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LEGISLATIVE ASSEMBLY

Tuesday 27 May 2014

The Speaker (The Hon. Shelley Elizabeth Hancock) took the chair at 12 noon.

The Speaker read the Prayer and acknowledgement of country.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

PRIVATE MEMBERS' STATEMENTS

PARRAMATTA ROTARY POLICE OFFICER OF THE YEAR AWARDS

Dr GEOFF LEE (Parramatta) [12.10 p.m.]: I was delighted to attend this year's Rotary Club of Parramatta Police Officer of the Year Awards. I joined Commander Wayne Cox, Parramatta police, Rotarians, family and friends at this important ceremony to recognise the outstanding work being done, day in and day out, by the men and women of the NSW Police Force who are attached to Parramatta Local Area Command. The awards celebrate professionalism, leadership, outstanding acts of bravery and dedication to duty, with officers often going above and beyond their duty in difficult situations, sometimes at great personal risk. These are the qualities we recognise and applaud in officers of the NSW Police Force.

Award nominees included Operation Support Group Team Leader Sergeant Jeffrey Ludkin, who was recognised for his involvement in policing at football matches, including our own Western Sydney Wanderers Football Club. This is no small feat, given the sheer number of active fans attending games. Senior Constable Irene Alavanja was commended for her outstanding dedication to victims of domestic violence. She has been serving as a Domestic Violence Liaison Officer for four years. During that time her interactions with clients have been observed and she has shown to be informed and professional and to have a caring manner that puts people at ease.

Constable Brenton Ward was recognised for his commitment and dedication. He has one of the highest arrest rates in the command. Constable Ward's actions far exceed what is expected of an officer with his length of service. For example, his work on recent investigations, which had yielded limited information, resulted in the recovery of a large amount of property, which was returned to the victims of the crimes. Civilian and Multicultural Liaison Officer Rosemary Kariuki-Fyfe has been employed with the NSW Police Force for seven years. Rosemary, with the support of her colleagues, has led a successful community engagement program targeting and assisting vulnerable communities who require help from government and non-government agencies.

Jodi Ghosn, a general administrative support officer, was recognised for her ability to manage a busy counter at the police station. Jodi is instrumental in offering excellent support to front-line police. She often deals with people under difficult and traumatic circumstances and was recognised for her compassion. Wilma Baluyot-Bucucang was recognised for her professional approach to rostering. She was described by others as efficient and hardworking with a willingness to assist. Wilma's work with ethnic communities cannot be faulted in any way and she has been an asset to the Parramatta Local Area Command.

Detective Senior Constable David Lawler is a dedicated investigator who has taken carriage of recent armed robberies. Detective Lawler has been involved in incidents where offenders were using firearms and knives and posing as police officers. Detective Senior Constable Glenn Bradley played an instrumental role in a recent murder investigation, leading a large team of investigators and using various policing strategies which

resulted in the arrest of an offender. Detective Bradley's professionalism, leadership skills and continued dedication were demonstrated between April 2013 and September 2013 when he led an operation responsible for more than 30 robbery-related arrests and subsequent charges.

Detective Senior Constable Timothy Turnbull is an outstanding investigator who has demonstrated commitment in reactive and proactive investigations. Sergeant Kathryn Betts is an extremely competent supervising sergeant. She is approachable and provides excellent support to her team. Sergeant Kylie Hedges is a licensing supervisor who has been instrumental in the command's response to many of the issues attributed to alcohol within the central business district. Sergeant Sean Heagney has been the relieving duty officer in the command. In that time he has been very active with the command's senior staff and management team. Emerging Constables Daniel Pinter, Dominic Barillaro and Bradley Bond were also recognised. I congratulate Police Officer of the Year Sergeant Kylie Hedges for her leadership of licensing operations. She is a real asset to the Parramatta Local Area Command.

CABRAMATTA ELECTORATE SENIORS PROGRAMS

Mr NICK LALICH (Cabramatta) [12.15 p.m.]: Older people in our community often live in isolation, imprisoned by their poor health, lack of transport options, the loss of loved ones or their fear of making new friends. In my electorate of Cabramatta many older people also are isolated because they speak little or no English. Fortunately, Cabramatta is blessed with a range of community organisations that are helping older people stay connected to the community. The NSW Multicultural Seniors Association, which was established by the wonderful Ms Aqa Ge in 2003, organises weekly lunches, social activities and monthly excursions for seniors in Cabramatta. Its mission is to help older people from culturally and linguistically diverse backgrounds to lead healthy, independent and happy lives.

Numerous national and international studies have shown that getting seniors involved in the community, socialising and taking part in physical activity will give them a better quality of life. It is not surprising that the NSW Multicultural Seniors Association's programs and activities are in great demand. Over the past year membership of the association has more than doubled. With our ageing population, demand for their programs and activities will only increase. The 2011 census showed that 14 per cent of Australians were aged 65 years and over, and this age group is projected to increase to at least 23 per cent by 2056. To make sure it can meet the demand for its services, the NSW Multicultural Seniors Association recently opened a new community centre in Auburn.

I attended the opening with many other community leaders, who also were there to show their support for the association. They included my colleague the member for Auburn, the Hon. Barbara Perry, Consul Wang Can from the Consulate General of the Republic of China in Sydney, and the Hon. Ernest Wong, member of the Legislative Council. We were entertained by a range of performances, including Russian folk singing, Chinese songs, Cantonese opera, a yoga performance and traditional Mongolian dancing. Volunteers were on hand to ensure the event was a success. The amazing thing about an organisation like this is the fact that they are able to do so much for the community on a shoestring budget and with the support of mostly volunteers.

Organisations like this are the ones most impacted by the Federal Liberal Party's decision to abolish funding for multicultural community organisations. I will maintain pressure on the Liberal State Government to talk sense to their Federal Liberal colleagues, demanding that it reverses the funding cuts or make up the shortfall. This funding means everything to an organisation like the NSW Multicultural Seniors Association. Finally, I congratulate the founder and President of the NSW Multicultural Seniors Association, Ms Aqa Ge, on the opening of the new centre. I personally thank her for her tireless work to help older people in Cabramatta and now Auburn to lead happier and healthier lives.

BALLINA ELECTORATE CHARITY EVENTS

Mr DONALD PAGE (Ballina) [12.18 p.m.]: I bring to the attention of the House some great fundraising activities being held in my electorate of Ballina this month that are attracting thousands of people, who not only want to support a good cause but test their physical fitness as well. Many members may know someone who has swum in the Byron Bay Ocean Swim Classic. The 2014 ocean swim was held on 4 May, with 1,631 people signing up for the 2.5 kilometre swim from Wategos Beach to Main Beach, or the shorter 800 metre course from The Pass to Main Beach at Byron Bay. The weather conditions this year were not great. In fact, some described it as among the worst of any swim in the event's 26-year history. A cold wind blowing from the west created an irritating chop on the water for the swimmers.

Since the race began in 1988 organisers have raised more than \$600,000 for local charities, including but not limited to the Byron Bay Surf Club, Camp Quality, the life saver rescue helicopter service, Marine Rescue and the Salvation Army. Competitors come from all over the place, their speedos emblazoned with names such as Maroochydore, Bondi, Coogee and South West Rocks. I believe the Premier's father, Bruce Baird, is a regular competitor in this event. The swim draws thousands of people into town after Easter when things are normally quiet and I know that local businesses welcome it. I congratulate the Byron Bay Surf Club volunteers who helped resuscitate a man in trouble during the swim. Surf lifesavers were helped by fellow swimmers to pull the man out of the water and cardiopulmonary resuscitation [CPR] was commenced as they took him to shore. A defibrillator was then used to get him breathing again, saving his life. What a great effort.

A significant portion of each swimmer's \$65 entry fee is handed on to selected charities, which makes this swim such an important community event. Another fantastic community event that attracts more than 1,000 entrants is the Westpac Life Saver Rescue Helicopter Charity Walk—known locally as the Chopper Charity Walk. This walk stretches along 37 kilometres of beach and bush track between Byron Bay and Ballina. The 2014 walk was held last Sunday, 25 May, starting at Byron and organisers advise that around 1,200 people took part. If 37 kilometres is too ambitious, one can opt to do a section of the walk, stopping at the 12-kilometre or 24-kilometre marks. Parts of the walk were challenging but people felt a real sense of achievement when they finished it, particularly those who tackled the whole distance along, of course, a spectacular section of coastline. Last year the oldest person to do the chopper walk was in her eighties.

This year the Westpac Life Saver Rescue Helicopter Service hopes to raise \$250,000 from this event and a similar one in Coffs Harbour—an incredible effort given that the Byron to Ballina walk started only two years ago, and the Coffs Harbour event was held for the first time last year. The helicopter rescue fundraising walks are now two of the biggest fundraisers of the year for the life saver rescue helicopter service. It costs approximately \$7 million a year to keep our local helicopter rescue service in the air, of which 70 per cent comes from fundraising with the balance provided by the State Government. I acknowledge the Minister for Health, who is at the table and is a great supporter of the service. The rescue helicopter depends on the financial support of people living on the far North Coast who put their hands in their pockets year after year to make sure it stays in the air. Added to this is a team of around 400 volunteers who run op shops, sell raffle tickets and generally help where they can.

The helicopter rescue service covers 80,000 square kilometres from the Queensland border to south of Coffs Harbour and west to Tenterfield and Glen Innes, and travels offshore also when required. This cause is very close to the hearts of people in the Northern Rivers, having saved hundreds of lives since beginning in 1982. In fact, the rescue service has flown more than 7,500 missions—treating people at accidents, airlifting people to safety from roads and from ships in the middle of the ocean, and transferring patients to hospitals for specialist treatment. Pilots and crew also help in search and rescue operations. It is very comforting to know that the life saver rescue helicopter service is there when needed.

