidents. The Tweed electorate will have achieved a great deal when that highway section is bypassed. I thank the previous Minister for Roads, Michael Knight, for his good work and also the present Minister for providing the funds to upgrade the present highway over the Burringbar section, which has resulted in a substantial decrease in the accident rate at that spot. *[Time expired.]*

### EDEN WHALE FESTIVAL

**Mr WEBB** (Monaro) [5.47 p.m.]: A couple of weeks ago I had the pleasure of attending the Eden Whale Festival. Regrettably, because of parliamentary duties elsewhere I was able to attend only some of this year's events. The festival caters to many functions, displays, local events, crafts and markets, and requires much organisation. It attracts large crowds, particularly on the last Sunday of the festival. A shuttle bus service was arranged on that day to ferry people from the main street to the cove wharf area. Representatives from the National Parks and Wildlife Service and New South Wales Fisheries were at the festival. Many fishing boats were present throughout the festival, and certainly on the last weekend because weather and sea conditions were not suitable for fishing. A few days ago a fishing boat was lost off the South Coast. Such a tragedy attracts great sympathy. The Eden fishing industry supplies a large proportion of the fresh fish and fish products for New South Wales.

The Eden tug boats were on display at the festival, and on-board tours were conducted. I took the opportunity to look at Eden's largest tug boat because it plays an important role as it moves from New South Wales into Victoria, around to South Australia and further north. In fact, it has been almost all the way around the continent. I had a chat with a chap called Tom West. Another vessel that was moored at the wharf on that day was the *Botany Bay*, an aluminium customs boat recently commissioned to carry out the vital role of customs in Australia. Informative tours on "Who is watching our coastline" are conducted as part of the promotion. Also moored at the wharf were the *Tribal Warrior*, a sailing vessel over 100 years old, which is based here in Sydney, a gaff-rigged vessel and a former pearl lugger.

My wife and I had a conversation with an old fellow from Bourke called Tom, who was part of the dance troupe and was putting on his dance paint. The festival trains Aboriginal and Torres Strait Islander people to be maritime masters. I thought of the old saying: If you give a man a fish you feed him for a day but if you give him a fishing line and hook—or something to do with a boat or a masters licence—you feed him for the rest of his life. I congratulate the Eden Chamber of Commerce on a dinner conducted by the Australian Capital Region Development Council. I commend the chair of that council, Colin Freeland, the chief executive officer, Rod Burgess, and other members of the Eden community who attended.

I acknowledge the Eden Foundation, in particular Max Brown, Sid Donaldson, Gordon Barkley and John Aveyard. I also mention Eden business people, the Nippers Restaurant, a famous fish place down on the wharf, and Dave of the Wheelhouse Restaurant. I commend also Alan Fraser from Fraser Motors and Lloyd Cocks of Cocks Transport for their involvement in the festival. A truck pull was held on the day and many people lined up to record the fastest time. I pay tribute also to Rene Davidson on his scrimshaw and his ongoing involvement with the festival. He is a descendant of the Davidsons from the whaling station at Eden. I also acknowledge Jan Aveyard of the Eden Whale Discovery Centre, a wonderful initiative.

I refer also to the charter boats, one of which was the *Cat Balou*, which conduct whale sighting tours. The whales include humpback whales, orcas, killer whales, blue whales and right whales. I thank also the President of the Eden Fisherman's Club, Lyel Petherbridge, and Craig Madden. The lighthouse at the famous Eden Killer Whale Museum is almost complete and in that regard I commend again Alan Fraser, Margaret Sheaves and Julie Campbell. The lighthouse will be a great attraction for Eden. One must also establish a balance between tourism and industry. Logging and fishing are still important to Eden and in that vein I refer to Blue Ridge Mill and property sales. I congratulate all those who have had an involvement in this historic event. I apologise to those I have omitted but I commend the Eden community as a whole for the wonderful Eden Whale Festival 2000.

**Mr MARKHAM** (Wollongong—Parliamentary Secretary) [5.52 p.m.]: It is pleasing that the honourable member for Monaro has brought to the attention of the House the well-attended festival at Eden, a town that has been doing it pretty tough in recent times because of the closure of the fish cannery, a closure that resulted in the loss of many jobs. I am pleased with the community's involvement. I know that the *Tribal Warrior* is crewed by indigenous Australians, who participate in many festivals around the Australian seaboard as part of their commitment to reconciliation. It is wonderful that they participated in this weekend at Eden and that the economy is improving in the area. I thank the honourable member for acknowledging the involvement of Government departments in the festival and for bringing the festival to the attention of the House.

#### **MENAI HIGH SCHOOL MARINE LABORATORY AND AQUACULTURE FARM**

**Ms MEGARRITY** (Menai) [5.54 p.m.]: On 17 October I had the great pleasure of visiting Menai High School. That would always be an enjoyable occasion. However, on this occasion I had the unexpected honour of opening the marine laboratory and aquaculture farm at Menai High School because of the sudden illness of Minister Obeid. The marine laboratory and aquaculture farm is a terrific achievement by the students, staff and parents. I take this opportunity to congratulate them and local business, which contributed to this outstanding education centre. The new complex is a great example of education complementing a dynamic growth industry in New South Wales.

Honourable members may not be aware that aquaculture is currently worth \$40 million a year to New South Wales and is one of the fastest growing industries, growing at around 15 per cent each year. At that current growth the industry could be worth hundreds of millions of dollars within a decade. Following this to its logical conclusion, aquaculture could be a major employer in the future, and, who knows, one day Menai High School graduates may become industry leaders in that field because of their hands-on experience. They have been given the wonderful opportunity to study marine science and learn about how fish can be farmed intensively. It occurred to me on the day that it is a tremendous way for students to learn about conservation, something about which they are well aware, and the fact that these two things can complement each other.

The marine laboratory grows barramundi; studies local fish and eastern rock lobster growth; and has commercial fishing displays, buoyancy devices, and jewfish, shark jaw and crustacean moult studies. A range of activities are carried out at the laboratory. On the day of the opening the school expressed its appreciation to the staff of New South Wales Fisheries, who have been involved in the program. I acknowledge David Barker, Dr Stuart Rowland and Dr Geoff Allan from New South Wales Fisheries for their valuable assistance to the school. It was quite obvious that the opening was a culmination of 18 months of hard work by staff and students. The students particularly impressed me right from the moment that they met me in the car park and took me on a tour of the laboratory.

They demonstrated a maturity and an ability to express their work. This is a credit not only to their school but to their science teacher, Greg McNeill, who is involved in the laboratory. Approximately 90 students are studying marine studies and next year it is expected that the number will be 120. Tribute was paid to Mr McNeill by the principal of the school, Edith McNally, who is responsible for 1,070 students and 72 teachers. She told me about the dedication of Greg McNeill and the way he enthusiastically conveys information to the students. I also spoke to Greg's wife, Karen, who was there with their new baby. Karen was full of information about the weekends Greg spends at the school looking after the fish and promoting studies within the school. He puts in a great deal of his own time, which is typical of so many teachers in our public school system.

At the official opening I jokingly said that I hoped fish was not on the menu for afternoon tea. But lo and behold, afternoon tea included Thai fish cakes and fish bites. I realised that there was not time to have cooked all the little fish I had just seen! Indeed, the hospitality class of the school had prepared the afternoon tea in a professional manner—another example of the hands-on and practical experience being provided by public school education. At the afternoon tea I looked out the window and saw a structure of rocks, which again was a good example of co-operation within the community. It comprised sandstone from the Woronora Bridge (due to open on 13 December) and which the students have used to produce a learnscape using native plants. This includes a bush tucker garden which has been planted, using Aboriginal advice, and the area is also a performance space. Full credit must go to the students, teachers, staff, parents and general community of Menai High School for this great innovation to enable hands-on practical experience, which is something we should all be proud of in the public education system.

**Mr MARKHAM** (Wollongong—Parliamentary Secretary) [5.58 p.m.]: It is obvious that the honourable member for Menai is a hardworking local member. Her wonderful story demonstrates what public education is achieving in this State. I congratulate the honourable member for Menai on outlining what is happening within her electorate, and I have no doubt that she will continue to take a close interest in this project at Menai High School.

### STATE GOVERNMENT PLANNING POLICIES

**Mr O'FARRELL** (Ku-ring-gai—Deputy Leader of the Opposition) [6.00 p.m.]: I again bring the concerns of my electorate to this House in relation to overdevelopment and the effects of State government planning policies on densities within the electorate of Ku-ring-gai. I do so on this occasion following a report to Ku-ring-gai Council which shows that over the 17-month period from February 1998 until September this year 64 applications for State environmental planning policy [SEPP] No. 5 developments have been lodged in Ku-ring-gai. Those 64 applications represent almost 1,000 medium- and high-density housing units. These are facilities where one home block is replaced by five, six or more multiple units designed principally for people aged over 55. So far 26 of those applications have been approved, involving 335 units; eighteen have been rejected, involving 250 units; 20 are under evaluation, involving 200 units; and a further 10 are under appeal, involving 200 units.

The significance of these statistics is that there are 20,000 households, units and homes across the Ku-ring-gai electorate, which becomes apparent when I distribute newsletters. In the 17-month period applications were lodged for a 5 per cent increase in the number of housing units across Ku-ring-gai. That is the sort of devastation that this environmental planning policy is bringing to Ku-ring-gai and across Sydney. State environmental planning policy No. 5, as honourable members know, was introduced in 1992 to facilitate the construction of purpose-built retirement villages. No problems; no-one had any difficulties.

The original SEPP was repealed in January 1998 and replaced with a revised version that was thought, firstly, to increase the availability of housing to provide a wider choice of residential accommodation for the aged and disabled; secondly, to make efficient use of existing infrastructure and services; and, thirdly, to be of good design. All are worthwhile objectives, but problems have arisen with each. It was quickly apparent that neither the State Government nor local councils had the power to ensure that SEPP 5 developments were inhabited by older people or people with disabilities.

Developers are using the policy to sidestep local government planning controls and are selling units to anyone who wants them. Despite aiming to promote SEPP 5 developments and their existing services and infrastructure such as shopping centres and public transport, they can be built, and are being built in Ku-ring-gai, away from both. Further, there are no guarantees that SEPP 5 developments will be of good design. In 1998 the Land and Environment Court described one local SEPP 5 development as "nothing more than residential flats by another name". Other problems exist.

Thanks to a 1987 decision by then planning Minister Bob Carr, left in place by his Government in 1998, SEPP 5 developments are exempt from section 94 contributions, that is, the payments from developers to help pay for community infrastructure and facilities. Despite the fact that they increase densities and they bring more people in to use community facilities, they do not pay their way. In 1997 the State Government forced local governments across Sydney to design residential strategies in order to increase housing densities. Ku-ring-gai's strategy, which has been the subject of controversy, is currently before the Minister for Planning. Notwithstanding this work in Ku-ring-gai or across Sydney, SEPP 5 allows developers to ignore these strategies and pursue medium-density developments outside areas earmarked for them.

This is a cancer across Ku-ring-gai. It is a cancer across the whole of Sydney. Developers are making a quick and fast buck. They are buying single houses in low-density areas for one price, putting up units, in some cases up to 16 units on the same house site, and making a fortune. If those developers were forced to buy in medium-density areas, determined with communities in those residential strategy areas, their up-front costs would be higher. But are they doing so? No, they are not. As the shadow planning Minister John Brogden has said, the greatest failure of SEPP 5 is the inability to police it. A Liberal Government will abolish it. Tony Recsei, a local resident and President of Save our Suburbs (New South Wales), said:

SEPP 5 chokes formerly quiet streets with traffic, invades residents space and privacy, degrades leafy precincts and replaces formerly charming gardens of flowers and foliage with concrete and tiles.

The time has come for the planning Minister to act. He should either scrap the policy or impose a moratorium until such time as we have a workable State environmental planning policy for aged and disabled people.

### BREAST CANCER DAY

**Mr MILLS** (Wallsend) [6.05 p.m.]: It was my honour and pleasure last Monday week to attend Australia's Breast Cancer Day breakfast in the Hunter region. I was able to attend on this occasion with my wife, Trudi. I want to tell honourable members about that today because some very interesting news was released on that occasion. The breakfast provided a great opportunity for us to learn more about the latest developments in breast cancer research and, in my case, to become aware of the range of screening treatment and support services that are available, concentrated in the Hunter region.

We were all pleased to hear the news for the first time at this year's Breast Cancer Day that the construction of the new Mater Institute at Waratah is under way. That building will become the home of Hunter BreastScreen, breast cancer treatment and research and melanoma services. The funding for that was principally raised by an NBN telethon many years ago, topped up with money made available by this Labor Government two years ago, and now, thankfully, it is under way. Arising from community meetings trying to hasten the decision to go ahead with the construction of the Mater Institute there arose a support foundation for that institute, the Breast Cancer Institute. That foundation is chaired by Virginia Rigby. I thank her and her team for the good work they have commenced in supporting and raising funds to support the institute.

The guest speaker was Carol Whiteside, who has long been supportive of breast cancer services in the Hunter, including treatment services at the Mater. She has been a participant in a clinical trial and is a member of the consumer advisory panel of the Australian New Zealand Breast Cancer Trials Group. The breakfast was followed by an emotional and excellent exercise called Flowers in the Park, where for the first time we purchased, at a dollar each, some flowers for loved ones, family and friends who have died from breast cancer. We put the flowers in the Civic Fountain on the day and set them adrift as a process of raising awareness. Many people, as Trudi and I did, purchased flowers and remembered those whom we had known who were no longer with us because of breast cancer.

Melinda Smith from NBN was the master of ceremonies; the Lady Mayoress, Cathy Tate, was the host; and the patron is the former mayoress, Margaret McNaughton, who has done a terrific job in organising support over the years. Hunter BreastScreen has now screened the 100,000th woman in the Hunter. At 30 June, 98,900 had been screened. The number of cancers detected was 1,175, which will give honourable members an idea of the prevalence of breast cancer detected. I mentioned some good news. Professor Forbes distributed graphs from the *British Medical Journal* dated 7 October, which depicted a fall in breast cancer mortality in both the United Kingdom and the United States of America commencing about 10 years ago.