I commend the chief executive officer of the Westpac Life Saver Rescue Helicopter Service, Kris Beavis, for the wonderful work he does in supporting our community. Collectively, the Byron Bay Ocean Swim and the Chopper Charity Walk will raise more than a quarter of a million dollars in May alone which will go back to the rescue helicopter and local charities—from a community of low incomes by national standards. This is a phenomenal effort and I congratulate everyone involved in organising these events. I thank also the broader community for supporting the swim and the walk with their generous donations.

DRUMMOYNE ELECTORATE COMMUNITY BUILDING PARTNERSHIP GRANTS

Mr JOHN SIDOTI (Drummoynes) [12.23 p.m.]: It gives me great pleasure to talk about a wonderful program in the Community Building Partnership program. Of course, we are approaching the time to again extend the opportunity to community groups, incorporated not-for-profit community organisations and local councils to invest in community infrastructure throughout our electorates and apply for funding to build and improve local community facilities. All electorates appreciate receiving grants funding of \$200,000, while some electorates will receive an additional \$100,000 due to their higher unemployment rates. Over the past three years some great organisations and community groups have been recipients of the grant. I funded an organisation in my electorate called Handital, which is an amazing not-for-profit organisation that helps in the disability sector and which very much appreciated that funding.

Another program to which we provided funding was the Touched by Olivia Foundation to construct in Five Dock an all-abilities playground, which is now a template for all-abilities playgrounds across not only Australia but also, I am led to believe, overseas. On any weekend busloads of children of all abilities are seen

pulling up to these parks, which have purpose-built equipment to cater for their disabilities. It is amazing to see the assimilation of kids of all abilities. The Touched by Olivia Foundation is an amazing and worthwhile organisation to which I had the great pleasure of providing \$30,000 through the Community Building Partnership program and the New South Wales Government.

The Sir Roden and Lady Cutler Foundation—named after that great man and his wife—is located in the eastern suburbs but also has an office in Concord in my electorate. In the past few years I had the privilege to provide the foundation with a fully disabled-adapted vehicle to lessen the burden on the community transport system, which is a not-for-profit, community-run organisation. Its drivers are absolutely amazing people who have changed the lives of many people in my electorate through just picking them up and taking them to a medical appointment or to the hospital. This not-for-profit organisation again takes pressure off government services because it is purely volunteer driven. It is an absolutely fantastic organisation. I cannot speak highly enough of the wonderful people who donate their time to the community. A number of months ago one school at Haberfield encountered some security breaches. As a result, the Community Building Partnership program provided the school with funds to install a fence around the premises to protect the children. A similar issue occurred in my electorate. Due to the low level of crime and low level of graffiti in my electorate—

Mr Greg Smith: It is a wonderful electorate.

Mr JOHN SIDOTI: Thank you, but sometimes it actually works against us and, unfortunately, we get moved down the line and do not qualify for priority funding. To that end, I was happy to support the Mortlake Parents and Citizens Association by providing \$49,995 towards the installation of security fencing to improve the safety of the students at Mortlake Public School. While that money sits in the bank waiting to be used, we have applied also for dollar-for-dollar match funding for an education grant. With a bit of luck we will be able to install a substantial fence around the school premises. Other great initiatives include the Breakfast Point Men's Shed. I have three Men's Sheds in my electorate that are doing great work. I was able to provide them with a \$15,000 grant to purchase equipment, predominantly timber and metal, with which they basically produce stroke rehabilitation aids for the local Concord hospital and for Royal Prince Alfred Hospital. Again, this is a sign of Breakfast Point Men's Shed doing great things for our community.

MARCH FOR RESPECT

Mr ROBERT FUROLO (Lakemba) [12.28 p.m.]: I am delighted to report to the House the success of an event conducted in the Lakemba electorate last Sunday and attended by more than 1,000 people. March for Respect was an opportunity for members of one of the most culturally diverse communities in Australia to unite and show our support for the protections afforded to all citizens under section 18C of the Racial Discrimination Act. As the member for Lakemba, I was very proud to witness this powerful coming together of people. It was beautiful to see so many proud Australians from so many different language and cultural groups uniting to celebrate shared values within a diverse society.

The event sent a powerful message to the Federal Government that Australians value a society where bigotry, racism and intolerance are not given supremacy over respect, compassion and understanding. It was a delight for the senses, with a traditional smoking ceremony honouring our Indigenous heritage kicking off the march. Then our eyes were treated to the colours of traditional costumes and flags from nations across the globe and to traditional lion dancers with all their colour and movement. Our ears were treated to drumming and cymbals banging and clashing—there were African drummers, Chinese drummers and Lebanese drummers all giving their best efforts to showcase their culture while creating a carnival atmosphere befitting this wonderful celebration.

One of the memories that will live long with me was a symbol of the modern Australia that was proudly on display—an Australia which is based on respect and which acknowledges our shared experiences and aspirations. I will remember for years to come the sight of a traditional Chinese dragon weaving and dancing along the march to the sounds of traditional Lebanese dabke drummers. If there is a better emblem of the new, proud and inclusive multicultural Australia I look forward to seeing it. The message from this gathering of Australians was clear: Respect for each other and the right to be free from bigotry trumps the right of people to offend, insult, intimidate or humiliate on the basis of race, colour, national or ethnic origins.

The March for Respect was an unequivocal success. It was empowering for people who often feel removed from decision-making. The march brought people together with a common purpose, regardless of their ethnic, cultural or religious backgrounds, and on this measure alone it was a triumph. But it was a success because it relied on individuals within these various communities to organise and coordinate their friends,

families and fellow community members to be active. Community leaders in the Arabic, Chinese, Vietnamese, Pacific Islander, Korean, Bangladeshi, Pakistani, Indian, African, Indigenous Australian, Greek, Italian, Filipino and many other communities came out in force to take part in the march. This community activism is an acknowledgement that we all have a responsibility to be active members of society and stand up for the shared values of respect and understanding.

I had the honour to give a short address to those who assembled for the family barbeque at the end of the march. I made the point that we have much to be proud of as citizens of this great community and this wonderful country but that, as a result of the March for Respect, we had reason to be just a little bit more proud. I certainly know that I was proud of our community, and the memories of this fantastic event will continue to be an inspiration to me for many years to come. I congratulate the Hon. Tony Burke and his team on coordinating the event and I particularly congratulate and thank the many local community leaders who came together in the spirit of respect and made the day a triumph over bigotry and sectional interests.

FORSTER-TUNCURRY UNIVERSITY OF THE THIRD AGE TWENTIETH ANNIVERSARY

Mr STEPHEN BROMHEAD (Myall Lakes) [12.32 p.m.]: I recently attended the twentieth anniversary luncheon of the Forster-Tuncurry University of the Third Age [U3A]. The luncheon was held at Tiona Conference Centre in the Pacific Palms area and the special guest speaker was none other than Noeline Brown, the famous Australian thespian, who spoke brilliantly about her life and her life of learning. I congratulate the president of the Forster-Tuncurry U3A, Sue Buls, and the secretary, Carol Young. In the first week in June I am looking forward to visiting the University of the Third Age at Taree with the Minister for Ageing, Minister for Disability Services, and Minister for the Illawarra.

Mr Acting-Speaker, because of your tender years you may not know what the University of the Third Age is. The university comes from the medieval concept of a community of scholars who come together to learn from one another. In that environment learning is an end in itself; individuals learn what they like, at the pace they prefer. Universities of the Third Age are voluntary, self-help organisations. They tap the great reservoir of knowledge, skills and experience which is to be found among older people and which is often undervalued or overlooked. All of the teaching, planning and administration of a U3A is carried out by its members. Classes are planned jointly by tutors and students in response to members' interests.

The University of the Third Age was founded in Toulouse, France, in 1972. The idea spread rapidly, not only throughout France but to many other countries, particularly in continental Europe. An International Association of U3As was established by 1975. In 1984 the first Australian U3As were formed in Melbourne and the Forster-Tuncurry branch was established in May 1994. Membership of the university is open to anyone over the age of 50. That is why I thought I should enlighten you, Mr Acting-Speaker, because although I know that you are well experienced in local government and in many other areas, you may not be aware that the university is open only to people over the age of 50 who are retired or semi-retired.

The University of the Third Age is unique in that at a time when everyone is struggling with the cost of living and pressures on home budgets, the courses offered by the university are either free or at very minimal cost because the members and friends of the U3A are the teachers and the only costs incurred are for materials. No matter what stage of life one is at, whether young or older, it is important that people continue to use their brain and continue to educate themselves. Learning should take place throughout life and that is what the University of the Third Age is all about: continual learning, utilising one's brain and improving one's life through that education by learning more skills. Many of us in this place have undertaken many different courses and have had many different occupations. Throughout my life I have continued to undertake various courses to educate myself so that I can go from one profession to another.

The courses are short and sharp and they target people over the age of 50. Most courses run for about two hours in each session and the length of the courses varies from one session to six sessions. In the Forster-Tuncurry branch the courses are usually run during the day but not during school holidays. I congratulate the Forster-Tuncurry U3A and I look forward to visiting Taree U3A in a couple of weeks with the Minister for Ageing, Minister for Disability Services, and Minister for the Illawarra. I commend the U3A to all members.

ACTING-SPEAKER (Mr Adam Marshall): Order! I thank the member for Myall Lakes for his private member's statement. I resisted my usual urge to interrupt him mid-speech but I advise him that I am very much aware of the University of the Third Age movement. It was great to have some of his U3A members in Armidale recently for the State U3A conference.

BUILD THEM HERE

Mr GREG PIPER (Lake Macquarie) [12.37 p.m.]: I take this opportunity today to talk about the Build Them Here campaign to have work from the recently announced \$2.8 billion project to upgrade the State's intercity rail fleet awarded to the specialist and expert manufacturers based in the Hunter region. The 65 new trains announced by the Minister for Transport several weeks ago will carry passengers on the Central Coast, Newcastle, Blue Mountains and Illawarra lines. I applaud the Government's decision to invest in new trains, as will commuters on the intercity lines, who have put up with substandard conditions for too long.

I also understand the need for this substantial allocation of funds to be spent wisely and in a way that will derive the best value for money for the people of New South Wales. However, the Minister's statement that the Government was looking at buying off-the-shelf trains from overseas manufacturers has sounded alarm bells in the Hunter, a region which has long been a major supplier of rolling stock to New South Wales. The train-building industry employs about 2,000 employees in the Hunter, directly and through the supply chain, including those at the Cardiff site of Downer EDI in my electorate and United Group Limited at Broadmeadow. These are largely specialist jobs and represent an important repository of skills that we need to preserve and cultivate to secure the future of our manufacturing industry.

In making a decision about where it will source these new trains, the Government would be wise to consider the broad benefits of awarding this very lucrative contract to local suppliers. Not only would it represent a significant investment and a vote of confidence in our manufacturing industry but it would generate jobs, foster new expertise, return wealth to the State through taxes and create new investment opportunities. Perhaps, instead of looking offshore to buy pre-manufactured rolling stock, we should be doing all we can to develop the skilled workforce we have here so that in future clients from other countries might look to New South Wales to buy our state-of-the-art products.

I acknowledge that the industry has a responsibility to show the Government that it is capable of creating world-class rolling stock that is equal to what can be bought elsewhere for a competitive price. After speaking to local manufacturers I have the clear impression that they stand ready to compete on equal footing. They are willing to be innovative and flexible and are not seeking to have the Government prop up the industry. They want an opportunity to state their case and to demonstrate the ongoing benefits that can be achieved by building trains at home. They are seeking an assurance that they will not be shut out of the process. The comments of the Minister have caused alarm in the Hunter community because of the apparent assumption that the Government will go offshore to find the best product at the best price, when in fact it has access to an industry with a proud history of delivering high-quality trains.

The Minister has made reference to the delays associated with the Waratah trains, but I am sure she is aware that those problems cannot all be sheeted back to the manufacturers. It is now acknowledged that flaws in the funding model and contract arrangements contributed significantly to those delays. It is important to note that there are now more than 70 Waratah trains in service that are performing well and are well regarded by commuters and operators. Lessons were learned from the Waratah contract experience, which have been added to the bank of knowledge that has been amassed in relation to the management of large-scale projects and will ensure that such problems do not arise again. Indeed, we saw evidence of this in the final year of the contract when Downer EDI's production rate from the Cardiff site was stepped up from one train a month during 2011 to one train every six days in 2013.

The Build Them Here campaign has the backing of all of the Hunter's peak unions and business groups. Groups such as Newcastle Trades Hall Council, Hunter Business Chamber, HunterNet and the Australian Industry Group have joined together and some have put aside traditional ideological differences to encourage the Government to pause in its rush to look overseas for a new and innovative ready-made product. Instead it should recognise the capability and willingness of the highly skilled workforce in its own backyard. The member for Wallsend, the member for Newcastle, the member for Charlestown, the member for Maitland, the member for Cessnock, the member for Swansea and members from other local electorates, civic leaders, industry and, most importantly, the community are on board to show that the Hunter can deliver high-quality cost effective trains for the people of New South Wales.

Opportunities like this do not come along often and the people of the Hunter will fight for the chance to strengthen our community and our economy by investing in jobs, skills and its manufacturing capacity. This Friday the Government is bringing together key players to present more information about its plans. I urge the

Government to recognise the potential this contract has to build on the Hunter region's manufacturing expertise and to take it to the next level while also delivering jobs and investment opportunities that will benefit the State economy.

TREETOP ADVENTURE PARK

Mr CHRIS HOLSTEIN (Gosford) [12.42 p.m.]: On Sunday 11 May I represented the Minister for the Environment, Minister for Heritage, and Minister for the Central Coast at the TreeTop Adventure Park in Ourimbah State Forest to launch the TreeHut, a unique treetop adventure and the first of its kind for the Central Coast. It offers an array of courses, thrilling flying foxes, climbing nets, Tarzan lianas, monkey bridges, suspended rafts, trapezes, twisted ladders and much more. The TreeTop Adventure Park was the first dedicated treetop-style commercial operation established in New South Wales on State forest land. Ecoline, which is the company that brought the TreeTop Adventure Park to Ourimbah State Forest, is working in partnership with the Forestry Corporation of NSW and followed strict environmental guidelines for the construction of the TreeHut.

Ecoline is a multi-award winning enterprise that has won seven awards since 2010 and three Australian business awards for enterprise in 2010-11 and 2012. In 2011 it was the winner of the Telstra Business Award for small business and social responsibility. In 2013 it won gold in the New South Wales Tourism Awards, silver in the Australian Tourism Awards, and the Australian Business Award for innovation. The TreeHut has a "wow" concept and welcomes corporate groups during the week and young children for birthday parties on the weekend. It is a simple eco-friendly structure that is perched among the branches of living trees, which offers visitors the rare opportunity to experience this amazing location from the treetops. The TreeHut is suspended between three spotted gums.

The staircase was built from two trees from the area, which were kindly donated by the Forestry Corporation of NSW. The balustrade is architecturally designed as a wave to illustrate the flow of the breeze through the trees and is built from three local species of eucalypt—blackbutt, silvertop stringybark and blue-leaved stringybark. Socially the adventure park has increased visitation to the State forest and community involvement in activities and outdoor pursuits. It also contributes to the goals of the State Plan regarding health, local environment and communities. Environmentally, under the Forestry Corporation's guidance, the TreeTop Adventure Park has improved the site in terms of weed control, re-vegetation and site protection.

On-site signage informs visitors of interesting environmental management aspects, such as the tree species and local fauna and flora, as well as promoting sustainable timber harvest practices. Since 2008 the TreeTop Adventure Park has grown and now employs more than 80 staff at numerous sites across New South Wales. The parks attract more than 30,000 visitors a year, which encourages visitor spending in the local region on food, fuel, and overnight stays. Surveys conducted by the Forestry Corporation indicate this economic impact. Ourimbah State Forest, which is in the Watagan Mountains, attracts approximately 600,000 visitors annually, which results in \$36 million of annual spend in the Lower Hunter and Central Coast regions.

Return visitation to the area is strong at 74 per cent and overall visitor satisfaction is high. I was very impressed and this unique eco-friendly project deserves all the accolades it receives and more. It provides a great facility to the Central Coast area for locals and visitors alike. I congratulate Sandrine and Frédéric Gatmard on their efforts. I also congratulate the Forestry Corporation of NSW, in particular, Louise Faulkner, Manager for Tourism and Recreation. The staff at the Forestry Corporation of NSW have thought outside the box to provide an environmentally friendly experience for our community, which has been a great success. I wish them all the best in the future.

TRIBUTE TO PATRICK BYRNE

Mr BRUCE NOTLEY-SMITH (Coogee) [12.47 p.m.]: I inform the House of the passing last week of Patrick Byrne, who was a longtime Coogee resident and previous president of the Coogee Dolphins Rugby League Football Club. Patrick was well known in my community for his leadership of the Coogee Dolphins, but was better known in the wider community for his courageous actions during the 2002 Bali terrorist attacks that killed 88 Australians. Patrick and other members of the Coogee Dolphins had been on holiday in Bali and were having a few drinks at the Sari Club. Patrick had left the club a few minutes before the explosion occurred and his teammates and friends were still inside. After the explosion, instead of running further away from the site to secure his own safety, he selflessly decided to go into the inferno in search of his friends. Tragically, six of Patrick's teammates were killed. Understandably, this weighed heavily on Patrick, who spent hours searching for his friends following the blast.

He returned home to Australia and Coogee shattered but not defeated. In 2008, Patrick was deservedly honoured by the Governor-General with an award for bravery in recognition of his heroic actions that night. The hardship experienced as a result of the terrorist attacks did not stop Patrick from playing an active role in the community. He worked with charities to raise money for the victims of the attacks and their families. He also stayed in contact with the families of his deceased teammates. He subsequently continued his association with the Coogee Dolphins as the president of the club. In that role, he became the inaugural premierships president. Many people who knew Patrick speak of him as being a most genuine and kind person and I would agree. A few years ago when Patrick spoke about the terrorist attacks and the Coogee Dolphins Rugby League Football Club, he said:

It's our club's goal to raise people in our community via the Australian way of life that amplifies tolerance and understanding.

In words directed to the perpetrators of the bombings, he said:

I want them to know that, despite their efforts to cause pain and destroy our way of life, our club and community have only become bigger and stronger.

True to his words, the Coogee Dolphins continued to grow as a club. Before the bombings there were only 30 members; it subsequently grew to more than 300 members, comprising 12 football teams and four girls netball teams. Patrick's actions on the night of the bombings and his commitment to his community back home in the days, months and years after the tragedy exemplify the Australian way of life that he loved. Patrick's actions personified the very best of our people: loyalty to our mates, and we move on after hardship with determination to build a better future and a better society. And that is exactly what Patrick did. The pain and heartache from the Bali bombings is still deeply felt in Australia, particularly in my electorate of Coogee where many of the 88 deceased Australians were from.

Fittingly, the official Bali bombing memorial is located in Coogee at Dolphins Point, named in honour of the Dolphins Club, overlooking the ocean. The memorial consists of three linked figures signifying family, friends and community. The figures are bowed to represent that they are comforting, supporting and protecting each other amid sorrow and remembrance. Members of the Coogee Dolphins will miss Patrick greatly, and I know they will continue his tradition of community leadership. I join them in remembering Patrick and honouring his life and his wonderful contribution to Coogee. Sadly, Patrick leaves behind two sons. My thoughts go out to them, his entire family and the entire Coogee Dolphins family. Although he will be missed by many, his impact on so many people's lives and on my local community will continue to be felt for many years to come. May he now rest in peace—a peace he was robbed of 12 years ago.