The data has really become available only this year because of the statistical work of the trials that are done. That is good news. The United Kingdom believes that the improvement was due mainly to better treatment, especially the widespread use of the drug Tamoxifen and also well-targeted radiotherapy, together with earlier diagnosis of the disease through screening. There was an improvement also in the United States. Early figures indicate that improvement may well apply to Australia, but those figures, Professor Forbes said, had not been verified and will come later.

The current recommendations for breast care are that adult women should have a free two-yearly screening mammogram, which is a breast x-ray, from the age of 40 years. In other words, healthy women over the age of 40 are entitled to have a free screening mammogram. The Prime Minister attended the Breast Cancer Day. He was asked whether he would consider extending the program to women under 40 because of the very high rate of women under 40 who were diagnosed with cancer in advanced stages. He indicated that he would consider that. I have already asked our health Minister, Craig Knowles, to follow up the Prime Minister to see if we can gain some benefit from this.

## STRATA LEVIES GOODS AND SERVICES TAX

**Mr BARR** (Manly) [6.10 p.m.]: I raise a matter which has statewide ramifications. It relates to the interaction of the requirements of Federal goods and services tax [GST] and the requirements of the State Strata Schemes Management Act. That interaction has created an unfair division between large and small unit blocks. The Strata Schemes Management Act requires an owners corporation to prepare a budget and raise levy contributions to the administration fund for recurrent expenses and to the sinking fund for capital costs. All owners corporations with a total aggregate levy income in excess of \$50,000 per annum have to register for the GST. Once registered, an extra 10 per cent is added to owners' levy contributions and this extra amount is remitted to the Australian Tax Office. This represents an arbitrary and discriminatory tax on owners in large blocks of units. It does not apply to smaller buildings where maintenance costs are lower. Furthermore, it amounts to double taxation.

Whilst it is fair and reasonable under the GST legislation to treat an owners corporation as the end consumer which pays the GST, it is unfair that the owners' contributions to the administration and sinking fund are levied with the tax. The impost is particularly unfair in relation to sinking funds which are accumulated for current and future capital works. In some instances it may be many years before the funds collected are expended. For example, the life cycle of lifts is about 60 years and it therefore may be many years before the moneys collected are spent on new lifts.

Owners corporations are required to remit the GST collected on sinking fund contributions to the Australian Taxation Office on a quarterly basis, but it is not until the owners corporation actually has the work done and pays the GST that it can recover from the taxation office the GST paid. So, the tax office has interest-free the accumulated tax paid over many years. This is an unfair impost on strata title owners who live in larger buildings in which the aggregate income exceeds \$50,000. Why should they be discriminated against in this manner? The size of the building they live in does not necessarily bear any relationship to the value of their units, so it is a regressive tax. I have written to the Federal and New South Wales Treasurers about this problem. I hope that my fellow members will support me in seeking to correct the injustice the Federal Government is inflicting upon these residents.

### Private members' statements noted.

*[Mr Acting-Speaker (Mr Lynch) left the chair at 6.13 p.m. The House resumed at 7.30 p.m.]*

## SPEAKER OF THE LEGISLATIVE ASSEMBLY

### Motion of Censure

### Debate resumed from an earlier hour.

**Mr WHELAN** (Strathfield—Minister for Police) [7.30 p.m.], in response: Mr Speaker, I listened attentively to the other speakers on this issue who commented about the inane and inaccurate remarks and the failure of the honourable member for Gosford to read completely the Speaker's remarks to the Parliament. The honourable member for Gosford should be, and will be, sorry that he stopped short of including in the quote from the Speaker that the non-intimidation was confirmed by the Hon. Dr A. Chesterfield-Evans. I listened, because the honourable member for Tamworth indicated that the Hon. Dr A. Chesterfield-Evans was to make a statement in the upper House. That statement was not forthcoming. I do not know the reason for that; there may have been a procedural reason. In any event, to my knowledge it did not take place.

The honourable member for Wakehurst has had an extempore conversation with the Hon. Dr A. Chesterfield-Evans and indicated certain information. None of that was really relevant to the central point. The central issue is that on three occasions, as I put to the House, Arthur Chesterfield-Evans indicated in no uncertain terms—not only publicly in newspapers but, according to the *Sydney Morning Herald* of 31 October also to police Inspector Cooper—that no pressure was applied to the woman. Those were the words of Arthur Chesterfield-Evans. I cannot imagine what the honourable member will say to the upper House. Will he walk away from not one or two but three of his versions?

**Mr Stoner:** He already has.

**Mr WHELAN:** The honourable member for Oxley said that he has already walked away from them. That is a very interesting comment. But I know what he said on 29, 30 and 31 October. He has said that no



pressure was applied to the woman. Incidentally, I watched the ABC news program tonight at seven o'clock and saw reports of the Opposition's criticism of me for not informing the Premier of the existence of this police investigation. My decision, as Minister for Police, was described by the Opposition of the New South Wales Parliament as "extraordinary". I know my conduct was exemplary.

The most important thing about any police investigation is that it is just that—an investigation by police, conducted by police. Police investigations must be free of interference from any quarter. Importantly, they must be free from political interference. None can come from the Premier, a Minister, an Opposition leader or any member of Parliament, and that is the position I have. I repeat, I do not believe that my conduct is extraordinary. I repeat, it is exemplary.

**Mr SPEAKER:** Order! The member for Pittwater will remain silent.

**Mr WHELAN:** Let us be clear about one important aspect. What has been reported to Eastwood police station, if formalised as a complaint, would constitute a very serious crime. In our community it is the police who investigate crime and when a case is made out the police lay the charges. Those charges are dealt with in the criminal courts of this State, and that is the proper forum. The same applies to any allegations that arise—

**Mr Brogden:** This is a personal explanation.

**Mr WHELAN:** No, this is not a personal explanation. I just said that incidentally this arises from me watching the television news tonight. The whole censure issue was typified by the honourable member for Davidson, who indicated what the Opposition was really about. His aim was to ensure that you, Mr Speaker, were not the focus of debate but that the focus of debate was the gutter: it was about salacious material and getting it on the parliamentary record so that the Opposition could use it. I would not be surprised if that was not done at the request of people in the media who wanted to make sure that they could print it, free. We have had a few censure motions on the Speaker and I have been listening attentively. I am waiting for some substance of the allegation to be put before the Chamber.

**Mr Brogden:** What did you do with Terry Griffiths? You attacked the man.

**Mr WHELAN:** Terry Griffiths? Do you understand the history? The honourable member for Gosford mentioned Ray Maher but then he stopped short and said that Ray Maher had to resign. Ray Maher resigned and then, as a citizen, he appealed to the court. The court found that Miss Shepherd, a secretary in the Parliament, was an inveterate liar. That was the allegation, the whole allegation in the Ray Maher issue, which the honourable member for Gosford again forgot to include—just like he did today.

**Mr Hartcher:** Who made him resign? Did you make him resign?

**Mr WHELAN:** You forgot to read the last part of the Speaker's statement, because you have selective amnesia; it did not suit you. But you have not made a claim. You are using the Speaker as a vehicle to try to bolster your leader's political achievements—and I can tell you, they are pretty hard to find.

**Mr HARTCHER** (Gosford) [7.39 p.m.], in reply: I thank all honourable members who participated in this debate, including the Minister for Police. I thank the honourable member for Davidson for his excellent contribution and the honourable member for Wakehurst for his fine research. The honourable member for Tamworth, an Independent member, has never voted for a censure motion and has never been prepared to participate in debate on a censure motion. Yet today he indicated to the House that he will abstain from voting on this censure motion, because he believes the jury is still out.

Mr Speaker, we believe that you should not be in the chair. The reason for that has been reinforced in this debate. The honourable member for Wakehurst put some serious matters on the record in this House. The record, as revealed by the honourable member for Wakehurst, shows that in your meeting with the Hon. Dr A. Chesterfield-Evans you initiated to him the declaration, the written document, on the basis that he should reconsider whether he wished to make a complaint to you. That is what you did at that meeting, as was revealed today. Then you called him back. That is what the Hon. Dr A. Chesterfield-Evans said and it has now been placed on the record in this House by the honourable member for Wakehurst.

The situation is getting increasingly difficult for the Government. Two hours ago the Leader of the Opposition revealed that the woman in question is now prepared to co-operate with a full inquiry. Just as

Watergate gradually unravelled the Nixon administration, so Tripodigate is unravelling the Labor Party in this State. You, Mr Speaker, are caught up in it because you are not prepared to stand aside while the integrity of your office is called into question in a number of ways. Firstly, as head of administration in this building you, Mr Speaker, are responsible for workplace safety and for the prevention of sexual harassment. The document, which you signed some years ago, about the protection of staff, members of Parliament and visitors from sexual harassment was read out. You did not follow the protocols laid down in your own document.

**Mr SPEAKER:** Wrong.

**Mr HARTCHER:** Mr Speaker, I do not accuse you of that, you are guilty of it. You took no action, despite the intervention by the Hon. Dr A. Chesterfield-Evans. We await your statement in that respect. I appreciate that you are in a difficult position in that you are in the chair and unable to answer. But I anticipate that you will give an answer to the serious charge that was made this afternoon. Secondly, there is a charge that arises from the recording of the conversation between the honourable member for Wakehurst and the Hon. Dr A. Chesterfield-Evans. He said that when he was in your office you put to him the document prepared by Chris Gillies. Chris Gillies, who is a friend of Joe Tripodi, a member of the Young Labor movement and a member of the right-wing faction of the Australian Labor Party, was present on the roof on the night of 14 September. That statement was designed in the most blatantly chauvinistic fashion to portray the woman as one who had consumed a quantity of alcohol unwisely, at the very least, and who was engaging in improper conduct or creating the appearance of improper conduct.

Mr Speaker, if you wish to refute that, you are at liberty to table the document in the House. The Opposition will consent immediately to the tabling of the document with the woman's name deleted. We will not allow the woman's name to be used. The tabling of the document in the House, with the woman's name deleted, will satisfy the concerns of the Hon. Dr A. Chesterfield-Evans.

**Mr Ashton:** Did the Speaker go to the Hon. Dr A. Chesterfield-Evans's office?

**Mr HARTCHER:** No, the Hon. Dr A. Chesterfield-Evans went to the Speaker to make a complaint and no action was taken by the Speaker on the complaint. The Hon. Dr A. Chesterfield-Evans went back to the Speaker at the Speaker's request, and again no action was taken on the workplace safety protocol, no action was taken about the police issue, and no action was taken for the protection of the integrity of Parliament. When the issue was raised yesterday the Speaker should have stood aside. He refused to stand aside on the basis that there had been no wrongdoing, although a police inquiry is still under way.

Mr Ray Maher was forced to resign from this Parliament. He may have been acquitted by the court, and I accept that. That is the historical record. But the right wing of the New South Wales Labor Party kicked him out. They marched him out. Within two months of his acquittal, they took him by car from this Parliament to the Mater Hospital at Crows Nest and then released a medical certificate, signed by a doctor, which was one line long: "Ray Maher is suffering from high blood pressure." A resignation occurred and a by-election was called. Harry Jensen was installed in the seat and the right-wing machine rolled on—it rolled on to lose the election three months later.

**Mr Whelan:** The people of Wyong made a decision to elect a man in Wyong who lived in Bondi. That is how far wrong you are.

**Mr HARTCHER:** He was elected the member for Wyong.

**Mr Whelan:** And he lived in Bondi.

**Mr HARTCHER:** He lived in Bondi. You live at Terrigal.

**Mr Whelan:** I live in a caravan, you know that.

**Mr HARTCHER:** I have seen the caravan. I wish everyone in New South Wales had a caravan like the Minister's caravan, but I will not go into that. Mr Speaker, we believe that you should stand aside and do the honourable thing. At the conclusion of this debate, no matter how the vote goes—and I anticipate that the numbers will be with you, although the morality vote will not—you should announce that pending the decision of the independent judicial inquiry you will stand aside so that the integrity of the New South Wales Parliament is not called into question. This issue is bigger than you as the member for Drummoyne. This issue is whether

the Speaker, the chief officer of the Legislative Assembly, should retain his office while the police investigate a serious potential crime, that is, intimidation of a witness and attempting to pervert the course of justice. They are the allegations. Mr Speaker, will you show your impartiality and call the Minister to order?

**Mr SPEAKER:** I ask the honourable member for Pittwater to remain silent.

**Mr HARTCHER:** Accordingly, the Coalition has moved this censure motion, which rests on a number of pillars: workplace safety and the violation of that protocol; the meeting with the Hon. Dr A. Chesterfield-Evans; the Speaker's failure in his statement yesterday to make any acknowledgement of the existence of the written document; and the fact that no action has been taken by the Speaker about the allegations that were made in the document prepared by one of his staff. The allegations of themselves indicate that the situation on the rooftop on the night of 14 September was out of control, at the very least. A multiplicity of failures lies at your door as the Speaker and chief officer of this Parliament. These are serious matters. I make the point very clear that we are not judging you guilty. But we say that the matters must be inquired into and that you should not retain your office while that takes place. When the Terry Griffiths affair took place, you, Mr Speaker, as the member for Drummoyne, and the then member for Ashfield stood where I am standing now and poured scorn on the member for Georges River, as he then was, and made every possible sexual innuendo.

**Mr Whelan:** When?

**Mr HARTCHER:** The Minister for Police made that famous remark about two-gun Terry with a drink in one hand and his genitalia in the other, and was extremely proud of the remark at the time.

**Mr Whelan:** After the Niland report.

**Mr HARTCHER:** The Minister made that remark. Yet he is prepared to allow the member for Fairfield to stand up and not even say what happened on 14 September. More significantly, he is prepared to shield the Speaker from the responsibility of maintaining the integrity of his office. It is the Speaker's office that is the issue, not the position of the member for Drummoyne. We would hope for your sake, Mr Speaker, that you are found not guilty of these allegations. But the office itself needs to be maintained.