WESTERN NEW SOUTH WALES LOCAL GOVERNMENT

Mr JOHN WILLIAMS (Murray-Darling) [12.51 p.m.]: I take this opportunity to highlight some of the issues faced by councils in far western New South Wales and in particular Central Darling Shire Council, a council in my electorate that has recently gone into administration. The cause of this administration was obviously a lack of finance. Looking at the organisation, I find it difficult to see ways of reducing costs and getting its expenses to match revenues. The biggest problem with councils in western New South Wales is purely a lack of revenue. They do not have a big enough rates base to support basic council services. Recently a budget was produced for the next year for Central Darling Shire Council as it is currently in administration. In that document the administrator highlighted some areas where savings could be made.

Among those savings is the closure of the swimming pools at Wilcannia, Ivanhoe, Menindee and White Cliffs. Given that these pools operate in areas where the temperatures often exceed 43 degrees in summer, it is a big ask for those communities to forgo their swimming pools. A couple of solutions have been discussed. One obvious solution is to look at whether some of the metropolitan councils would consider shearing off some of the financial assistance grants funding they receive and re-allocating it to the challenged shires in western New South Wales. Recently I had another thought; I looked at the City of Sydney Council and the way it raises revenue, for example, the parking meters that are prevalent in the city and the revenue provided by parking in the city. Parking meters probably do not work anywhere west of the Blue Mountains and there are not many opportunities for councils to use them to raise revenue.

The city of Sydney was created primarily by the State Government. It was not created by the City of Sydney Council. Most of the infrastructure in Sydney has been created by the State Government. The people who park in the city are visiting State Government organisations or participating in something that is provided by the State Government in most cases. The State Government should consider the possibility of taking a

portion of that revenue and sharing it with councils that do not have the ability to install parking meters and collect that revenue. It is time we looked at some of the richer councils. Let us not kid ourselves: the City of Sydney Council is sitting on reserves of nearly \$1 billion.

Mr Chris Patterson: How much?

Mr JOHN WILLIAMS: Nearly \$1 billion. That is a clear indication that the council cannot spend the revenue that is coming in. It would be an absolute luxury for any shire council to have anywhere near \$1 billion in reserves. Indeed, the amount that the City of Sydney Council holds in reserves puts it in a better financial position than the State Government. It is about socialising some of that revenue across the State, providing revenue to those shires. We all work for local government; local government throughout the State is one organisation. So shearing off some revenue to shires that cannot get such opportunities is a pretty good move. I will certainly be taking this discussion further; I intend to speak to the Minister for Local Government about the potential to take some of the revenue from a council that is forever enriching itself, sitting there in rivers of gold, and diverting that back into the State.

CAMDEN COMMUNITY SERVICE AWARDS

Mr CHRIS PATTERSON (Camden) [12.56 p.m.]: Today I pay tribute to two special people in my electorate who were awarded community service awards in 2014. June Holdsworth's contribution to the Camden community is inspiring. June has been a member of the Camden Lioness Club for the past 33 years. At the age of 83, June shows no sign of slowing down. Each Monday June volunteers at the Carrington Nursing Home. During the week June cooks the lunches at the Camden District Activity Centre, which include her very famous scones. The activity centre provides day care for people who may be isolated, aged or frail, or have disabilities.

The Camden District Activity Centre first opened its doors in 1982, at a time when there was little or no service for the frail aged living in their own homes, especially in our surrounding rural areas. The centre first operated from an old scout hall in Camden before finally moving into a purpose-built building at the rear of Camden Hospital. With a small dedicated staff and more than 30 devoted volunteers, the organisation has flourished. June also delivers Meals on Wheels and serves on the Camden Tidy Town Committee. When June finds time she also knits clothes for premature babies. June is a stalwart of the Camden community, always helping out wherever she can; she is never too busy to help.

Neidra Hill was responsible for the establishment of Macarthur Softball in 1975 on a small park in Elderslie, with the support of the founding club, Wanderers Softball Club. By 1992 the club had grown to a point where it needed to find a larger ground. Camden Council allocated land at Cowpasture Reserve in Camden and in 1993 the club relocated to the site. Initially the members erected nets, carried benches and put up shades each Saturday, with a caravan of courage providing the barbeque and canteen provisions. As the years have passed permanent structures have been developed with the receipt of much-appreciated grants. Neidra has planted by hand the beautiful trees on the site. She has watered and cared for the amazing avenues of trees on the driveway through our park, which provide much needed shade for the competitors and spectators.

The club has grown to be one of the most respected softball clubs in New South Wales. Neidra, as president of the club, is assisted by secretary Lindsay Pudner; first vice president, representatives, Geoff Lowe; second vice president, match and fixtures, Tim Darby; registrar Lesley Darby; representative secretary Kath Schofield; umpire in charge Phil Wardley; director of coaching Ian Gilmore; director of scoring Kath Schofield; grounds convenor Geoff Lowe; and greater west region delegates Jason Plain and Scott Ladner. Macarthur Softball received \$50,000 from the 2012 New South Wales Community Building Partnership to construct four lighting towers on the international diamond to bring the field up to the Softball NSW standards. Training can now be conducted at night, which allows the site to be utilised more efficiently. I also commend the Camden Council and Macarthur Softball Club for matching that \$50,000 grant. Well done to all involved.

Neidra was also involved in the establishment of the Macarthur Hockey Club, and she is still involved with the club. Neidra has been a strong advocate for both sporting groups and her continual involvement is integral to the continued success of those clubs. She also does bible study in our local schools and helps out with the youth club at St John's Church, Camden. This week celebrates National Volunteer Week and these two wonderful women are a great example of what volunteering is all about. Volunteering is one of the most satisfying things we can do for our community. Many of our community organisations would not exist without the wonderful work done by our volunteers—whether on the weekend at sport or through service by clubs such as Lions, Rotary, Lioness, Quota, Probus and the Country Womens' Association to name a few.

June and Neidra have shown that giving a little of your time each week can make a great difference to the local community. It gave me much pleasure to present awards to these ladies. They have given so much for so many years to others without thinking of stopping. On behalf of the community I publicly thank June and Neidra for their dedication and commitment to so many who benefit from their hard work each week. I am sure June and Neidra would agree with me that the Macarthur community is blessed with so many volunteers who selflessly give of their time to make our community the wonderful place it is.

OATLEY AND NARWEE RAILWAY STATIONS

Mr MARK COURE (Oatley) [1.01 p.m.]: As part of the New South Wales Government's \$770 million Transport Access Program, an initiative to deliver modern, safe and accessible transport infrastructure where it is most needed, Oatley railway station will soon be upgraded. The plans for the upgrade have been announced and funding was allocated in last year's budget. The upgrade will include lift access, a new pedestrian footbridge, a new station forecourt with landscaping to suit its current features, and a desperately needed extension of the existing commuter car park. The new pedestrian footbridge will link the new station forecourt to the existing station platform and commuters will be able to access the station through a reconfiguration of taxi and bus stop locations. Commuters will have the added convenience of a drop-off zone near the station—perhaps on Mulga Road. Bus shelters on Oatley Parade and Mulga Road will be upgraded, along with lighting and closed-circuit television cameras throughout the area to improve safety.

This is a fantastic achievement for those in my electorate who use Oatley railway station. The number of train services at this station has greatly increased and these lifts, which commuters have been eagerly awaiting for some decades, will make the station significantly more accessible. This much-awaited upgrade will make Oatley railway station a better transport option for local residents and I am pleased to be able to deliver on this election commitment. In the lead-up to the last election I also promised to fight for an upgrade to Narwee railway station to make it more accessible for the elderly, disabled and for parents with prams and strollers. Under the former Labor Government's \$774 million Kingsgrove to Revesby track doubling project Padstow, Revesby, Riverwood railway stations were refurbished to include lifts for the elderly, disabled and parents with prams and strollers but, sadly, Narwee railway station was forgotten.

This Government is not forgetting Narwee railway station. Last year I sent a letter and a petition to the residents of Beverley Hills and Narwee as part of my campaign for this upgrade. I will be presenting my colleague the Minister for Transport with a copy of the petition, which has been signed by local residents. I am hopeful that within the next 12 months the Government will give a commitment to upgrade Narwee railway station. We are in the process of upgrading Oatley station; hopefully, Narwee will be next and its upgrade will include a lift to help the elderly, disabled and parents with prams and strollers.

HUNTER DEFENCE CONFERENCE 2014

Mr TIM OWEN (Newcastle) [1.05 p.m.]: Newcastle and the Hunter have long been known as a major engine room of the New South Wales economy thanks largely to coalmining. However, it is not widely known that for decades the Hunter has been at the forefront of the Australian defence industry and it is now rapidly expanding its influence and capabilities. Last week the Hunter's strategic military importance was reinforced at the 2014 Hunter Defence Conference, which was attended by more than 250 Australian and international guests over two days. This conference, which was held in conjunction with the Hunter Innovation Forum, was an excellent opportunity for the defence industry and small and medium enterprises to hear how the Joint Strike Fighter in particular would impact on the Hunter region. A number of issues relating to shipbuilding for the Department of Defence were also covered at the conference.

I take this opportunity to congratulate Regional Development Australia Hunter, HunterNet, NSW Trade and Investment in the Hunter, Hunter Business Chamber and, in particular, Ian Dick who did a fantastic job organising this wonderful event. Despite what those opposite say, there is great engagement at State Government, company and manufacturing levels as well as advocacy in the Hunter region. Indeed, a very exciting future lies ahead. The conference involved carefully selected input from the public and private sector, government, universities and professional organisations to provide attendees with current information to help them break into or sustain their business in the local defence sector. Last month the Australian Government announced that it would purchase 58 new F-35 fighter jets, the majority of which will be housed at Williamtown in three squadrons, so the issues discussed at the conference were very important.