**Mr Whelan:** Not guilty of what?

**Mr HARTCHER:** Not guilty of attempting to pervert the course of justice, not guilty of attempting to suborn a witness, and not guilty of attempting to prevent a complaint being made to the New South Wales police. They are three serious allegations. The Minister for Police should be making sure that the allegations are properly investigated, instead of having members of the Labor Party investigate serious crime. The Minister himself is worthy of censure, but that will be dealt with on a future occasion. The Speaker should stand down in his own interests and in the interests of the people of New South Wales.

**Question—That the motion be agreed to—put**

**The House divided.**

**Ayes, 32**

Mr Armstrong	Dr Kernohan	Mr Slack-Smith
Mr Barr	Mr Kerr	Mr Souris
Mr Brogden	Mr Merton	Mr Stoner
Mrs Chikarovski	Mr O'Doherty	Mr J. H. Turner
Mr Collins	Mr O'Farrell	Mr R. W. Turner
Mr Debnam	Mr Oakeshott	Mr Webb
Mr George	Mr D. L. Page	
Mr Glachan	Mr Piccoli	
Mr Hartcher	Mr Richardson	
Mr Hazzard	Mr Rozzoli	<i>Tellers,</i>
Ms Hodgkinson	Ms Seaton	Mr Fraser
Mr Humpherson	Mrs Skinner	Mr R. H. L. Smith

**Noes, 47**

Ms Allan	Ms Harrison	Mr E. T. Page
Mr Amery	Mr Hunter	Mr Price
Ms Andrews	Mr Iemma	Dr Refshauge
Mr Aquilina	Mrs Lo Po'	Ms Saliba
Mr Ashton	Mr Lynch	Mr Scully
Mr Bartlett	Mr Markham	Mr W. D. Smith
Ms Beamer	Mr Martin	Mr Stewart
Mr Brown	Mr McBride	Mr Torbay
Miss Burton	Mr McGrane	Mr Watkins
Mr Campbell	Ms Meagher	Mr Whelan
Mr Collier	Ms Megarrity	Mr Yeadon
Mr Crittenden	Mr Mills	
Mr Debus	Mr Moss	
Mr Gaudry	Mr Nagle	
Mr Gibson	Mr Newell	<i>Tellers,</i>
Mr Greene	Ms Nori	Mr Hickey
Mrs Grusovin	Mr Orkopoulos	Mr Thompson

**Pairs**

Mr Maguire	Mr Anderson
Mr Tink	Mr Woods

**Question resolved in the negative.**

**Motion negatived.**

**LEGISLATIVE COUNCIL VACANCIES****Joint Sitting**

**Mr SPEAKER:** I table the minutes of the proceedings of the joint sitting of the Legislative Council and the Legislative Assembly held this day to elect persons to fill the vacancies in the Legislative Council caused by the resignations by Hon. John Planta Hannaford and the Hon. Andrew Bruce Manson.

**Ordered to be printed.**

**MARINE PARKS AMENDMENT BILL**

**Bill introduced and read a first time.**

**Second Reading**

**Mr STEWART** (Bankstown—Parliamentary Secretary), on behalf of Mr Debus [8.05 p.m.]: I move:

That this bill be now read a second time.

The Marine Parks Amendment Bill provides sensible and necessary refinements of the Marine Parks Act. When the Government first brought forward the Marine Parks Act in 1997, it was in response to a growing sense within the community of the need to ensure the conservation of our marine biodiversity. This legislation enabled the creation of the first marine parks in New South Wales. The conservation of marine biological diversity and marine habitats through a system of marine parks, while allowing for ecologically sustainable use of the State's marine resources, continues to be the primary objective. Over the past three years, the implementation of the Marine Parks Act and the establishment of marine parks at Jervis Bay, the Solitary Islands and Lord Howe Island have identified unforeseen difficulties in administering the legislation.

The Marine Parks Amendment Bill will ensure the more effective delivery of the primary objectives of the Act and reconfirms the Government's commitment to conserve our marine environment in a responsible and balanced way. The bill aims primarily to improve the operation of the Marine Parks Act 1997. Section 6 of the

Marine Parks Act provides, with respect to the declaration of marine parks, that a proclamation must not be made without the consent of owners and occupiers of the land in question. This provision has created unforeseen legal and administrative complexities. This occurs because the informal nature of many interests has meant that many owners and occupiers within a proposed marine park are not known and not documented. In addition, the boundaries of those interests may be poorly defined, if they are defined at all.

If owners and occupiers are not known, and boundaries are undefined, their consent cannot be obtained. In such circumstances it can prove extremely difficult, and in some cases impossible, to obtain the consent of all relevant owners and occupiers to the declaration of marine parks. Consequently, section 6 of the Act can never be fully satisfied. Therefore, to ensure the effective implementation and declaration of marine parks, the bill will remove the requirement for the consent of owners and occupiers in certain limited circumstances. Above the high water mark, the requirement for consent from owners and occupiers of land will not be affected. Occurrences of this need for consent will in any event be unusual as the inclusion of lands above mean high water mark will rarely be proposed for inclusion in a marine park.

Native title interests will not be affected and nothing in this bill, or in the existing Marine Parks Act, can remove or adversely affect native title rights. It is important to remember that the declaration of a marine park does not change the underlying land tenure. Unlike terrestrial national parks, marine parks do not require a change in ownership. The objectives of the Marine Parks Act are achieved by managing the way we use and enjoy the marine environment, not through reserving the land in a specific form of tenure. The principal mechanisms for managing activities in a marine park are the zoning and operational plans.

Community consultation and due consideration of the needs of all stakeholders are fundamental elements of the marine park framework in New South Wales. It is the implementation of zoning and operational plans, not the actual declaration of a marine park, which can affect existing activities and which makes consultation with affected stakeholders essential. The amendments in this bill propose that the relevant Ministers consider the impact of proposed regulations, being the zoning and operational plans, on any existing interest within the marine park. The proposed amendments in this bill will also provide the Marine Parks Authority with the legislative power it needs to deal with the removal and recovery of costs associated with unused property, such as sunken vessels or materials, in marine parks.

The successful operation of marine parks in New South Wales will depend largely upon the ability of the Ministers, the Marine Parks Authority and park managers to ensure that all activities within the marine park are sustainable. It is therefore essential that both the proponents of developments and the determining authorities take the objectives of the marine park and the relevant zoning plans into consideration. The bill proposes that the most effective way of ensuring that this happens is to have matters referred to the Ministers responsible for marine parks for their approval or concurrence before any development proceeds. This requirement would apply to both part 4 and part 5 developments under the Environmental Planning and Assessment Act 1979.

The functions of advisory committees are also addressed by this bill. The existing legislation providing for the functions of the Marine Parks Advisory Council is articulated clearly. This has assisted the council in understanding its role and performing its functions effectively. This bill proposes amendments to include similar provisions for the advisory committees associated with each marine park. This will bring them into line with the Marine Parks Advisory Council. The amendments will also provide for marine science representation on the local committees, which is clearly desirable in their deliberations over marine park issues. Marine park rangers are currently officers of New South Wales Fisheries, the National Parks and Wildlife Service and the Police Service. The proposed amendments would provide for relevant officers from other government departments or a public or local authority to be appointed as rangers. This is a sensible and important arrangement that recognises the spread of interest and accountability for marine matters across a number of departments and authorities.

This bill also includes an amendment to expand the capacity of the Marine Parks Fund to receive gifts and bequests of moneys. The bill will also provide the Minister for the Environment and the Minister for Fisheries with the capacity to delegate certain functions. Marine park closures are management tools currently used under the Marine Parks Regulation to restrict or prohibit activities in a particular area of a marine park for a specified period. There is value in articulating this provision in the Act itself in that it allows for comparable penalties to those which apply for similar provisions in the Fisheries Management Act 1994.

Finally, the bill provides for a smooth transition from an aquatic reserve, which is established under the Fisheries Management Act, to a marine park, which is established under the Marine Parks Act, by providing that the regulations made under the Fisheries Management Act continue to apply until such time as regulations are

made under the Marine Parks Act. This guarantees that there will be no hiatus in the effective management of a marine park. In summary, if these amendments are not made to the Marine Parks Act the framework for the conservation of marine biodiversity in New South Wales will be substantially diminished through making processes unnecessarily cumbersome. The bill presents a realistic and reasonable response to addressing such issues. I strongly commend the bill to the House.

**Debate adjourned on motion by Ms Seaton.**

### **CRIMES AT SEA AMENDMENT BILL**

**Bill introduced and read a first time.**

#### **Second Reading**

**Mr STEWART** (Bankstown—Parliamentary Secretary), on behalf of Mr Debus [8.15 p.m.]: I move:

That this bill be now read a second time.

The Crimes at Sea Amendment Bill will amend the Crimes at Sea Act 1998 to bring the co-operative scheme established in that Act back into line with the uniform co-operative schemes established, or to be established, by the Commonwealth and the other States and Territories. The Crimes at Sea Act 1998 was introduced to give effect to a nationally uniform Commonwealth-State application of criminal laws regime. The scheme applies the criminal law of the States extraterritorially in the area adjacent to the coast of Australia. The scheme requires all States and the Commonwealth to enact legislation containing a schedule which is identical in all substantial respects and which details the co-operative scheme. The adjacent area in which the State's criminal law will apply extends from the baseline of the State to 200 nautical miles, or to the outer limit of the continental shelf, whichever distance is the greater of the two. The boundaries and baselines are described in the map contained in the bill.

The Act was assented to on 14 December 1998 but has not been commenced. We have been waiting for the passage of uniform legislation by the Commonwealth and the other States and Territories. In the meantime uniform transitional provisions have been enacted by the Commonwealth, Victoria and Western Australia which need to be incorporated into the New South Wales legislation. This bill adopts those transitional provisions and makes other minor amendments to reflect the withdrawal of Norfolk Island from the scheme and to ensure that the Crimes at Sea Act 1998 is uniform with the legislation established. The Standing Committee of Attorneys-General agreed at its last meeting that the national uniform crimes at sea scheme should commence on 1 February 2001. By making these minor amendments to return our legislation to uniformity with the scheme, New South Wales will be in a position to participate in the scheme from that date. I commend the bill to the House.

**Debate adjourned on motion by Mr R. H. L. Smith.**

### **PROTECTION OF THE ENVIRONMENT OPERATIONS AMENDMENT (TRADEABLE EMISSION SCHEMES) BILL**

**Bill introduced and read a first time.**

#### **Second Reading**

**Mr STEWART** (Bankstown—Parliamentary Secretary), on behalf of Mr Debus [8.18 p.m.]: I move:

That this bill be now read a second time.

This bill is another example of the Carr Government's groundbreaking work to integrate environment protection and economic growth. It builds on other major achievements of this Government, including completely overhauling the State's environment protection legislation, introducing the world-class load-based licensing system and developing more flexible regulatory tools, such as tradeable emission schemes. The Government is committed to environmental regulation that provides a healthy environment that is ecologically and economically sustainable for us and for future generations. This bill is a further step along the path to sustainability.

It will provide the framework needed to introduce tradeable emission schemes, which are at the leading edge in environmental regulation. By tradeable emission schemes, I mean schemes that harness the market in

order to protect the environment as cost-effectively as possible. This is achieved by limiting total emission levels and allowing emitting activities or companies to trade shares of that total so that emission reductions can be undertaken in the most cost-effective way. The result is a win-win situation: the community can have greater confidence that environmental goals will be achieved, and emitters can achieve those goals at lower economic cost. For example, if BHP needed to release inerts into the atmosphere it could obtain tradeable credits. It could do this by buying credits from another company that had reduced emissions and earned credits as a result. There are incentives built into the trading schemes to encourage all participants to reduce emissions and achieve a better trading position.

One such tradeable emission scheme has been operating in the Hunter Valley as a pilot scheme since 1995. The Hunter River Salinity Trading Scheme controls the cumulative impact of saline discharges to the Hunter River from coalmines and power stations in the valley in order to protect water quality, making the water safe for irrigators and others downstream to use. The Hunter scheme has been a world-class achievement in community co-operation between miners, farmers, environment groups and government agencies. It has taken the heat out of what was a major conflict over water quality, so serious in fact that new mining development in the region had virtually stalled prior to the scheme's commencement, at great potential economic cost to the region and the State of New South Wales.

Since its commencement in 1995, the Hunter River Salinity Trading Scheme has achieved the goal of protecting water quality while allowing economic development in the region to proceed in a viable way, with very significant benefits for the local community and the State economy. The 19 coalmines upstream of Singleton employ over 5,500 people. In 1997-98 they produced over 61 million tonnes of coal, with coal exports from the region worth \$2.6 billion. Salinity levels in the Hunter River have now dropped by up to half their pre-scheme levels. Discharges from mines and power stations have not caused a single exceedance of the water quality targets agreed by the community in the past, a far cry from the problems that existed prior to the scheme's commencement. This has significant benefits for local agriculture, whose 1997 produce was valued at over \$275 million, including more than \$100 million from irrigated agriculture.

The Hunter scheme has to date been operated as a pilot scheme, implemented via licence conditions. The Environment Protection Authority [EPA] now proposes to formalise the scheme's operation via a new regulation under the Protection of the Environment Operations Act. Minor amendments to that Act are needed to support the proposed regulation, which will be the subject of a forthcoming consultation program. While the Protection of the Environment Operations Act already provides in general terms for economic schemes to be set up, it was drafted at a time when New South Wales had less experience with the administration of tradeable emission schemes. We now have a better idea of the range of provisions needed to give effect to such schemes.