The main focus was on what the private sector and local businesses could do to prepare for the arrival of the F-35 fighter jets and the likely effect of the new capability on our region. Seven key international

representatives attended the conference, including four representatives from Lockheed Martin, one of the world's largest defence contractors and the company that in 2001 won the contract from the United States Government to build the F-35 fighter jets. This highlights the importance of the event. The key theme of the conference was that real opportunity exists for through-life support of this aircraft for decades to come. Indeed, we have an opportunity to bring billions of dollars to the Hunter region if we get our ducks in line and correctly approach the through-life support of this aircraft.

A number of key announcements regarding the F-35 fighter jets were made at the conference, including the \$1 billion upgrade to the Royal Australian Air Force [RAAF] Williamtown base to prepare for the arrival of the aircraft, which will pump billions of dollars into the local economy in the short term. The large renovation of the base will present an amazing opportunity for Hunter businesses to win long-term contracts, with the RAAF also confirming that increasing amounts of maintenance work and training will be done by private contractors in the years ahead. The \$1 billion work on infrastructure at Williamtown is expected to commence next year and continue until 2021. This work will include training facilities, maintenance facilities, facilities for the provision of through-life support for the aircraft, explosive ordnance preparation facilities, parking apron and aircraft shelters, runway works and replacement of some minor displaced facilities.

I was the keynote speaker at the conference. I outlined the exciting opportunities that exist now for those dynamic and cutting-edge businesses operating in my electorate and to the broader Hunter region. I also discussed how monumentally significant it is for our region to be the home of the state-of-the-art fifth generation aircraft that has been described by our military chiefs as the crown jewels of US military technology. Having served in the Royal Australian Air Force, I can assure members that this aircraft is the key international battle winner for the future.

The far-reaching benefits to the Hunter business community were also discussed. The benefits of having the F-35 based in our backyard cannot be overstated. It will present opportunities for us to provide long-term regional Asia-Pacific maintenance not only for the organic aircraft that the Australian Defence Force will buy but also for the aircraft that will likely be bought by Singapore, Japan, Korea and United States forces that will transit through the Asia-Pacific region. I expect that we will be one of three worldwide hubs for support of that aircraft around the world; the other two being Europe and the United States of America. Overall, this represents a fantastic opportunity for the Australian Defence Force if we get it right, and for the Hunter business community.

BORDER MUSIC CAMP

Mr GREG APLIN (Albury) [1.10 p.m.]: Albury is one of those rare social creatures—a chameleon city. When you are looking for country charm and a haven from the pollution and wasted energy of life in a capital city, Albury delivers. And just when you think it is only a large country town you find Albury takes on the character of true city life. From cafes and fine dining to universities and major cultural events, Albury is one of those places where you can enjoy it all. But Albury is more than this. It is also where people travel to see a number of real treasures of Australian life. The Flying Fruit Fly Circus is one of these treasures and Border Music Camp is another.

Each year more than 200 students gather in Albury along with up to 45 music tutors, six conductors and 20 volunteers from the committee which runs the camp for a week in the mid-year school holidays. Students and staff travel to Border Music Camp from cities and towns right across the south-east of the nation, stretching from Adelaide to Canberra, Sydney and Melbourne, and everything in between. Most of the participants have their homes in regional Australia. Typically they make the trip based on word-of-mouth reports about a sensational, ambitious and yet fun week of music-making. The camp grades students into one of six ensembles for strings and for woodwind and brass, under names like Pringle, Hardie, Cran, Newman and Alexander, culminating in the Davis symphony orchestra. The event runs under the directorship of Alastair McKean who, as librarian to the Melbourne Symphony Orchestra, can look back on his own teenage years sitting as a student at the same camp.

Border Music Camp was established in 1974 under the auspices of the National Music Camp Association—now Australian Youth Orchestra. The aim has always been to defeat the tyranny of distance faced by those living in regional Australia. The camp sets out to give music students the kind of experience usually found only in capital cities. For those musicians, particularly the young ones, who may be one of a small handful of musicians in their school, the camp presents an opportunity to work in large ensembles with highly skilled conductors. Cate Davis, a former director, writing in 1986, got the balance right when she said:

At Border Music Camp we provide the skilled conductors and tutors, the physical space, equipment and sustenance and the musical scores but ultimately it is the enthusiasm of the students that makes the real music come alive.

Feedback has always been sought from students at the end of camp. They write things like:

I have been able to extend myself and learn heaps about playing in groups we don't have at home.

Pieces are hard but really cool ... I've learnt lots of things I didn't know violins could do.

Border Music Camp is the best week of my year. Thank you all for a great time (again). Now, I will have to start counting down again till next year!

But most students simply return to their regional or city homes, having enjoyed a great week in Albury and fired-up to make great music with their school and community ensembles. One might think music camps are being run all over the place. Sadly, this is not the case. Education authorities are hard pressed to keep their camp programs going. A week-long camp involves significant expense and an ever-increasing administrative burden for local community groups run by volunteers. For 40 years now Border Music Camp has met these challenges with one group of volunteers passing the musical baton to another. Surprisingly the camp is almost entirely funded privately, through fees and some small sponsorship.

Alumni students and tutors have gone on to professional music careers, as school music teachers, as conductors or performing with the Melbourne and Sydney symphony orchestras and Melbourne Chamber Orchestra, to marketing for major music businesses and administration of regional conservatoriums. In 2005 the camp was awarded the Australian Music Centre APRA Award for outstanding contribution to Australian music in a regional area for its composer-in-residence program. The ripples of this border event reach across the world. Recently the Barbican Centre in London sought advice from Border Music Camp about suitable music for a mixed ability orchestra. Help was provided and, as a result, *Finlandia* will be performed by an underprivileged youth orchestra in the United Kingdom under the baton of Sir Simon Rattle, chief conductor of the Berlin Philharmonic Orchestra.

If this is the first you have heard about Border Music Camp or you have fond memories and would like to see what the camp is up to now, I would encourage you to watch the short movie linked to the music camp website. The movie was made by children as part of an elective course at last year's camp. The 2014 camp starts on Sunday 29 June, and finishes with the final concert on Saturday 5 July. This year percussion students will get to enjoy a new \$8,000 Yamaha professional vibraphone, acquired with a substantial grant from the Ruth Whyte bequest. I congratulate Border Music Camp on its work over the past 40 years and I wish all the students a wonderful time at their concerts and celebrations this July.

UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Mr TONY ISSA (Granville) [1.15 p.m.]: I acknowledge the hard work, commitment and humanity in providing life-saving assistance to some of the most vulnerable people in the world by the United Nations High Commissioner for Refugees [UNHCR] Australia. I was honoured to attend the launch of the appeal for the children of Syria which was recently held in my electorate of Granville. This event was attended by my colleagues the Hon. Barbara Perry, MP, Federal MP David Coleman and the Minister for Ageing and Disability, the Hon. John Ajaka, MLC. It was pleasing to be in attendance at this special and important event with various religious and community leaders and a strong representation from the media.

It is humbling that UNHCR Australia became one of UNHCR's top 20 donors in 2013—this effort puts us ahead of most governments, international organisations and foundations and it is a proud achievement. The impact of Australia's generosity has been felt all over the world and has been an important reminder that individual Australians really do care about the plight of refugees and are willing to do something about it. This organisation has contributed \$3.4 million in emergency relief for Syria's more than 2.7 million displaced people. More than 80 per cent of those people are women and children, many with complex protection needs. Within Syria, some 9.3 million people are in need of assistance. Millions of people are relying on UNHCR and its partners for assistance and protection. UNHCR is working hard to help those in need to have access to basic services by feeding them and keeping them warm. They supply them with food, shelter, water, medicine and essential personal hygiene items, and access to education.

The UNHCR also coordinates refugee relief operations in other countries such as Uganda, Sudan, Kenya, Ethiopia, Syria, Lebanon, Jordan and many more. Thousands of people in these areas depend on UNHCR for their survival in volatile regions where the roads are bad and the water quality is poor. Today in Lebanon there are more than 1.5 million refugees from Syria, and the same in Jordan and other surrounding countries. The casualty total is high, leaving many orphans and widows, the most vulnerable in any society.

Lebanon has suffered one of its coldest winters on record and teams worked tirelessly to provide refugees with new leak-proof plastic sheeting, warm clothing and blankets, low-energy heaters and fuel vouchers, thus giving hope to so many.

Teams in Lebanon were able to reach 120,000 people considered most at risk in the freezing weather conditions and trying to survive in makeshift camps, unfinished buildings, warehouses, garages and basements. UNHCR and its partners have also worked tirelessly in Jordan to help its 130,000 resident refugees prepare for the approaching winter. I thank Minister Ajaka, MLC, and the Hon. Barbara Perry for their support at this important event. Finally, I acknowledge and thank all the staff and volunteers of UNHCR, in particular, the staff who are on the frontline when an emergency occurs. These people are vital to organisations like UNHCR because without their invaluable contribution hundreds of thousands of women and children would be left with nowhere to go.

FRESH TRACKS FOUNDATION

Mr JONATHAN O'DEA (Davidson) [1.20 p.m.]: I recently attended the opening of the Fresh Tracks Foundation North Shore Community Hub at the Honda Australia Roadcraft Training (HART) centre at St Ives. Fresh Tracks Foundation is a registered charity that works closely with the Royal Rehabilitation Centre Sydney and helps young people with acquired brain injury. These young people often have no insurance and, once they leave the rehabilitation hospital, risk receiving little ongoing care. Fresh Tracks Foundation is an inspiring organisation using the enthusiasm of young brain injury patients for sport to help them in their gruelling road to recovery. By supporting their physical hopes and goals, patients are able to reclaim purpose and ambition.

Fresh Tracks Foundation delivers a number of auxiliary services for these young patients. They provide one-off funding for specific orthotics as well as an online facility to enable family and friends to make donations to specific people. Fresh Tracks Foundation Return2Sport scholarships are offered to individuals who want to return to playing sport. Exercise therapists at the Royal Rehabilitation Centre Sydney tailor an individual exercise recovery plan which is monitored every three months. Fresh Tracks Foundation has two community hubs: one at Sorrento Care in Freshwater and the recently opened hub at St Ives. These community hubs bring young people together to achieve their goals collectively and create an atmosphere of fun and joint aspiration.