The bill will flesh out the framework already provided by the Act, addressing in more detail the development and operation of tradeable emission schemes. The bill's principal purpose is to strengthen the regulation-making powers with respect to tradeable emission schemes, providing the means to formalise the Hunter River Salinity Trading Scheme, as well as to implement other trading schemes that are currently under consideration. The bill does not itself give effect to such schemes but enables the EPA to set out detailed scheme rules in regulations. This, of course, means that all proposed trading schemes will be subject to thorough regulatory impact assessment and public consultation before they can be made.

The bill will empower the EPA to impose tradeable emission scheme rules as unappealable licence conditions in order to apply to all participants uniform rules, which are fundamental to the operation of each tradeable emission scheme. It also provides for a greater range of enforcement tools where a participant breaches scheme rules, so as to ensure that environmental goals are not compromised. The bill also provides for the recovery of scheme administration costs from participants by contributions to a special deposits account and deals with other necessary administrative issues. The bill will see New South Wales continue to lead Australia's efforts to integrate the economy and the environment as we move towards sustainability. I strongly commend the bill to the House.

**Debate adjourned on motion by Ms Seaton.**

### **FITNESS SERVICES (PRE-PAID FEES) BILL**

**Bill introduced and read a first time.**

#### **Second Reading**

**Mr WATKINS** (Ryde—Minister for Fair Trading, and Minister for Sport and Recreation) [8.26 p.m.]:  
I move:

That this bill be now read a second time.

The object of the Fitness Services (Pre-paid Fees) Bill is to protect consumers against financial loss caused by the failure of fitness centres. It builds on the protection presently afforded to fitness centre users under the voluntary Code of Practice for Fitness Centres by making mandatory new requirements covering pre-paid fees. This legislation is a timely initiative for the Carr Government. In recent weeks a large fitness chain has been placed into voluntary administration. As a consequence, the viability of some thousands of pre-paid long-term memberships was thrown into question. Fortunately, I am advised by the Department of Fair Trading that the fitness chain is likely to be purchased by another group. However, this event highlights the risk to consumers of such long-term pre-paid membership fee arrangements.

A history of fitness centre failure and consequent consumer loss spanning some two decades led to the introduction of the voluntary code a little over two years ago. The code, administered and promoted by the State industry body, fitnessnsw, aimed to enhance consumer confidence and improve the long-term viability of signatory fitness centres by setting minimum standards of service, safety and fair trading within the fitness industry. The bill gives effect to the core recommendation of the independent review of the code's first year of operation, which was undertaken by the New South Wales Sports Advisory Council in 1999.

A major factor in the development of the proposed legislation is the Government's concern about some operators not subscribing to the code. They were selling low-cost, long-term, pre-paid membership plans. For example, memberships of five years were sold for \$1,500 and were often sold before the centre even opened. As a result, the fitness industry raised concerns about consumer protection in respect of these practices, claiming that such offers were unsustainable. With just one-quarter of the fitness industry subscribing to the code, it has limited effect in the protection of the financial interests of fitness centre users and there is a clear need to boost consumer certainty through the introduction of special purpose legislation.

The proposed legislation will reduce consumer risk by limiting pre-payment of fees to no more than the value of a single year's membership, the current time period set out in the voluntary code. However, the bill does not prevent a supplier from seeking or accepting a pre-paid fee for a period that exceeds 12 months if the fee is paid by instalment, and the total amount paid does not exceed the equivalent of the annualised proportion relating to the agreement. In other words, if, for example, a consumer has a three-year agreement for a total of \$3,000, at any time during the term of that agreement the most that the supplier could seek or accept in advance is \$1,000 in total. Further, it will limit the period of pre-paid membership or renewal fees to less than the unexpired period of the lease of a fitness centre's premises unless the supplier holds proof of having disclosed this fact to a consumer in advance. It will also impose restrictions on the acceptance of pre-paid membership fees where a fitness centre has not commenced provision of fitness services.

The bill prohibits a supplier from seeking or accepting a pre-paid fee for services at a fitness centre if there is no intention of providing the agreed services within three months or if the supplier is aware of reasonable grounds for not being able to provide the agreed services within three months. These circumstances also provide for automatic termination of a fitness services agreement. In addition, the bill requires that suppliers refund a pre-paid fee for fitness services within seven days if a fitness centre has not commenced operations within three months after the date on which payment is accepted. The focus of the bill is the regulation of pre-paid fees for membership of fitness centres and not the duration of membership agreements. The existing voluntary code of practice for fitness centres does not address the length of membership covered by a membership agreement. Rather, it requires that the provider accept payment for no more than the value of a single year's membership in advance.

The bill also contains a number of offence provisions with heavy penalties which will enable action to be taken against unscrupulous suppliers of fitness services. The maximum penalty for a breach of the Act is \$110,000. To protect consumers' pre-paid fees, the bill also requires suppliers to hold all money received as pre-payment for fitness services at a centre that has not commenced operations in a trust account until the centre commences operations. The bill also provides for the appointment of investigators and their powers of entry and inspection under the Fair Trading Act 1987, and for the issue of search warrants to investigators for the purposes of investigating contravention of the proposed Act or regulations.

Other enforcement provisions of the Fair Trading Act 1987 will also apply. They will enable the Director-General of the Department of Fair Trading to accept written undertakings from suppliers in respect of compliance with the proposed Act and to enforce such undertakings in the Supreme Court. It will also empower the Minister for Fair Trading and the director-general to issue public warnings and give information in respect of the supply of goods and services.

The bill sets out circumstances where directors and managers of corporations will be liable for offences committed by corporations against the proposed Act. These provisions will address longstanding concerns about



the history of, and potential for, consumer detriment where fitness centres that close abruptly leave consumers who have made significant long-term membership pre-payments out of pocket. This legislation has been framed following comment and consultation with the industry and particularly representatives of the industry's peak body, fitnessnsw. I take this opportunity to thank them for their involvement. I commend the bill to the House.

**Debate adjourned on motion Mr R. H. L. Smith.**

## **BUSINESS OF THE HOUSE**

### **Government Business: Suspension of Standing and Sessional Orders**

**Mr WHELAN** (Strathfield—Minister for Police) [8.35 p.m.]: I move:

That standing and sessional orders be suspended to permit one question to be proposed and debated—That the motions be agreed to—in respect of the motion moved this day on the Sydney 2000 Paralympic Games success and Government Business Orders of the Day Nos 1 and 2 on Sydney 2000 Olympic Games and the Sydney Paralympic Games, respectively.

The motion for the suspension of standing and sessional orders will enable honourable members to engage in wide-ranging debate on all three motions before the House relating to both the Olympic Games and the Paralympic Games without becoming caught up in the red tape of the standing orders.

**Motion agreed to.**

### **SYDNEY 2000 PARALYMPIC GAMES SUCCESS SYDNEY 2000 OLYMPIC GAMES SYDNEY 2000 PARALYMPIC GAMES**

**Mr McBRIDE** (The Entrance) [8.36 p.m.]: I support the motions relating to both the Olympic Games and the Paralympic Games. I wish to speak first about the Paralympic Games. It was said during the closing ceremony that the Sydney 2000 Paralympic Games were the most successful Paralympics in the history of the event. The Premier and other members of this House have made similar statements during this debate. I acknowledge the success of the schools program associated with the Paralympic Games, which was a unique addition to the management of the Games. Some 400,000 schoolchildren visited the Paralympic Games. This was done through a program commenced more than a year ago by the Department of Education and Training in which schoolchildren were linked to Paralympians of other nations via access to the Internet system, which was installed in New South Wales schools by the State Government.

As part of the program children were taught about the importance of making the most of one's abilities and not focusing on people's disabilities. Many children were able to co-ordinate their visits to the Paralympics to watch the Paralympians that they had studied. Through our school system and this unique program, the Paralympics were used not only as a sporting event for disabled people but also as an educative tool to seek to change the attitudes of young people in our country, particularly those in New South Wales. Anyone who attended the Paralympics, either during the evenings or on weekends, would have noted the enormous participation of young people in the events. Throughout the whole period there were young people everywhere, cheering on the disabled athletes.

For me, the atmosphere at the Paralympic Games was similar to the atmosphere at the Olympic Games: a sense of joy and anticipation at being at a major international sporting event. It is little wonder that the Sydney 2000 Paralympic Games were regarded as the best ever. Anyone who attended the Games on the first couple of days would have observed the momentum that built up throughout the community as the events were reported on ABC radio and ABC television. Each day the community became more involved in the Paralympics, and became more appreciative of the sporting skills of people with disabilities. Both State Rail and the Olympic Roads and Transport Authority deserve special praise for their tremendous organisation of the public transport system during the Paralympics. Those who travelled by public transport to both the Olympic Games and Paralympic Games, as I did from the Central Coast, would agree that the public transport system was a pleasure to use.

**Mr Oakeshott:** They worked marvellously.

**Mr McBRIDE:** They worked better than marvellously. An acquaintance of mine told me that he had attended the Olympics three times before I attended. He said he just could not believe how good the public transport was. I said, "What would you know about public transport? The last time you would have travelled on public transport was when you went to your private school at Hunters Hill." The honourable member for Coogee went to the same school.

**Mr E. T. Page:** He went to the same school as I did.

**Mr McBRIDE:** Yes, he attended the same school that the honourable member attended. I said to my acquaintance, "The last time you would have travelled on a train would have been at least 35 years ago," yet here he was praising public transport and saying how wonderful it was. In fact, it was. What was good was not just that the trains ran on time but the participation of the volunteers. I alighted at Concord West station and moved through Millennium Park to the Homebush precinct, and everywhere along the trail there were people. Someone would reach out to help anyone who needed assistance and guidance or who was in distress. It was wonderful to experience the goodwill associated with that.

**Mr Gaudry:** If you were unhappy, they would also help you.

**Mr McBRIDE:** The honourable member will have the opportunity to speak in the debate. But he is right. If you were unhappy they would try to make you happy. Again, that was a fantastic experience that was repeated in both the Olympics and the Paralympics. So I extend my special congratulations to all those associated with public transport and the Olympic Roads and Transport Authority [ORTA] who worked out and organised the way that the public were transported through the system. It was a great example of the people in public transport working for the greater good of the community and giving everyone a good experience when travelling to the Olympics or the Paralympics.

During the Paralympics they not only coped with full commuter peak transport demands but transported more than 130,000 people attending Homebush Bay on peak days. During the Olympics enormous crowds were travelling to Homebush Bay on a daily basis and full public transport peak services were provided for the rest of Sydney at the same time. During the Paralympics 1.2 million tickets were sold, with 130,000 people attending daily on average. So it was a marvellous co-ordinated effort through ORTA and all the people who participated in public transport and worked on the buses, trains, ferries, et cetera.

During the Paralympics there were daily queues for events. For example, a record crowd of 16,000 watched Australia versus the United States of America in the men's wheelchair basketball in the SuperDome—the largest crowd for any basketball event in the SuperDome either for the Olympics or the Paralympics. That says something about the tremendous support and enthusiasm generated amongst the public for these Paralympic events. I should point out that this crowd was larger than the crowd that attended during the able-bodied Olympics. I did not have the opportunity to see the wheelchair rugby, but my brother saw it and told me that no-one wanted to leave the stadium. Once spectators saw one game they became addicts. On the day my brother attended, queues of people waited outside the stadium because it was such a popular event. I had never seen or heard of wheelchair rugby until the Sydney Paralympics. I have since seen some games on television and have learned that it is a very tough game. I understand it is described as murderball. I would not go that far, but it is a very tough game and it is enjoyable to watch people who are considered to be disabled participate in a sport at such a high level.

I should also point out that in the semi-final of the wheelchair rugby—the Bledisloe Cup, the Australia-New Zealand game—Australia beat New Zealand, which is the result we would always want. As honourable members know, Australia lost to the United States of America by one point—I think the result was 33 to 32. As Australia went into the last section of the game it became incredibly exciting to think that we could win a gold medal in wheelchair rugby. That was an enormous turnaround after coming last in Atlanta in wheelchair rugby. There were enormous crowds at the swimming, in which the Australians did extremely well. I understand that more than 12,000 people watched the swimming on some days, and some of the times were close to those of able-bodied Olympic swimmers. A swimmer from China with literally no arms came second in the breaststroke and was beaten by a touch—no pun intended—and a swimmer who competed in the backstroke had arms which were shortened at the forearm.

**Mr ACTING-SPEAKER (Mr Mills):** Order! I interrupt the honourable member for The Entrance briefly to welcome to the gallery the President, Peter Sivier, and members of the Paterson Rotary Club, who are guests of the honourable member for Maitland, Mr John Price, and his wife Elizabeth. I trust they enjoy their visit to Parliament House.

**Mr McBRIDE:** I will not bore the visitors. There was a great result in the wheelchair tennis. I saw the singles match between an Israeli participant and a Swedish participant. I used to play tennis regularly before I was elected to Parliament, but I have not enjoyed a game of tennis for three months. David Hall, who comes not from my electorate but from Buff Point on the Central Coast, took up wheelchair tennis at Tuggerah when the

Tuggerah Tennis Centre was run by Pat Randall. Pat always used to talk about this wheelchair player. David has an outstanding record in wheelchair tennis. He won the silver in doubles and went on the following day to win the gold in the singles.

In wheelchair tennis the player has to hit the ball in the ordinary court, but the receiver has the opportunity of a second bounce. The player in the game I watched was serving at 128 kilometres an hour, which is faster than a Martina Hingis serve. The male tennis players serve at 180 kilometres an hour. I do not know how the wheelchair remains stable. When a wheelchair tennis player serves the ball his whole body twists, and the wheelchair spins. I watched them belt the balls, and thought I would save myself the embarrassment of playing against a top wheelchair tennis player. They are inspirational to watch. In one rally I saw, in which there were more than 14 shots, they were racing all over the court. I do not know how they did it. The crowd participation and support, enjoyment and pleasure in watching the disabled athletes were overwhelming.