Acquired brain injury can happen to any of us, to members of our families or to our friends. It does not discriminate and can be the result of an accident or medical episode, often occurring at a young age. Young people who acquire brain injuries are particularly affected. Not only do they have their whole life ahead of them but they often become dependent on ageing parents. Their injury can isolate them at a time in their life when social interaction is desired, and it usually prohibits them from re-entering the workforce or study programs. As we know, brain injuries are particularly difficult to understand due to the range of disabilities they can trigger. This makes future outcomes difficult to predict and often creates an uncertain future for patients.

All young people need hope, friends, fun and a future. Programs such as the Fresh Tracks Foundation North Shore Community Hub enable young people with brain injuries to meet similar young people and participate in fun outdoor activities that help with their rehabilitation. It is a proactive, inspiring program that supports young people with brain injuries to independently achieve some of the physical goals they set for themselves. The hubs bring together business, health, council and community support. They show a strong commitment to these young people.

There is a clear need for this type of facility within not only my local community but indeed the broader community. Unfortunately accidents or misfortunes often befall young people in their twenties. Sam Carson, who is 27 years old and comes from Narrabeen; Sam Ballard; Kevin Luu, who is 21 years old and comes from Lindfield; and Liam Knight, who is 18 years old and comes from Frenchs Forest have all acquired brain injuries in the past few years, to name just a few. They continue to progress in their recovery, and the hubs allow them to actively pursue their rehabilitation goals by providing easy access to equipment like recumbent trikes.

Fresh Tracks Foundation is about providing ongoing rehabilitation and hope, just like the National Disability Insurance Scheme [NDIS]. The NDIS should help to provide long-term care and support beyond patients' school years and the passing of their carers. I strongly support such schemes to provide assistance to people living with a disability. Their hopes and dreams are the same as ours—although their ability to achieve them is obviously diminished. In conclusion, we want young people with brain injuries to become more

independent, more optimistic and more supported as they transition to adulthood. They need to know they are important, contributing members of society who deserve to experience challenges and rewards just like the rest of us.

Private members' statements concluded.

[Acting-Speaker (Mr Adam Marshall) left the chair at 1.26 p.m. The House resumed at 2.15 p.m.]

LEGISLATIVE ASSEMBLY ELECTED MEMBERS ANNIVERSARIES

The SPEAKER: I make special mention of the Attorney General, and member for Wakehurst as well as the Minister for Health, Minister for Medical Research, and member for North Shore who recently respectively celebrated their twenty-third and twentieth anniversary of their election to the New South Wales Legislative Assembly. I congratulate both Ministers.

VISITORS

The SPEAKER: I welcome to the gallery Noeline Barrell from the Wakehurst Electorate Office, who is here with her family and is acknowledged today for 23 years of service to the Parliament in the Wakehurst Electorate Office. I also welcome to the gallery 60 year 6 students and their teachers from St Aloysius College Junior Campus at Milsons Point, guests of the Minister for Health, Minister for Medical Research and member for North Shore. I also welcome Ms Tracey McEvoy, guest of the member for Heathcote.

ASSENT TO BILL

Assent to the following bill reported:

Parents and Citizens Associations Incorporation Amendment Bill 2014

ADMINISTRATION OF THE GOVERNMENT OF THE STATE

The SPEAKER: I report the receipt of the following message from Her Excellency the Governor:

MARIE BASHIR
Governor

Office of the Governor
Sydney, 17 May 2014

Professor Marie Bashir, Governor of New South Wales, has the honour to inform the Legislative Assembly that she has re-assumed the administration of the Government of the State.

ASSENT TO BILLS

Assent to the following bills reported:

Crimes Amendment (Provocation) Bill 2014
Courts and Other Legislation Amendment Bill 2014
Crimes Amendment (Female Genital Mutilation) Bill 2014
Legal Profession Uniform Law Application Bill 2014
Travel Agents Repeal Bill 2013
Crimes (Sentencing Procedure) Amendment (Family Member Victim Impact Statement) Bill 2014
State Revenue Legislation Amendment Bill 2014

NATIONAL RECONCILIATION WEEK

Ministerial Statement

Mr VICTOR DOMINELLO (Ryde—Minister for Citizenship and Communities, Minister for Aboriginal Affairs, Minister for Veterans Affairs, and Assistant Minister for Education) [2.18 p.m.]: National Reconciliation Week, which started in 1993, provides an opportunity for all Australians to contribute towards reconciliation between Aboriginal and Torres Strait Islanders and the broader community. Reconciliation Week is framed by two significant milestones: the anniversaries of the successful 1967 referendum and the Mabo decision in 1992. To truly understand why we have Reconciliation Week we need to understand the facts that frame our past. In that way we can set our goals to frame our future. For example, 100 years ago members of

this Chamber were debating the Aborigines Protection Amendment Bill 1915, which was an Act that for all intents and purposes gave the NSW Aborigines Protection Board the power to remove children from their families, communities and culture solely on the basis of race.

Aboriginal children were placed in homes such as Cootamundra Girls Home and Kinchela Boys Home in circumstances in which many were discouraged from, if not punished for, attempting to hold on to their culture, for example, by speaking in language. One hundred years ago it would have been inconceivable to think that a member of this Chamber would stand up and champion the value of Aboriginal language and culture, but that is exactly what has happened. Two months ago the member for Dubbo, Troy Grant, addressed this House in traditional Aboriginal language for the first time in the Parliament's 190-year history. Aboriginal culture is something that binds all Australians together. The theme for this year's Reconciliation Week is "Walk the Talk". It is about all Australians putting their words into action. With the support of both major parties, in 2008 the New South Wales Parliament was the first Australian Parliament to apologise to members of the Stolen Generation and has amended the New South Wales Constitution to recognise Aboriginal people as the first peoples of our State.

Another example of walking the talk is the practical reconciliation that was realised in April last year. The New South Wales Government launched OCHRE, which stands for Opportunity, Choice, Healing, Responsibility and Empowerment, and is a plan for Aboriginal affairs in New South Wales. OCHRE supports reconciliation through Aboriginal Language and Culture nests, Local Decision Making and funding to support the first healing forum to be held in July this year. Members of Parliament who support practical reconciliation in their communities include the member for Lismore, Thomas George, and the member for Dubbo, Troy Grant, who have championed local Aboriginal Language and Culture nests; the member for Campbelltown, Bryan Doyle, and the member for Tamworth, Kevin Anderson, who have championed local Opportunity Hubs; and the member for Kiama, Gareth Ward, who has championed Local Decision Making.

I am pleased to announce today that the New South Wales Government is committing \$10,000 to assist Kinchela Boys Home Aboriginal Corporation to commemorate the ninetieth anniversary of the opening of the home. The boys home, which is located near Kempsey, operated between 1924 and 1970 and was where New South Wales authorities incarcerated 500 Aboriginal children, many of whom were subjected to poor treatment and abuse. The funding is in addition to the \$28,000 in funding that has been given to the Kinchela Boys Home Aboriginal Corporation by the New South Wales Government to support the creation of a documentary film about the survivors of the Stolen Generation.

This week is a call to action for everyone in this Chamber and in the gallery or listening to this speech. Reconciliation Week is about you and us. Whether we are Australians of British descent, Chinese Australians, Indian Australians or from any other heritage we can all play a role and help change the narrative about Australia's First People to one of advantage and opportunity. This could involve inviting an Aboriginal Elder to speak about the history of Australia's First People at a school, university or local organisation. It could involve hosting a movie night and screening one of our many brilliant Aboriginal films including *The Sapphires*, *Bran Nue Dae* or *Rabbit-Proof Fence*. It is about starting a conversation and opening the lines of communication about what reconciliation truly means. As Reconciliation Australia said, "Whenever people come together and share conversations, reconciliation takes another step forward."

Ms LINDA BURNEY (Canterbury) [2.23 p.m.]: I thank the Minister for his words, his sentiments and his very real passion on this subject. In a spirit of reconciliation I say, "Ballumb Ambal Eoragu yindyamarra. Ngadu—yirra bang marang." These words, despite the Minister's claim that my friend Troy Grant spoke Wiradjuri in this Chamber for the first time just recently, were actually spoken by me, a Wiradjuri woman, 10 years ago in my inaugural speech. But I say that in the spirit of reconciliation. It was wonderful to hear Troy, the Minister for Hospitality, Gaming and Racing, and Minister for the Arts, and I know he went to great lengths to make sure that he got that right. As I said in my inaugural speech, the Eora are forged into Australian history as the first nation to experience the brunt of British colonisation, or invasion, depending on whether you were standing on the shore or on a ship in Botany Bay.

Reconciliation is very much about whether you are on a ship or on the shore. I think that all of us in this place know that we have one country that we share; and we need to walk and work together to find a better way to recognise and celebrate our history, both the shared history and the Indigenous foundation of this land. One of the things that I know every person in this Chamber appreciates, particularly in Reconciliation Week, is that we all, as Australians, no matter what our background, have a wonderful heritage that we all share; and that is that

we are the recipients of the first Australians' unique place in this country, and that is of course the oldest continuous surviving culture on planet Earth. It is imperative that we understand this and that we see that as part of who we all are.

However, we also have to accept and acknowledge that there are still very ugly parts of our culture that do not appreciate that wonderful, unique heritage. We see those things raise their head now and again—the ugly, disruptive side of Australian society; think of the Hanson years at the end of last century and the 2005 Cronulla riots. We need to work together to find better and more just ways of sharing opportunity in our nation, better ways to share our common wealth. It was a great honour that I was actually a member of the Executive Council of the National Council for Aboriginal Reconciliation from 1994 to 1997, and also chaired the New South Wales Reconciliation Council for a number of years. Patrick Dodson, the father of reconciliation, said:

If the Government's vision of justice is restricted to one that is relevant to itself, I despair for my country and regret the ignorance of the political leaders who do not appreciate what is required to achieve true Reconciliation for us as a nation.