The opening and closing ceremonies were absolutely fantastic. I congratulate the ABC for making a commitment that no private sector broadcaster was prepared to make. I think that anyone who watched the events either on television or live would recognise that they were fabulous events. I listened to the general debate after the opening ceremony and I understand that the ABC had the greatest audience in the history of ABC television through the opening event of the Paralympics. One can imagine how many of the private sector television executives would be squirming because they did not make a commitment to support the Paralympics through broadcasting. The opening ceremony was an absolutely fantastic event and the closing ceremony was equally as good.

I draw to the attention of the House a couple of matters of interest affecting the Central Coast, where my electorate of The Entrance is located. David Hall, who won a gold medal in tennis singles and a silver medal in tennis doubles, comes from the Central Coast, and participated in wheelchair tennis. Elizabeth Wright from Point Frederick participated in swimming. Liesl Tesch, who is actually a high school teacher at Berkeley Vale Community High School and whom I have met on a number of occasions, participated in wheelchair basketball. Andrew Newell, who is from Terrigal, participated in athletics. Joe Egan from Green Point participated in standing volleyball. Adam Lustick from Copacabana participated in standing volleyball. Melissa Willson from Tumby Umbi participated in swimming. Kirra O'Cass from Bensville participated in swimming, and Natalie Cordowiner, who is actually a doctor at Erina, participated in archery. Anthony Biddle from Toukley also participated in athletics.

Approximately 3,500 students participated in the opening ceremony and 2,000 students constituted the Sing 2001 choir which had a particularly large representation of students from the Central Coast. There were 900 students involved in the medal ceremonies and a number of Central Coast students had the opportunity to participate in those ceremonies. Of the total number of students comprising the Sing 2001 choir, 80 students were from the Central Coast, 45 were from the east Lake Macquarie area, 37 were from the west Lake Macquarie area, 31 were from Newcastle, 58 were from Hornsby, 18 were from Maitland and 15 were from Singleton. The Central Coast had enormous participation by schoolchildren who live in the area in the medal ceremonies as well as in the opening and closing ceremonies. During the torch relay celebrations at Memorial Park at The Entrance, I had the opportunity to meet some young people who participated in the opening and closing ceremonies and in the choir. I also had the opportunity of seeing the wheelchair basketball game between Australia and Holland.

**Mr E. T. Page:** I see the people in the gallery are leaving.

**Mr McBRIDE:** That has nothing to do with me, but if the honourable member for Coogee is ready for a game I could show the people in the gallery a top-spin forehand.

**Mr ACTING-SPEAKER (Mr Mills):** Order! The honourable member for The Entrance will address his remarks through the Chair.

**Mr McBRIDE:** The honourable member for Coogee is lucky I did not have a racquet. As I was saying, I had the opportunity of watching the women's wheelchair basketball match between Australia and Holland. The captain of the Dutch team was absolutely amazing and was the best player in the team. She had stumps that were barely 200 millimeters long but she was the best player and it was amazing to see her. Liesl Tesch also played, and what a competitor! She is an absolutely dynamic player. It was great to see the match.

I mention a couple of special events that I saw. One was when Tim Sullivan won his race. He won five gold medals in all. My wife, who was an A-grade athlete when she was at high school, said when he was

running that there was nothing wrong with Tim Sullivan, but when he slowed down we could see that he had cerebral palsy because his balance and co-ordination disappeared. When he was running, he was perfectly balanced and one would say when looking at him run that he had no disability at all. It was impossible to believe that anyone who could run so smoothly and so well was a disabled athlete. We thought that he was a ring-in but when he slowed down and started to walk around talking to people, his impaired balance and co-ordination was apparent. He is a stand-out athlete. Another stand-out athlete is David Hall who plays wheelchair tennis. Those guys really impressed me with what they were able to do.

I congratulate the Minister for the Olympics, Michael Knight, and the whole of his staff and his team. They made a fantastic effort and I do not think that anyone would have believed that Michael Knight, his staff and his office could have produced such a result. Dr John Grant and the Sydney Paralympic Organising Committee [SPOC] did a wonderful job. No-one involved in organising the Paralympic Games would be have thought they would be as successful as they turned out to be. A target of 670,000 tickets was set and over 1.2 million tickets were sold—twice the number of tickets that were expected to be sold. At the commencement of the Paralympic Games, if 500,000 tickets had been sold, Dr John Grant and SPOC would have thought that they were doing really well.

I also congratulate the Olympic Co-ordination Authority [OCA] which was led by David Richmond, on providing the facilities and making everything work. They did a fabulous job. The Olympic Roads and Traffic Authority [ORTA] made a tremendous effort to provide a good transport service. I thank all the public transport workers for the effort they contributed to the success of the Games. It is now clear that the important component that makes a system work—in fact, the critical component—is the individual human being involved in the project. None of the organisations I have mentioned would have worked except for the people who were involved in them contributing their co-operation and services.

I congratulate the volunteers, who by all accounts were magnificent. My experience certainly bears that out. I also congratulate the New South Wales Opposition because, in the end result, members of the Opposition have shown that they have finally learned to adopt the spirit of bipartisanship which was part of the Games. In conclusion, I have to say that the Sydney Olympics was a wonderful experience for me and my family—an experience that will never be forgotten—and the experience of the Paralympic Games was equal to the summer Olympics, if not better. The Sydney Olympic Games and Paralympic Games were a fabulous experience for the whole of the State of New South Wales.

**Mr OAKESHOTT** (Port Macquarie) [8.56 p.m.]: I appreciate having the opportunity to participate in this debate. I will not be contributing any tennis actions but I will be interested to see how the actions by the honourable member for The Entrance will be represented in *Hansard*. The Paralympic Games and the Olympic Games were certainly a fantastic episode in the history of Sydney, New South Wales and Australia. Visitors from all around the world came to this State and many are still here. People from England and Germany are visiting this Parliament as I speak. The Sydney Games were a great opportunity for people who live in the Port Macquarie electorate to attend the Games and also to participate.

For the town of Port Macquarie, the Paralympic Games in particular presented a very special occasion. Although Port Macquarie could not claim representatives in the summer Olympics, we certainly had a stand-out performer from Port Macquarie in the Paralympic Games. A young man named Brad Dubberley was the main goal scorer in the wheelchair rugby team. Tom Kennedy, who is also from Port Macquarie, joined with Brad in doing Australia very proud in the wheelchair rugby event. It is pleasing to note that all honourable members who have spoken to this motion have mentioned the wheelchair rugby events. It certainly made its mark as an entertaining game to watch. Some discussion is taking place about the New South Wales Rugby Union and the Australian Rugby Union organisations bringing wheelchair within their sphere of activity. If that is true and if the discussions are followed up by those organisations, that will provide a fantastic boost not only for Paralympians but also for sport and the community generally.

I wholeheartedly endorse the Australian Rugby Union or the New South Wales Rugby Union organisations including wheelchair rugby in their activities. That would certainly provide Brad Dubberley and Tom Kennedy with a huge boost and would mean a lot to the whole township of Port Macquarie. Paul Hyde came ninth in the world in the powerlifting event. He deserves to be congratulated because the recent Paralympic Games was his second or third Paralympics. He has done himself, Port Macquarie, New South Wales and Australia proud. Among a whole host of North Coast people who participated in the Paralympic Games was Amy Winters from Kempsey who played a significant role. I will not name all the people who were involved in the Games nor relate all my experiences at the Paralympic Games other than to say that it was a memorable and enjoyable event. The Sydney Games have been a highlight of my period as a member of this House.

I join with other honourable members in congratulating the organisers of the summer Olympics and the Paralympic Games. Without doubt, the volunteers who assisted in both events have made their mark as people who have contributed significantly not only to the Sydney Games but also to the future of New South Wales. I hope that the Paralympics and Olympics mark a re-establishment of volunteerism in Australia. There have been calls from various quarters about the dearth of volunteers or lack of volunteerism. I trust that the Government has learned a lesson during the last month and a half: that is, if volunteers are given the right reasons to participate, they will. The Government will invariably be the beneficiary of that support from the volunteer movement. I look forward to seeing a re-emergence of the spirit of volunteerism in New South Wales and throughout Australia.

**Mr ACTING-SPEAKER (Mr Mills):** I welcome members of the Ingleburn Chamber of Commerce, who are present in the gallery as guests of the Minister for Health.

**Mr OAKESHOTT:** I want to make special mention of the sponsors. The Olympics are an enormous financial commitment for any sponsor, and many sponsors take a huge gamble in backing events such as the Paralympics and the summer Olympics. Everyone who put their money on the table would no doubt be pleased and regard it as money well spent. I endorse the comments of the honourable member for The Entrance in regard to the ratings of the ABC during the opening ceremony, when the ABC recorded its best ratings ever. That will send a very strong message to many private organisations about what people do and do not want to watch on television and what people do and do not want to support in their viewing time.

I hope that the message comes through loud and clear that these events, particularly the Paralympics, deserve wholehearted support from the private dollar. I also hope that the sponsors who were successful in regard to the money they spent will spread that message whenever they are talking to people from organisations that did not support the Olympics, whether it be over a cup of coffee or over dinner at night. I spoke previously during the motion on the Olympic Games and I want to reiterate my comments about what I believe are the challenges for the future. While it is great to relax in the glow of the post-Olympic and Paralympic environment, I believe these are critical days for the future of Sydney and New South Wales in regard to sport and potential opportunities from these two major sporting events.

Last weekend I drove down the Princes Highway to Robertson. About a kilometre before the Albion Park turn-off I drove past a bus parked near the highway which had a banner draped over it. Painted on the banner was "SOCOG surplus sale". I reflected that we had just staged the best Olympic Games and the best Paralympic Games ever, but that banner looked like the worst possible auction advertisement. We need to ensure that this sort of thing does not happen. It looked like a second-hand operator was having a second-hand sale of second-hand furniture. It is also to be hoped that there are no bodge operators out there selling SOCOG surplus furniture or any of the SOCOG gear.

I have said previously that some of the temporary seating at the Olympic venues—for example, the smaller 500-seater grandstands—would make a significant contribution to many rural or regional towns. Mobile stands could be used at various sporting events in country towns. While that may not seem a lot in Sydney terms, for many regional and rural locations it would be the difference between attracting a sporting event of any kind to that town and missing out. I hope that in the clean-up post-Games we get a commitment from the Government to complete the job and clean up the post-party environment.

Some critical issues are involved in the winding up of SOCOG, in regard to infrastructure in Sydney in particular. I have previously spoken about the stadium wars that Sydney will face over the next couple of years and the problems that will develop between Stadium Australia and the Sydney Cricket Ground Trust. One example of how to kill a story arose when Stadium Australia announced to the stock market, less than 48 hours before the opening ceremony, that it had suffered a \$11.2 million operating loss before tax. No-one is too interested at a time like that. However, the reality is that Stadium Australia is privately owned yet supported financially by government and it is not operating at a profit. We need to compare that with what I consider to be an icon, the Sydney Cricket Ground Trust, which is owned by the Government as a result of legislation passed in this Parliament. It is run on commercial principles, does not receive funding from the Government, and is making a profit.

The fact that Stadium Australia and the SCG—and to a lesser degree some of the other stadiums, such as Parramatta Stadium—will be competing for events in Sydney means that there is going to be a headache for government. Many people are asking whether there will be enough events to support all of these stadiums. Will the Government have a problem in making sure that all of the sites are financially successful? I raise that as a critical issue for the future for Sydney, New South Wales, and particularly the taxpayers of this State.

The honourable member for The Entrance talked about the schools program at the Paralympics and I endorse his comments wholeheartedly. The young members of our community were able to see two very rare events and I believe it opened their eyes, in very general terms, to the world. I think they will be the winners out of all this. One of the unspoken benefits from the Olympics and Paralympics is that in 15 to 20 years time we are going to have a very worldly group of young people who have grown up in our local communities. I think there is an opportunity based on the Olympics and Paralympics to reinvigorate school sport. There are arguments that school sport has not performed as well as it could and should, and really that there has been free time in the calendar for many within the school environment. I trust that whilst the Olympics are fresh in our minds, the Department of Education and Training, working with the Department of Sport, can reinvigorate school sport and attitudes not only within young people but within the community in general about the principles of a healthy lifestyle.

We hear too many stories about obesity, about a generation of people who sit behind computers. We have an opportunity now to make sure that we have a healthy community. We should set benchmarks and goals that we can all try to achieve, in order to get as many people involved in active sport as possible. We have witnessed some amazing individual performances and organisational performances, and we have seen some incredible expressions of the human spirit over the last month and a half. I look forward to this as a starting point for New South Wales and not an end point. We are at the forefront of a very bright future and I hope that all of us, whether in business, industry or sport, can grab the opportunities provided by these Olympic Games and Paralympic Games, which in my view were a great success.

**Mr E. T. PAGE** (Coogee) [9.10 p.m.]: When I was growing up people with disabilities were regarded as an embarrassment. Many of them were in institutions and those who were with their families were generally confined to the home. They were certainly not regarded as members of the community whom you met in your ordinary daily life. There were no facilities for disabled people. There was nothing at schools, no transport, no encouragement for them to lead an interesting lifestyle. But fortunately things have changed. The Paralympic Games were a high point that indicated to our society how attitudes of those who do not have disabilities have changed. The Paralympic Games began in 1960. In 1988 the Paralympic Games committee took the attitude that it was not just a rehabilitation exercise or a fun exercise for the participants but that these people were genuine athletes and should be treated as such. Certainly hundreds of thousands of people went to see the Games, which were a great show, and they acknowledged that those who were participating were experts; they were elite athletes. There has been a tremendous leap forward in that regard.

Many nations participated in the Paralympic Games. The representatives of some countries were professional sports people who trained long and hard to attain their level of expertise. However, at the other end of the scale some participants did not have a great deal of training and received little support from their countries. I hope the Paralympic movement maintains its relationship with the lesser developed nations. At both the Olympic Games and the Paralympic Games in Sydney individual athletes and teams who did not have a great deal of expertise but had courage and enthusiasm were very well received by spectators. That recognition of efforts gave a tremendous lift to all the athletes. It is amazing that 121 countries were represented at the Paralympic Games. Ten or 12 years ago people would have laughed at any suggestion that so many countries would become involved in the Paralympic Games.

What should follow from the two extravaganzas is a commitment from government to support elite athletes, who are role models in the community, and to make available funding to encourage people to become involved in sports or to broaden their expertise. We, and our children, will be much healthier as a result. Our elite athletes are role models for those who want to be involved at a more amateur level in sporting activities. I was intrigued by the Cambodian standing volleyball team of 11 men, who were coached by a German coach, Daniel Kopplow, whose costs were met by the German Government. The team had no background whatsoever in volleyball. Its members had not been together as a team for very long and had little training. It is interesting that of the 11 members of the team 10 were victims of landmines—a horrific way to receive an injury. Despite their disability their enthusiasm was catching. Everyone was most impressed with their attitude.

It is estimated that 40,000 Cambodians have been maimed by landmines. This matter tugs at my heartstrings because I spent some time in Cambodia before the Vietnam War. I found Cambodia a very passive, peaceful, friendly place, untouched by war, where there was plenty of tourist activity. The Cambodians were great people to mix with. The situation today in Cambodia, following the involvement of the United States of America and the Vietnam War, is most concerning however. A prosthesis for a member of the Cambodian volleyball team costs about \$200. A prosthesis for someone in one of the wealthier countries costs about \$US15,000. Yet these heroes from Cambodia with very little background in sport and very little limb capability

were still able to enjoy themselves on the court and make an impact on those who saw them. It is estimated that one million people have died from anti-personnel mines; there are 26,000 victims a year, or 70 people a day, or one person every five minutes. Of those who have been severely disabled by landmines 300,000 are children. That is an absolutely horrific statistic. It is estimated that 110 million active anti-personnel mines have been scattered in 68 countries and that at least that number are stockpiled waiting to be used in various parts of the world.

For every mine that is cleared—and there is a program for trying to clear these pests—20 are laid. In 1994, 100,000 mines were removed but an additional two million were planted. Anti-personnel mines are priced at between \$3 and \$30 each and the cost to the international community of neutralising each one ranges between \$300 and \$1,000 for each mine, that is, it is 100 times more expensive to remove a mine than it is to install one. The cost to remove the 110 million active mines is estimated at approximately \$33 billion. I suggest it would be unusual for the so-called civilised countries to contribute towards that remediation. It is believed that under current conditions it would take more than 1,100 years to clear the entire world of landmines, provided that no more are planted. Buried landmines remain active for more than 50 years and their threat lingers long after hostilities have ceased. Most people maimed and killed are women and children. Who makes these mines? They are not made in Cambodia. They are not made in third world countries.

**Mr Ashton:** They make them in America!

**Mr E. T. PAGE:** They make them in the industrialised countries, the civilised countries—America, the United Kingdom, Germany, France and Italy. The major countries that we generally look to as the bastions of democracy, those who are concerned about the wellbeing of their fellow human beings, manufacture these horrific mines and sell them to various regimes all round the world. One does not have to have a reference to buy a landmine, anyone can buy a landmine from one of those countries. It is an interesting exercise to try to rationalise the so-called ethical points put forward by such countries given that they know that they export such misery around the world. To extend that argument further, everyone was surprised and shocked when Saddam Hussein dared to go into Kuwait with all sorts of horrible weapons.

Of course, the weapons Saddam Hussein had were sold to him by the countries that turned on him. No-one criticised Saddam Hussein when he used those same weapons against the Iranians. One wonders about society. In this Chamber we fight over many issues and at times say unkind things about each other, but the morality in this Chamber leaves for dead the morality that is found in many leading countries. I do not believe that any government in Australia would sanction the production or the exportation of landmines that kill so many people. Landmines contributed to the massive problem that Cambodia has experienced.

The Cambodians were not very successful at the Paralympic Games. They did not win any medals; they did not even win any games. The only event in which they were represented was standing volleyball. The International Paralympic Committee has decided that standing volleyball will not be a Paralympic sport in Athens, because it says that not enough countries participate in the sport. The International Olympic Committee has stated that only eight countries will participate, but it has been said that up to 15 countries would participate. It must have been a terrible wrench for the athletes from Cambodia, having lost limbs through landmine explosions and experiencing the hype of this tremendous world event only to find all of a sudden that they will never again be able to express themselves in such a physical way within the limitations of their sporting disability.

As the honourable member for Port Macquarie said, we should learn lessons from those Games. There should be a positive move to stop the production of landmines. If a country is prepared to send a team to the Paralympic Games and eulogise and congratulate itself over how good it and its athletes have performed, surely it cannot in all conscience continue to export landmines, which increases the number of participants for future Paralympics. It behoves everyone involved in the Games to send a message loud and clear that countries have to stop manufacturing these dastardly bombs, which kill and maim women, children and, to a lesser extent, men from third world countries.

No-one needs to be convinced of the success of the Games. Those who lived in Sydney at the time, or who watched the Games on television, know that they have experienced a significant period in world sporting history. We have held two successful sporting events which have caught the interest of the world, gripped the imagination of anyone who has any interest in sport. They have been terrific for those involved in the competition. I add to all the superlatives that have been passed about the Games, by saying that participants in previous Games would not have had such a great time, enjoyed the competition, enjoyed mixing with people from communities whom they would not normally mix with, or gained a greater sense of achievement.

In future when people want to go for a holiday or be involved in a business activity, they will come to Australia because they will remember being impressed by the events they saw during the Games. It is also important that the humanitarian side not be lost. It would be great if the Games were a turning point in the attitude of countries throughout the world to the manufacture of landmines, so that their production ceased. The late Diana, Princess of Wales, took up that cause and was able to focus attention on the problem. The Cambodian standing volleyball team brought home to me the disaster that many third world countries have suffered.

**Mr Ashton:** The Cambodians might sign the treaty to ban them.

**Mr E. T. PAGE:** Hope springs eternal. I hope the Paralympic Games makes people realise that something has to be done about this barbaric manufacturing process.

**Mr O'DOHERTY** (Hornsby) [9.25 p.m.]: On 11 October Parliament had the opportunity to express its hope that the Paralympic Games would indeed be a wonderful event. On that occasion I said that I had a sneaking suspicion that while Australians were inspired by what we saw during the Olympic Games, because of the character of our nation and the nature of our community we would enjoy the Paralympic Games even more. That was my bold prediction on 11 October. I do not know how it is for other honourable members, but this honourable member and his family enjoyed the Paralympics even more than we enjoyed the Olympic Games. It was one of the most remarkable things I have ever had the opportunity to be involved in as a spectator. It is something that I, my wife and my children will remember for a very long time.

As I sat at the wheelchair basketball final with my family, my eight-year-old son, James, kept saying, "Thank you for bringing me here, Daddy." We discussed how he would remember the occasion and how he would tell his own children that he had been to the Games. It is those kinds of memories that are part of the legacy that the Paralympic Games will leave to our nation. My children and their friends will grow up in a community which is more open and accessible than it was even two months ago. On the last occasion members debated the Paralympics, I said that the Australian society is one of the more open in the world. We have come a long way towards being an accessible society and one that recognises the benefits and achievements of all its citizens regardless of their physical or intellectual disability.

If Australia was a good nation beforehand it is an even better one now; and, as I said earlier, that is one of the enduring legacies of the Paralympic Games. My family had day passes as well as tickets to the basketball final. On our day pass we tried to see everything possible. The first event we went to was the swimming, because we knew that there would be long queues. We watched the first event, which was a heat, in which a world record was recorded. I thought, "This is as good as it gets." But even better was to come as we watched a number of world records swum that morning. We went from the swimming to the athletics and again saw some wonderful events. We stood as Australia was awarded gold medals and sang the national anthem with gusto. We saw the table tennis, which we enjoyed. We saw both sitting and standing volleyball, which were fantastic. One of the legacies of watching those events was that with our children—a generation that all too often does not undertake a lot of physical exercise, and indeed many studies attest to that—we played both sitting and standing volleyball with a balloon in the back room of our house as soon as we got home that day. I suspect that legacy passed to many other families as well.

**Mr Gaudry:** Who won, was it the balloon?

**Mr O'DOHERTY:** Yes, the balloon. My children are at the age at which it is great to play that game with them, and it got them thinking about more physical activity. We also watch the boccia, which is played only by people with cerebral palsy, some with extremely limited movement. Those who saw that game could not help but be inspired; the tension in the room was amazing. Earlier the Leader of the Opposition, who is the patron of the Australian boccia team, told us that boccia was a popular event at the Paralympics. People queued up for long periods—between half an hour to an hour—to get in to see the events.

Athletes could not believe the extent to which the Australian public and overseas visitors were queuing for the events, whereas in Atlanta the Paralympic Games were treated as an afterthought, which reflected badly on those who organised the Games in Atlanta. In Australia, of course, we did it differently, which is a mark of the different kind of attitude we now have towards people with disabilities. Earlier I mentioned that my family and I saw the wheelchair basketball final matches. The bronze medal match was won literally in the last second by the United States of America while we were barracking for Great Britain. The honourable member East Hills appears to be indicating that he was also barracking for Great Britain.



**Mr Ashton:** It was a great shot.

**Mr O'DOHERTY:** It was a great shot. It was a shame that the United States team did not waste slightly more time at the other end of the basketball court when Great Britain had the ball because there was a rebound and one of American athletes grabbed it and took it down to the other end of the court, literally in the last second of the match. There was an inspired and sweet shot which went straight through the middle of the net—an excellent end to a great match. The gold medal match was also an excellent match. My family and I were barracking for the Canadian team. My wife and I decided to barrack for one member of the Canadian team, Roy, whenever he got the ball. Our children said, "Why are you barracking for Roy?" We said, "We respect anyone who looks older than us and who is playing sport at this level." Whenever Roy got hold of the ball we started cheering for him, as did most of the other people sitting in the stand on either side of us. So Roy had his own home-grown cheer squad especially for the occasion.

Our children have also taken to playing basketball in the backyard on a regular basis. The Paralympics are one of the legacies left to my children and to many other children. They will be able to enjoy physical activity after having had those experiences. When my family and I were driving somewhere the other day the boys were discussing what they were going to do when they got home. They decided that they would play paralympic games and they were discussing what they would do. They decided that they were going to play paralympic trampoline. One child said to the other, "What will your disability be?" They discussed what their disability would be in the paralympic game that they would play when they got home. It was so sweet and so natural that I realised that they were growing up into an inclusive society where it does not matter; it is just part of their world. Georgina and I looked at each other and remarked on that fact.

One of the big features of the Games was the number of schoolchildren who attended every event. Every day the stadium was packed with schoolchildren as many schools, as did our school, took all the children to the Games. Every day the schoolchildren cheered for the athletes, but especially the Australian athletes. When Australia won a medal one of the great experiences of the entire Olympic and Paralympic festival was hearing the children of Australia singing the national anthem with great spirit and feeling. One of the legacies of Sydney 2000 will be that no-one in our generation—and, I suspect, in our children's generation—will ever discuss changing the national anthem or the flag. It has now become so much a part of our culture because we have shared experiences from celebrating those things that are uniquely Australian. The national anthem and the flag have become symbols of what we all did together in Sydney 2000. I suspect that that debate will not occur again.

The honourable member for Wollongong, who is in the Chamber, has a great commitment to Aboriginal matters. One of the good things about the Games is that we are now have a broader view of Australia which encompasses individual indigenous athletes. We feel the same way about the Aboriginal flag and the achievements of indigenous Australians. As other speakers said earlier today when the motion on the death of Charles Perkins was debated, that is another legacy of Sydney 2000. It was my privilege during the Games to be part of the visit to Australia of Joni Eareckson-Tada. Joni was in Australia for the Quest—More than Gold organisation. Quest, a peak group of Christian churches in our community, sponsored Joni's visit. She is a noted Christian author, singer and painter, and a quadriplegic since a diving accident many years ago. She has been a great advocate for people with disabilities throughout the world.

Ten years ago Joni took part in the President's Commission for Disability, which drafted landmark legislation for a more accessible society in the United States. That legislation took two presidential terms to bring about. Joni was in Australia as part of Quest's operation during the Games. She was a chaplain at the Olympic village. While she was here we had the privilege of being able to host two events at Parliament House: a lunch attended by a sell-out crowd of people from churches in Sydney and also a morning meeting at which members of Parliament, policymakers, bureaucrats, and people from advocacy groups and the community were able to speak with Joni about disability policy throughout the world. I know that following Joni's visit and the Paralympic Quest activity during the Games one of the legacies of the Paralympics, because of this spin-off ancillary activity, will be that Sydney's Christian churches will now have new opportunities for inclusive ministry.

I know that many churches will be working together now through the Quest organisation to make their services more accessible. That is something that has bothered me for a long time. As we look around our churches we see that some congregations do not represent the full richness of our community because they do not have within them people with disabilities. Where are the people with disabilities sitting in our churches? Often it is simply a case of widening the doors. Our churches can benefit from all the ways in which we have

opened up society for people with disabilities. Joni's visit will be the start of something particularly special amongst Christian churches: a more open form of ministry for all members of our community. I was pleased to be part of that. Joni is an inspiring human being, probably one of the most inspiring human beings I have ever met. It was marvellous to have her in Australia.

When we debated the motion relating to the Paralympics prior to the staging of the Games I reflected on what we might be able to say at the conclusion of those Games. Would we be able to say that our community had become more accessible and so on? I think it has. As I said in October, the Paralympic Games are about people achieving because of their gifts and talents, and not because of any other condition that they may have. The last thing the Paralympic Games were about was disability. They were not about that at all: they were about human beings achieving and surpassing their greatest expectations. Here is a challenge for us all. I know that the honourable member for South Coast and all other honourable members will take up this challenge. Our society must increasingly become a place where what we do in this building and what the community does generally makes it possible for all citizens to surpass their greatest hopes by using gifts and talents in achieving for themselves and for their communities.