That was said in 2001. I think we, as lawmakers, do appreciate that. One of the most divisive debates in the history of our country happened back then: all will remember the "10 Point Plan" or the native title legislation, which basically watered down the 1992 Mabo ruling. Let us hope that we never see that from a government again. For Indigenous Australians, the vision of reconciliation is about ensuring the past does not control the future. The vision for reconciliation is that the opportunity to go to and indeed finish school is equal. For Indigenous Australians, our vision of reconciliation is one in which Indigenous young people complete university degrees at the same rates as other young Australians; a nation in which our children will be born healthy and live longer, fuller lives, which my generation or my father's generation did not; and equality of outcomes in health and education.

We must not lose sight of the fact that that is what reconciliation is about. I have always said that the key tenets of reconciliation are these: truth, social justice and the rights of First Nations peoples. Australia must continue to strive towards these things. Reconciliation is a journey, not a destination. The health statistics regarding life expectancy—which I know the Minister and everyone else in this Chamber is very well aware of—are a national shame in a First World nation. But we must demonstrate to everyone, as we have done in this Chamber under the leadership of Paul Lynch in 2010, that the Constitution of New South Wales was changed by this Parliament in 2010 to recognise First Peoples.

The next big test for all of us, including those in this House, is whether or not we can change the national Constitution to recognise First Nations peoples in just a few years. I know everyone in this Chamber is up for that challenge. I finish by quoting words that have affected me and stayed with me for most of my professional life. They were spoken by Mick Dodson when he was Aboriginal and Torres Strait Islander Social Justice Commissioner. They are about social justice, because you cannot have reconciliation without social justice. I close on this statement:

Social justice is what faces you in the morning. It is awakening in a house with adequate water supply, cooking facilities and sanitation. It is the ability to nourish your children and send them to school where their education not only equips them for employment but reinforces their knowledge and understanding of their cultural inheritance. It is the prospect of genuine employment and good health: a life of choices and opportunity, free from discrimination.

I join the Minister in recognising, as everyone else does, that yesterday was National Sorry Day and today marks the beginning of National Reconciliation Week. Everyone in this Chamber, I know, is of one mind on that.

REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS

Mr MIKE BAIRD: I advise members that during the absence from the Chamber today of the Minister for Hospitality, Gaming and Racing, and Minister for the Arts, the Deputy Premier will answer questions relating to his portfolio.

BUSINESS OF THE HOUSE

Notices of Motions

Government Business Notices of Motions (for Bills) given.

QUESTION TIME

[Question time commenced at 2.33 p.m.]

TAFE NSW FEES

Mr JOHN ROBERTSON: My question is directed to the Premier and Minister for Western Sydney. Given youth unemployment has increased to 17 per cent in Western Sydney, how can the Premier justify TAFE fee increases that will see some students pay an additional \$3,000 for courses, putting vital qualifications out of the reach for many young people seeking skills and training?

Mr MIKE BAIRD: I thank the Leader of the Opposition for his question, which is half reasonable and half sensible. It is unusual for the Leader of the Opposition to actually ask a policy question. We are not used to that. Those opposite cannot talk about health, they cannot talk about transport, and they cannot talk about trade and investment—so it is a pleasant change. Youth unemployment is a concern across the State and the best way to start to address that is quite simple: bring more jobs into the economy. What members opposite do not understand is that that is how it is done. In relation to TAFE the Minister for Education has said that yes, there has been an increase in fees but it is below what we are seeing across the rest of the country; below the Independent Pricing and Regulatory Tribunal [IPART] recommended fees; and there is increased contestability, which brings additional choices and options. That is an important reform overseen by the Minister for Education.

We on this side of the House are proud of the creation of jobs in New South Wales because we remember what it was like when those opposite were in government—and it does not seem long ago, unfortunately. But those opposite were in government for 16 years and in the last 10 years of their time in office—we remember it—where was New South Wales in terms of jobs growth? New South Wales was not coming first, second, third or fourth. I am sorry to say to those in the gallery that New South Wales was coming last under the Labor Government.

Mr John Robertson: Point of order: My point of order relates to relevance under Standing Order 129. The question was not about jobs, because under this Government we have seen unemployment rise from 5 per cent to 5.5 per cent.

The SPEAKER: Order! The Leader of the Opposition will resume his seat. There is no point of order. The Premier remains relevant to the question he was asked.

Mr John Robertson: The question was about how the Government can justify increasing TAFE fees.

The SPEAKER: Order! The Premier is being relevant to the question. There is no point of order.

Mr MIKE BAIRD: Imagine being the Leader of the Opposition and trying to defend an attack that New South Wales has the highest jobs growth in the nation. That is what he is trying to do.

The SPEAKER: Order! Opposition members may not like the answer, but they should listen to it in silence.

Mr MIKE BAIRD: In relation to TAFE, the concessions remain in place and remain an important part of building the skill base. The Government is providing opportunities for people across the State and a big part of what we are seeing is significant infrastructure, which is providing a huge number of jobs. We are seeing a record amount of infrastructure.

Mr John Robertson: Point of order—

The SPEAKER: Order! I am not going to entertain multiple points of order on relevance. The Premier remains relevant to the question he was asked.

Mr John Robertson: It is clear how close the Premier is to Tony Abbott—neither of them can stand in the House and tell anyone the truth.

The SPEAKER: Order! There is no point of order. The Leader of the Opposition is being argumentative. The next time he behaves in such a fashion he will be called to order.

Mr MIKE BAIRD: The Leader of the Opposition has had 10 days to work on that particular response. We are proud of the work we are doing in relation to the creation of jobs. Can we do more? Of course we can—we have said that time and time again. But the way to create jobs is to provide incentives to businesses to grow. That is what the Government is doing. One must also put investment into the drivers of the economy. The State's infrastructure spend is at record levels, which means projects such as the WestConnex project, the NorthWest Rail Link, the South West Rail Link—

The SPEAKER: Order! The Leader of the Opposition will come to order.

Mr MIKE BAIRD: Thousands and thousands of jobs are coming into the economy and that is a very good thing, providing work opportunities for our youth and for families across the State. That is what the Government has done. More than 130,000 new jobs have been established since we were elected—we are leading the nation. "Leading the nation"—members opposite do not like to hear those words, but that is the fact.

The SPEAKER: Order! I call the Leader of the Opposition to order for the first time.

Mr MIKE BAIRD: We know the Leader of the Opposition is working actively against western Sydney—he has opposed funding to build the WestConnex so he is against the WestConnex project. We know that those opposite said they were going to build the North West Rail Link, but they never did it. This Government is getting on with the job and doing what the people of Western Sydney have hoped for. It is fantastic that this Government is delivering for Western Sydney. Building that infrastructure and having housing start to boil out of the ground provides jobs and opportunities across this State, and that is a very good thing for the people of New South Wales. This Government is very proud of that.

The SPEAKER: Order! The Leader of the Opposition will cease shouting and interjecting.

Ms Linda Burney: Point of order—

The SPEAKER: Order! If the point of order relates to relevance I will ask the member for Canterbury to resume her seat.

Ms Linda Burney: My point of order is relevance. The question was about Western Sydney and increased TAFE fees.

The SPEAKER: Order! The Premier has remained relevant to the question he was asked. It may not be the answer those opposite would like, but the Premier was being relevant.

POLITICAL DONATIONS REFORM

Mr GARETH WARD: My question is addressed to the Premier. How is the Government working to reform donations laws, and strengthen transparency and accountability?

Mr MIKE BAIRD: I thank the member for Kiama for his work in his electorate and for his interest in good governance in New South Wales. It is an important question and an important issue that I am happy to address today. I said from the outset in this role that I am determined to clean up politics in New South Wales. It is something that this Government is taking action on and something that it will continue to take action on. I have no doubt that all members of the House, including those opposite, agree on the measures that are required to restore trust in relation to politics in New South Wales.

Mr Richard Amery: Yes, a more reliable hard drive.

The SPEAKER: Order! The member for Mount Druitt will come to order. Does he know what a hard drive is?

Mr MIKE BAIRD: That is a good question: Does he know what a hard drive is?

Mr Richard Amery: Yes, ICAC told me.

The SPEAKER: Order! Members will come to order. The Premier has the call.

Mr MIKE BAIRD: This has been a public concern not only in the past few weeks but for many years. In my first speech to Parliament in 2007 I said that I was concerned about the impact of donations on policy in this place. With the election of the New South Wales Liberal-Nationals Government in 2011 we went about significant reform, one that this Government was very happy to bring forward. Today I am pleased to announce further bipartisan donation reform. I am determined to clean up politics, as I have said, and restore the public's trust in our institution by supporting improvements to increase political transparency and accountability in this State.

The SPEAKER: Order! The member for Canterbury will resume her seat. If she does not, she will be removed from the Chamber. The Premier has the call.

Mr MIKE BAIRD: I am delighted to announce the appointment of an expert panel that will report on the options for long-term reform. This reform is about the public's confidence in our democracy over the long term. We will introduce essential reform. The independent expert panel will be made up of high-calibre and widely respected individuals. I am delighted that taking on the role of panel chair is businesswoman and senior public servant Kerry Schott. I am pleased also to see that the former Labor Deputy Premier John Watkins has agreed to play a role, as has former Liberal shadow Attorney General Andrew Tink. I pass on my thanks to that group because the task will be difficult. They have all signed up with an interest in ensuring long-term confidence in the New South Wales political system. I thank them for taking on this job.

I have asked them to consider the best way to remove any corrosive influence of donations. Amongst the terms of reference, the panel will consider whether full public funding of State election campaigns is feasible and in the public interest and what measures are needed to ensure integrity of such a system. I understand there are concerns, but the panel will push and challenge those tasks in detail. If full public funding is not to be provided, what other models would be recommended? How much should parties spend? Are current penalties appropriate? Are any measures required to improve disclosure in the political donation system?