Irrespective of any other form of disadvantage that people in our society may have, parliaments must increasingly ensure that they can achieve and use their gifts and talents to surpass even their greatest expectations. I firmly believe that what we have just been through will create a legacy which bring society even closer to that great dream. Congratulations go to all those who took part, and thanks go to the Paralympic athletes who have shown us what great benefit there is when we open our eyes to what a rich community we have.

**Mr MARKHAM** (Wollongong—Parliamentary Secretary) [9.38 p.m.]: I support both motions moved by the Premier. What we have experienced over the past month in this city, in this State and in this country during the Olympic and Paralympic Games will never again be experienced by the present generation. What we saw was incredible. Last Saturday and Sunday I had the opportunity with my wife, Melissa, to visit Olympic Park at Homebush Bay and participate as a spectator in a number of Paralympic sports. I could not believe it.

The week before last I spoke to the motion moved by the Premier. During that debate the game of goalball was mentioned. I specifically made the effort to have a look at goalball so that I could get a sense of the skills of the vision-impaired athletes. My wife and I had to line up for 40 minutes before we got into Pavilion 2 to watch a game. Goalball is played for two seven-minute halves, with a three-minute half-time period. The demeanour of the six men on the field was incredible. A significant rule of goalball is that, regardless of the degree of vision impairment, the players' eyes are taped so that they all participate on an equal basis. They all play at the same level, whether they are totally blind or partially vision impaired.

Later in the evening we went across to the SuperDome to have a look at the two final games of wheelchair basketball. I can assure the Chamber that I am not a great basketball fan, but I was absolutely amazed at these young men and their attitude. One game I watched was for the bronze medal and the second game was for the gold and silver medals. The players were crashing into each other. I got a greater thrill out of watching wheelchair basketball than I ever have out of watching a few games of basketball, with all its Americanised hype and razzamatazz, in the Australian National Basketball League. The wheelchair basketballers were playing their hearts out for their countries. My wife, Melissa, and I will never forget those games of goalball and wheelchair basketball.

On the Sunday Melissa and I went to the closing ceremony of the Paralympic Games. Anyone who attended the closing ceremony would not walk away without saying that this country has achieved something that the rest of the world has not. I would also like to refer to the number of young children who were at the Games. If we are going to change the perceptions of the various different groups within our society, the change has to come from young people. Over many decades we have met all sorts of people with all sorts of disabilities. There would not be one member of this Parliament who has not had people come into his or her office saying, "We want more, we want greater government intervention in providing services for us as people with disabilities."

The general community does not regard that as an area that needs a great amount of government expenditure. The general community believes that the Government should spend money in other areas. I believe that the attendance of young people at the Paralympic Games and their mixing with disabled people both young and old, on the field and as spectators, will give them a whole new perspective of what it is like to have a disability. Those people showed plenty of guts and determination, not only on the sporting arena but also as spectators and in their desire to be part of an important component of the culture of this country.

The Paralympics have probably done more than any other function or event to raise the awareness of the rights of people with a disability. Some of those young men and women would have been leading active physical lives but for car accidents, industrial accidents or sporting arena accidents that have resulted in the loss of an arm or a leg. But they were at the Paralympics—in the swimming pool, on the athletics track, and at the goalball, the volleyball and the basketball. They took part in all the sports that were being conducted. People with a disability, whether physical or intellectual, were there and they were enjoying themselves. But, more importantly, supporters with the same sort of disabilities were there encouraging athletes from all over the world to do the best they could. It was said on Sunday night—and this is something our society should take on board—that participation, not winning, is what it is all about. If you can do your best under your own personal circumstances and you feel happy when you walk away, then you have achieved something.

On Saturday afternoon I was at Stadium Australia during a number of medal presentations and races. At 6.10 p.m. the 200-metre final for women with an intellectual disability was run; I think that was the classification. There were three young Australian women in that race, which started right in front of where my wife and I were sitting. The runners took off. By the time they got around the first bend and into the straight, the three Australians were out in front. They ran first, second and third in the race; they were awarded gold, silver and bronze.

I saw on the big screen that the young woman who won was jubilant, naturally enough. The young woman who came second was ecstatic. The young woman who came third was acting as though she had won the race against the competitors from all those other nations. She must have thought that her two mates were going to be hard to beat but she had to beat the rest of the world to get a medal—and she did. She showed courage and the true spirit of the Paralympics. I congratulate every person involved—the athletes, the Government, the Opposition, the volunteers, the workers and every Australian who participated one way or another in the Paralympics and the Olympics. Congratulations and well done, Australia!

**Ms SEATON** (Southern Highlands) [9.48 p.m.]: It is with great pleasure that I join in this debate. I extend my congratulations to all the athletes in the Paralympic Games, and to all the coaches and families who are very much a part of preparing the athletes for the spectacular competition we saw. I congratulate the volunteers and supporters and, in particular, I congratulate Lois Appleby for steering the Paralympic preparations to such a spectacular success. The Southern Highlands played a important role in the Paralympics during the preparation and through to the final ceremony. We hosted a number of foreign athletes, in particular the Norwegian boccia team. It was a pleasure for our community to have the experience of hosting a foreign team and helping the athletes prepare, getting to know them and having them get to know us.

The Southern Highlands experience began with the Paralympic Torch Relay. Moss Vale had the honour of being the starting point very early one morning when we all gathered at the Moss Vale showground. We were privileged to have the Premier join us at the ceremony, and that was appreciated by many people. Also at the showground was the mayor of Wingecarribee and the shire general manager, David McGowan, and we enjoyed a spectacular start to the Paralympic Torch Relay.

Peter Nelson, who is one of Wingecarribee council's very dedicated staff, had worked very closely with the Southern Highlands Olympic Committee [SHOC] to make sure that all logistic arrangements were in place. One can imagine that starting the Paralympic Torch Relay took a great deal of organisation and a great deal of crowd and logistic control. We were very lucky to have Mr Michael Milton as our master of ceremonies that morning. In the lead-up to the Paralympic Games he had visited the Southern Highlands and spoke to about 25 schools about the nature of disabilities, the importance of participation in sport, and the importance of recognising people with disabilities.

We were very lucky to have football star Tony Lockett bring the torch into the arena to commence the proceedings. He lit the cauldron. One of the most precious moments of the entire ceremony was when a student from Moss Vale High School, Ronald Rucker, took the torch, lit it from the cauldron and commenced the torch's run along the coast. It eventually went on to Sydney. Ron was well and truly supported by all his Moss Vale High School colleagues. There were banners up saying "Go Ron", and anyone who saw the smile on Ron's face as he headed off could see the pride and enjoyment he had in being the first person to run with the torch that day. He was heard to say afterwards that he felt so incredibly charged up with the experience he could probably have run the whole way to Wollongong. It was really a great start to the whole ceremony.

We were lucky also to have a lot of schools involved on that morning. The school students from around the shire formed an avenue through which Ron Rucker ran. There were teams of students from all of our

schools, including Mittagong primary school and Bundanoon primary school, and all the other schools. They each held a flag of one of the countries participating in the Games. Of course, the Aboriginal flag was very proudly held by Bundanoon primary school. We were also lucky to have all our local media there. I mention them because they were immensely supportive of all the community events leading up to the Olympic Games and the Paralympic Games. Our local radio station 2WKT was there, as was 2ST, which of course covers the Shoalhaven and Southern Highlands area. Radio Illawarra, the *Southern Highland News* and the *Highland Post* were represented. It was nice to know that we have always have the support of our local media in promoting these sorts of community activities.

The Tudor House boys sang *Advance Australia Fair* and we were also very grateful to have performances by the Moss Vale High School. The SHOC volunteers worked hard on the sausage sizzle and all the preparations in co-operation with the Wingecarribee Shire Council. This made the Paralympic Torch Relay such a success that morning. Although I have spoken in this House about many other SHOC volunteers, particularly in relation to the Olympic Games, I would particularly like to mention Jennifer Bennett and the work she did to make sure that the Games were a success. She helped Michael Milton go around to all the schools and talk to students about the Paralympic Games.

One of the other outstanding features of that morning was the involvement of St Pauls International College of Moss Vale. St Pauls is an excellent school that gathers students not just from New South Wales and our local area but from Hong Kong, the Philippines, Thailand and many other countries in Asia. It was a great privilege for the Wingecarribee community to have within our midst a group of young people from around the world who are boarding at St Pauls International College at Moss Vale and who were interacting with our students. These young people will be the leaders of their countries in the future. I particularly congratulate the principal, Mark Donnelly, and the sisters who run the school for the involvement they encourage in all those students in the life of Wingecarribee shire.

St Pauls International College decided it would be important to have a Chinese dragon and two Chinese lion costumes shipped directly from Beijing in time for the torch relay ceremony so that students could practice the traditional dances. Some of the students knew the dances and they taught others who were not of Chinese origin. I think one African student was a lead dancer in either the dragon or lion costume, and they put on a spectacular display that added to the international flavour of the morning.

Southern Highlands students also had a very great role in the opening ceremony of the Paralympic Games. Forty-five local children were involved in the Sydney 2001 Choir, which sang a number of songs at the opening ceremony. They sang *The Fire Within*, *Who Am I* and *Being Here*. Anyone who saw the opening ceremony will remember those songs. One of the members of that choir, Sara Murray, who is a friend of mine, thoroughly enjoyed the experience. She is a young student who is working hard on her music as well as on her school activities. She and those 45 other children joined hundreds of others from around the State to make that choir such a success.

Like many honourable members here, I attended some Paralympic Games events. I took my four-and-a-half-year-old daughter on that very rainy Tuesday when people wondered whether the whole day was going to be rained out. But, with thousands of other people, we all went to the afternoon session and particularly enjoyed watching the fencing and goalball. Many honourable members have mentioned the skill and precision in goalball. It is something I think we would all like to see a lot more of. It is a particularly exciting and skilful game.

We then went to the swimming and saw a number of events and a number of medal presentations. Everybody enjoyed those events and enjoyed joining in the celebrations of all those athletes who did so well, who exceeded their personal bests and personal expectations, and even their own goals. While in a queue outside the goalball I saw behind me a number of children wearing the yellow shirts of St Pauls at Camden. It was lovely to see them there. In fact, I think nearly all the schools from the Southern Highlands and the Wollondilly area participated at some stage as supporters at the Games. One of the highlights for me was watching the Australian team play the German team in goalball.

One of the important things about the Paralympic Games is that all young Australians have had their perceptions about disabilities forever altered. This is particularly important and something many of us never had the opportunity to experience as young children. This will make an enormous difference to the hopes, ambitions and realisations of those ambitions of people with disabilities of all sorts. If nothing else has been achieved by the Paralympic Games, this is one of the most important things we could have ever hoped for and something I am terribly proud to have been a part of and to have shared with my community.

I also attended the closing ceremony of the Paralympic Games, travelling by bus with a number of the Southern Highlands committee volunteers. On the bus I was talking with a young girl from our community called Emma, whom I know quite well. Emma is best known in our area for her enthusiasm for photography. She is always at local events with a camera, and taking pictures is one of her great talents. Recently one of her other great achievements has been to work as a volunteer for SHOC and help the organisation of Olympic Games and Paralympic Games activities. On the bus Emma told me that she visited some Paralympic Games events herself and she said to me she was very proud that as a result of the Paralympic Games people were perceiving disability differently. She said to me it was not a matter of disability, but a matter of people with a different ability.

As a person with a disability, it gave her a great sense of empowerment and pride that she had seen other people reach enormous levels of potential in their field of expertise. It probably gave her a great deal of enthusiasm and motivation to pursue her own great abilities, which are photography and her ability to get along with people, and to gather people together to achieve community goals. I was really pleased to have the chance to speak with her, because it was important to understand the way she saw disability being turned into a perception of ability and the reality of ability.

One of the other things that many of us commented on as we left the closing ceremony was the role of volunteers, whose role in the Paralympic Games was every bit as important as in the Olympic Games. I would like to mention one young woman in particular, and I hope she might read this at some point and know that we appreciated her. It was late, everyone was excited and tired. Thousands of us were filing out through door D, and this young woman was standing outside the door and saying goodbye to everybody. To every little group of three or four who filed out the door she said, "Thanks for coming," much as you would thank guests who had come to your home for dinner or a visit.

Her contribution really said it all about the volunteer spirit. Here she was at the very end of her period of responsibility as a volunteer, yet she was still enjoying her role and taking such pride in what she was doing and being a part of it all, even to the extent of thanking us for being there. We felt that it should have been the other way around: we should have thanked her for being there, and that is what we did. It was a personal touch at the end of one of the largest events that any of us have ever been a part of. Some 110,000 people were leaving the stadium, and this young volunteer took the time to thank us for coming. It was a moving moment for everyone in our group.

Much as we are very sad that the carnival is over, we were all very proud to have been part of a cultural and sporting event that has changed the way in which the world and Australians perceive disability and ability, or at least different ability. I would like to congratulate the athletes, the sponsors, all of the supporters, all of the volunteers and, particularly, my local Southern Highlands Olympic Committee volunteers, Wingecarribee council and Lois Appleby for her leadership in producing such a spectacular Paralympic Games.

**Mr W. D. SMITH** (South Coast) [10.02 p.m.]: It is certainly a pleasure to speak in this debate on the Paralympics, just as it was to speak some weeks back in the Olympic debate. Everyone in this House has commented on how wonderful the event was. The Games were the most outstanding ever. It had excellent organisation, excellent transport arrangements, excellent volunteers and certainly excellent elite athletes. Some weeks ago this House heard from Paralympians Julianne Adams and Hamish MacDonald. I would like to thank them for the insights they provided in their quite inspiring speeches. It is difficult for any able-bodied person to imagine what life must be like for someone with a disability.

The many things that we take for granted during our daily routines are far from routine for those with a disability. In my opinion they all deserve gold: gold for coping, gold for adapting and gold for embracing their disability. The disabled who participate in sport put in a fantastic effort. They are just as competitive as any able-bodied athlete and they derive the same joy from their chosen sport as any able-bodied athletes do.

For those who have the talent and determination to reach the elite level of Paralympic competition, just like our Olympic heroes, it is truly amazing. The word "awesome" is sometimes overused, but I am certainly in awe of these athletes. To overcome their disability and rise to such a level of competition is truly awesome. It is hard to really relate to the things they need to overcome because of their disability, but there have been a couple of incidents in my life that have given me some inkling of their difficulties.

Many years ago I was a pretty serious long-distance runner. I was not any good at it, but I was very serious about it. I trained twice a day and my life seemed to revolve around it. At the same time I was also a

motorcyclist of some 17 years. One day when I was riding to work a motorist came through a stop sign and cleaned me up. As I was flying through the air I thought about my wife and kids, but I also thought about my legs and what it would be like if I could not run again. How would I cope? I did not really know, and I certainly do not know how Paralympic athletes cope. They not only cope, but they excel. I gave up motor cycling on that day.

The second thing that allows me to have some idea of the problems of the disabled rests with my youngest nephew. He was born with no sight in one eye and very little in the other. I watched him grow, and he never once grumbled, complained or whinged about his disability. He never had, nor wanted, a seeing-eye dog. He used public transport to travel to and from work—he was always employed. He always walked to the railway station on his own. He played competitive blind cricket with a ball that had a rattle inside it. Now he plays golf regularly.

I recall going to the beach with him on a day when the surf was up. He charged towards the waves and was immediately knocked over. He came up coughing and spluttering salty water, sand and bits of seaweed. I panicked because I thought he was going to drown, but somehow he got his bearings and charged towards the waves yet again, with the same result: he was bowled over again. But he was undaunted. I admired him then and I still do today, as I admire all the Paralympians.

Australians embraced the Paralympics, just as they embraced the Olympics, with record spectator attendances of well over one million. The support and interest were quite spectacular. My electorate had many fundraising events, including dinners, auctions, and formal balls. I recall a fundraising auction strongly supported by local businesses donating items such as a car, a boat with an outboard motor, a ride-on mower, whipper snippers, paintings and memorabilia. You name it, and it was there. A lot of money was raised from that event, and many others like it were held in my electorate.

My electorate regularly hosts the South Pacific Hard Court Wheelchair Tennis Tournament. The world's No. 1 player, David Hall, retained the title in 1999 that he had won in 1998. Australia's No. 2 ranked ladies wheelchair player, Branka Pupovac, won the ladies event last year in Nowra. The tournament also provided a development competition for young wheelchair athletes. The organisers staged a come-and-try-it session, and several young wheelchair-bound children from the Shoalhaven area participated. The City of Shoalhaven received significant regional media coverage of both the 1998 and 1999 events.

Last year the event was granted satellite tournament status by the International Tennis Federation, and it attracted 20 of our nation's top wheelchair tennis players, including the whole Victorian elite squad, and players from Queensland and South Australia. As a result of feedback from athletes at the tennis titles, Shoalhaven City Council has become more sensitive to the accommodation and access needs of people with disabilities. The city sponsored a special disability access seminar for accommodation and tourism business providers that was held on 3 November last year.

The seminar demonstrated to the tourism industry that providing facilities for people with disabilities can be good for business. The local council was also the first non-metropolitan council in Australia to provide substantial funding to the Sydney Paralympic committee as a Paralympic companion. The city has also hosted Australia's Paralympic fencing team on two occasions for training camps. I was privileged to help sponsor the local tennis tournament, which was held just prior to the Paralympic Games and was very successful yet again. The Paralympic Games was massive. There were about 4,000 athletes and 8,500 support staff from 126 countries. The Paralympic village accommodated more than 7,500 people. There were 18 sports on the Paralympic program, there were some 19 venues and the Games work force was nearly 41,000 individuals, about 15,000 of whom were volunteers. That was certainly in stark comparison to Rome in 1960, when there were only 400 athletes from 23 countries, and the only athletes who were invited were the wheelchair competitors.

A little over a week ago I had the pleasure of participating in the official opening of two schools in my electorate: North Nowra Public School and Havenlee Special School. These two schools exist side by side, with Havenlee being a school for about 33 students with disabilities. The children from both those schools have a special relationship. The able-bodied students from North Nowra are learning about the difficulties experienced by disabled people. In fact, they are learning to be much more understanding and tolerant of those with disabilities. One example of this is that the students from North Nowra Public School are able to get their P-plates, which allows them to drive the kids in wheelchairs around the school. The able-bodied kids love this idea.

Earlier I referred to Hamish MacDonald and his speech in this place a couple of weeks ago. Honourable members may recall that Hamish was not allowed to compete in his category of shot-put. Last Friday I had a conversation with Hamish about this matter; I asked him how he felt about the decision. One would assume that he would be fairly upset because he trained for more than four years. His attitude was incredible. He said he was disappointed but he accepted the technicality of the decision. He then proceeded to tell me that he felt the athletes must advocate more strongly if changes are needed. Clearly, in this situation a change was needed. Hamish's attitude was so impressive: he took the decision on the chin, but he wanted to do something so the situation would not be repeated. Hamish is an example to us all, and it was a privilege to talk to him and to listen to the maturity that came through his words. It was quite an experience for me.

In conclusion, the Paralympics has continued to bring us together as a nation, as did the Olympics. The Paralympians are now our heroes. They are to be commended and admired. They are elite athletes and they have been treated as such, perhaps for the first time. They will continue to be treated in this way, and rightly so, from now on. It is a pleasure to be involved in a debate that has bipartisan support. It is an experience for me to be nodding my head positively when I hear the comments of the honourable member for Hornsby and the honourable member for Southern Highlands. Perhaps it will not happen too many times between now and 2003 but it is a beauty to do so now. I commend all speakers for their contributions to this debate. Their words have been inspiring. The insights they have gained through the Paralympics have also been inspiring, and I commend honourable members on both sides of the House for their participation in this debate. The Paralympics was a wonderful event to experience and in which to be involved. I commend the motion to the House.

**Debate adjourned on motion by Mr Fraser.**

#### **SUPERANNUATION LEGISLATION AMENDMENT (SAME SEX PARTNERS) BILL**

**Bill introduced and read a first time.**

**Dr Refshauge** tabled the certificate of the Parliamentary Remuneration Tribunal determining that amendments to the Parliamentary Contributory Superannuation Act 1971 contained in the bill were warranted.

#### **Second Reading**

**Dr REFSHAUGE** (Marrickville—Deputy Premier, Minister for Urban Affairs and Planning, Minister for Aboriginal Affairs, and Minister for Housing) [10.16 p.m.]: I move:

That this bill be now read a second time.

The Superannuation Legislation Amendment (Same Sex Partners) Bill will remove discriminatory aspects of superannuation arrangements for New South Wales public sector employees and parliamentarians who are in bona fide domestic relationships involving same-sex partners. The bill will amend the following Acts: the Superannuation Act 1916, the Police Regulation (Superannuation) Act 1906, the State Authorities Superannuation Act 1987, the State Authorities Non-contributory Act 1987 and the Parliamentary Contributory Superannuation Act 1971. Honourable members will be aware that before amendments to the Parliamentary Contributory Superannuation Act 1971 can be passed by this House the Parliamentary Remuneration Tribunal must have certified that the amendments are warranted. Following his assessment, such certification has been provided by the Parliamentary Remuneration Tribunal, His Honour Judge Walton.

The issue of the rights of same-sex partners to benefits in New South Wales public sector superannuation schemes arose most recently in debate on the Parliamentary Contributory Superannuation Amendment Bill in November 1999. In responding to the issue, Minister Della Bosca stated that the matter was being closely examined by the Government in consultation with the Labor Council of New South Wales. The Government believes that there is considerable community support for change and strong justification on the grounds of equity. The fact that Australia is a covenanting State on international human rights conventions also places obligations on the New South Wales Government in this regard. The provisions of this bill will apply to New South Wales public sector superannuation schemes that provide a spouse benefit to a scheme member or pensioner. They are the State Superannuation Scheme, the State Authorities Superannuation Scheme, the Police Superannuation Scheme and, as implied a moment ago, the Parliamentary Contributory Superannuation Scheme.

The above schemes pay a lump sum or pension superannuation benefit of the surviving spouse of a scheme member, including a pensioner, on his or her death. A pension benefit may also be payable to a dependent child of the spouse. In all the superannuation Acts I mentioned earlier a spouse is defined to mean the

opposite sex partner of the scheme member. A de facto relationship involving opposite sex partners is recognised in exactly the same way as a legal marriage, so a de facto partner of the opposite sex has the same superannuation entitlements as a legally married spouse. The legislation as it currently stands does not recognise a same-sex partner as a spouse. This means that a benefit is not payable to a same-sex partner on the death of a scheme member or pensioner. Nor can a benefit be paid to a child of the same-sex partner. I am sure that many honourable members will agree that this is unfair and represents a wrong that needs to be corrected.

The bill redefines "spouse" in the superannuation scheme legislation in line with the recently amended definition of "de facto relationships" in the New South Wales Property (Relationships) Legislation Amendment Act 1999, so that they include same-sex relationships. The proposed amendments mean that same-sex partners of superannuation scheme members, or pensioners, and their dependent children will have the same entitlements as legally married or de facto partners of the opposite sex and their children. On the death of a scheme member or pensioner a same sex-partner and his or her dependent children would therefore have the same superannuation entitlements as legally married or de facto partners and their children.

This bill reflects the Government's commitment to eliminate discriminatory employment and superannuation arrangements for New South Wales public sector employees and extends this reform to parliamentarians. The New South Wales Anti-Discrimination Act 1977 makes it unlawful to discriminate on the grounds of homosexuality. Because of an exemption available under the Act, the New South Wales public sector superannuation schemes are legally protected from claims of discrimination on the grounds of homosexuality. However, this bill will achieve compliance with the spirit of anti-discrimination by treating a same-sex partner in the same way as a legally married or de facto spouse for superannuation purposes. As honourable members will appreciate, the bill is consistent with, and follows on from, the Government's recent legislative action to remove discrimination against same-sex partners on the significant issue of property settlement.

I referred earlier to the Property (Relationships) Legislation Amendment Act 1999 that redefined "de facto relationships" so that they included adults living together as same-sex couples. The Act also extended property rights to same-sex partners. Before the Government improved property rights, same-sex partners had difficulties being properly recognised in the distribution of estate assets. A same-sex partner is now better protected in this regard. While the Property (Relationships) Legislation Amendment Act 1999 amended a number of other Acts, it did not amend the provisions of the public sector and parliamentary superannuation Acts under which benefits are payable to spouses. The bill also provides former members of the State Superannuation Scheme and the Police Superannuation Scheme with the right to revoke their conversion elections.

At the beginning of this year, these members were offered the option of transferring their superannuation scheme benefit and membership to First State Super. The closing date for making these conversion elections was 31 May 2000. First State Super is the New South Wales public sector superannuation scheme that has been available to new public sector employees since it was established in December 1992. The scheme pays lump sum benefits only. On the death of a member, the amount accumulated in that member's account is paid to the member's personal representative rather than to a spouse. Superannuation benefits from First State Super can therefore already pass to same-sex partners. Some of the former members of the State Superannuation Scheme and the Police Superannuation Scheme may have elected to transfer to First State Super because they saw no benefit in remaining in a scheme which provided their partners with no entitlement to a superannuation benefit.

These members may not have made a conversion election if benefits had been available from their schemes for same-sex partners at that time. For this reason, a one-off opportunity will be provided to all former members of the State Superannuation Scheme and the Police Superannuation Scheme to revoke their conversion elections. This will enable them to rejoin their former schemes as if they had never left, without any detriment to their benefits. It is not possible to predict how many, if indeed any, people will choose to revoke their conversion elections. The bill enables the Special Minister of State to enter into an arrangement with people wishing to revoke their conversion elections and the superannuation scheme trustees for the purpose of reinstating full membership of the State Superannuation Scheme or the Police Superannuation Scheme for those people.

As members of these schemes are also automatically covered by the State Authorities Non-contributory Superannuation Scheme, also known as the basic benefit scheme or the 3 per cent scheme, coverage by this scheme would also be restored. As honourable members would be aware, New South Wales public sector



superannuation schemes are required to comply with the principles of the Commonwealth Government's superannuation law. Failure to comply has the potential to jeopardise the significant tax concessions available to the New South Wales public sector superannuation schemes. The Commonwealth superannuation law, embodied in the Superannuation Industry (Supervision) Act 1993, and regulations made under that Act, does not permit superannuation schemes to recognise same-sex partners as beneficiaries.

Minister Della Bosca therefore requested Senator the Hon. Rod Kemp, Assistant Treasurer of the Commonwealth Government, to advise whether implementation of the provisions contained in this bill would adversely affect the tax status of the New South Wales public sector superannuation schemes. Senator Kemp has provided written advice on behalf of the Commonwealth Government that there will be no adverse tax effect resulting from the passage of these amendments. Finally, I indicate to the House the cost of the measures proposed in this bill. The Government Actuary has estimated the cost, in today's dollars, to be in the order of just over \$20 million spread over the foreseeable life of the schemes—that is, approximately 75 years. This represents an infinitesimal increase in superannuation liabilities which, as at 30 June 2000, were calculated to be just over \$33 billion.

The reforms introduced by this bill should be seen by New South Wales public sector employees and members of the community as fair and progressive. The New South Wales public sector and parliamentary superannuation schemes will be the first defined benefit schemes in Australia to recognise the right of same-sex partners to be treated fairly for superannuation purposes. Victoria appears to be the only other State that has made some progress towards similar reforms, although they are not likely to be introduced before next year. The bill demonstrates the Government's progressive attitude to addressing contemporary social issues of concern to the community. I commend the bill to the House.

**Debate adjourned on motion by Mr Fraser.**

#### **SPECIAL ADJOURNMENT**

**Motion by Mr Whelan agreed to:**

That the House at its rising this day do adjourn until Thursday 2 November 2000 at 10.00 a.m.

**House adjourned at 10. 25 p.m.**

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