I am pleased that this process will be thorough to ensure that we put in place a system that is in the public interest and benefits this State. I am pleased also that the Leader of the Opposition agrees to act cooperatively and constructively with the expert panel—a positive development. This afternoon the Government will introduce legislation to address a gap in election funding regulation that arose following last year's High Court decision that overturned the New South Wales Government's ban on corporate donations. The proposed legislation ensures that disclosure requirements regarding corporate donations are restored and are the same as other donors. The amendments will apply retrospectively from the date of the High Court decision. Today is an important step in restoring public confidence in New South Wales. I look forward to the Opposition, the minor parties and anyone involved in the political process supporting this initiative. We are setting New South Wales up for the long term. We are providing a basis to return trust to the New South Wales political system.

The initiative announced today sets a course to achieve that outcome. It is something we are proud to deliver and we ask everyone across the State to participate in it. For too long the concerns have been around the influence and impact of donations on policy decisions. This will be a line in the sand. In the long term the only policies and decisions that government take will be in the interests of the people of New South Wales. That is what we stand for on this side of the House.

TAFE NSW FUNDING

Mr RYAN PARK: My question is directed to the Minister for Education. In 2009 the Minister said:

Studies show that every dollar spent on TAFE returns \$6.40 to the economy, so it makes perfect economic sense to invest in vocational training.

On his own measurement, why has the Minister cut TAFE funding by \$800 million, costing the economy more than \$5.1 billion?

The SPEAKER: Order! Opposition members will come to order.

Mr ADRIAN PICCOLI: The safest thing to do is to not rely on any purported facts the member for Keira puts to Parliament. He got it right once: his letter to Ken Boston started by saying, "Dear Ken, my name is Ryan Park." That is the first time.

Ms Carmel Tebbutt: Point of order—

The SPEAKER: Order! The Minister is only 30 seconds into his answer.

Ms Carmel Tebbutt: That is right, Madam Speaker, but my point of order is relevance. The question was an important one about TAFE. It is completely inappropriate that the Minister for Education refers to private correspondence that he obviously must have got from his department.

The SPEAKER: Order! I will listen further to the Minister. I understand the point of order, but 30 seconds is not sufficient time to provide an answer. I am aware of the point of order and I will listen further to ensure that the Minister remains relevant.

Mr ADRIAN PICCOLI: The point is simply this: ever since the Smart and Skilled fees were released the member for Keira and the Leader of the Opposition have got their facts wrong on every single occasion. The headline of a media release by the member for Keira on 16 May states, "Baird copies Abbott and removes cap on TAFE fees." The response is that there are no caps on TAFE fees; there are annual fees that do not reflect the cost of training. For 2015 the new Smart and Skilled fees actually introduce caps rather than remove them. All he needed to do was read the material that is so cleverly hidden on the internet. Claim number two in the same press release is, "The cap on the cost of an apprenticeship qualification"—I am giving him the benefit of this information before he asks me the next stupid question—

The SPEAKER: Order! The member for Keira will remain silent.

Mr ADRIAN PICCOLI: He got it wrong in the press release. I issued a press release correcting it and he is still getting it wrong. Labor claims there is no cap and then claims:

The cap on the cost of an apprenticeship qualification—for example, to become a plumber or electrician—is increasing from \$506 to \$2000, up by almost four times.

I heard the member say earlier that the increases were two, three or four times more, so he still has not got his facts right. This statement confuses caps with fees per year. Currently, one pays \$500 a year for an apprenticeship. If it takes three years, it costs \$1,500; if it takes four years, it costs \$4,000.

Ms Cherie Burton: You got that right!

Mr ADRIAN PICCOLI: It costs \$2,000.

The SPEAKER: Order! Members will come to order. The Minister will be heard in silence.

Mr ADRIAN PICCOLI: Better get my maths right. It is contagious.

The SPEAKER: Order! The member for Keira will come to order.

Mr ADRIAN PICCOLI: The fee for an entire apprenticeship is capped at \$2,000. If it takes four years or more, which often happens, it actually will be cheaper under our measures. Then Labor listed four or five qualifications and examples of fee increases and got every single one wrong. I point out also that fees increase every year, not just TAFE fees. Vocational Education and Training [VET] fees go up every year. He scoffs at that, appropriately because I just happen to have the list for the past 10 years.

Mr Ryan Park: Can you read it?

Mr ADRIAN PICCOLI: I sure can. In 2004 when Labor was in government inflation was running at 2.8 per cent and fees increased by 38.84 per cent.

The SPEAKER: Order! Members will come to order.

Mr ADRIAN PICCOLI: I know the member for Marrickville took a point of order earlier; I am not sure if she was the Minister in 2004 but, if not, I presume she sat around the Cabinet table when it ticked off a 38 per cent increase in TAFE fees. Those opposite suggest that TAFE or VET fees do not increase; of course they do. Those opposite have had their fair share of it as well. We have introduced a new system that will mean 46,000 more people can receive some kind of training in New South Wales. It is a well overdue and fantastic reform.

RESOURCES FOR REGIONS

Mr JOHN WILLIAMS: My question is directed to the Deputy Premier. How is the Government delivering infrastructure for more communities affected by mining?

Mr ANDREW STONER: I thank the member for Murray-Darling for a terrific question. The Liberal-Nationals Government values the contribution that has been made to our State's economy, to jobs and, of course, to the revenue made through royalties from the many mining communities throughout regional New South Wales. In the electorate of the member for Murray-Darling, the city of Broken Hill has for a considerable time contributed in exactly that way, through its rich mineral resources, to far western New South Wales, our State and, indeed, the national economy. That is why in 2011 this Government introduced the first Resources for Regions program, which recognises not only the contributions made by the hardworking mining families and their communities but also the stresses that are placed upon those communities as a result of mining activities on their school infrastructure, hospitals, roads, recreational facilities, housing, childcare services and so on.

Since this Government first introduced the record-breaking Resources for Regions program, the feedback has been extremely positive from the communities receiving additional funding support to help them with the cost of the stresses on their local infrastructure. I have told members of the House about the positive feedback that has been received from places such as Cobar, Muswellbrook and Singleton and the Mid-Western Regional Council.

Mr Nathan Rees: Get the whiteboard out.

Mr ANDREW STONER: Members opposite just hate hearing this. For 16 long years the Labor Party was happy to take huge royalty revenues from places such as the Hunter, the Illawarra and western New South Wales but it gave absolutely nothing to those communities in return. It was far worse than that.

The SPEAKER: Order! I call the member for Kogarah to order.

Mr ANDREW STONER: Not only was Labor not reinvesting in those communities, it was handing out mining licences to its mates and even its members. We all know what the Independent Commission Against Corruption [ICAC] found out about the Labor Party's approach to mining in New South Wales. It gets worse, and the members opposite are very agitated now.

The SPEAKER: Order! Opposition members will come to order. The member for Toongabbie will come to order.

Mr ANDREW STONER: The Leader of the Opposition wants to shut down coalmining in New South Wales, an industry that employs tens of thousands of hardworking people throughout New South Wales. That is enough about the Labor Party. I am sure members want to hear the positive plans of the Liberal-Nationals Government in relation to Resources for Regions. Since 2011, it has refined the economic assessment that determines a "mining-affected community". As a result of the latest economic assessment, which involves something called a multi-criteria analysis—

Mr Ryan Park: Big words.

The SPEAKER: Order! The member for Cessnock will come to order.

Mr ANDREW STONER: For the benefit of the member for Keira, I had better explain that in simple terms. It involves everything from a per capita assessment of royalties contributed to the number of truck movements, the number of people directly employed in the mining industry and so on to build a picture of the extent of the effects of mining activity in local government areas.

Mr Nathan Rees: You have been on your sentence maker already.

The SPEAKER: Order! I call the member for Toongabbie to order for the first time.

Mr ANDREW STONER: The member for Toongabbie is very sad. He was once Premier but he never took the opportunity to reward people from all of those mining areas who traditionally voted for the Labor Party.

They turned their back on Labor at the last election. That is your legacy, mate. This year's economic assessment, through this multi-criteria analysis, adds three new local government areas to the eight eligible local government areas from the last assessment.

Pursuant to standing order additional information provided.

The SPEAKER: Order! I call the member for Cessnock to order for the first time. I call the member for Wollongong to order for the first time.

Mr ANDREW STONER: I know the member for Murray-Darling has a special relationship with the member for Wollongong. Wollongong was included as an eligible local government area in the last round; in fact, it attracted funding from the last round of Resources for Regions. In this round, in addition to the eight local government areas, Broken Hill is being recognised for the magnificent contribution of the people of the far west, as are Cessnock and Maitland. I expect that the member for Cessnock would be glad but also wary about his leader's plans for the coalmining industry. The member for Maitland has lobbied hard on behalf of her community. That brings the total to 11 local government areas that are eligible for the 2014-15 Resources for Regions program.

In its first four years in office, this Government has met its commitment of contributing at least \$160 million of funding towards infrastructure for mining-affected communities. So far it has delivered \$130 million in infrastructure, such as \$9.5 million for the Ulan Road upgrade in Mudgee; \$3.5 million for the redevelopment of Black Bridge in Lithgow in the electorate of the member for Bathurst; \$4 million for the Upper Hunter Tertiary Education Centre; and \$12.3 million to support the Narrabri water supply augmentation project. Members on this side of the House are proud to support real funding of more than \$160 million to those hardworking families in regional New South Wales who, through the mining industry, have made an enormous contribution to our State.

HUNTER TAFE HIGHER SCHOOL CERTIFICATE COURSES

Ms SONIA HORNERY: My question is directed to the Minister for Education. Given that the Hunter and Central Coast year 12 retention rates are only 60 per cent, why has the Government cut the HSC syllabus from Hunter TAFE, thus denying students who fail to complete year 12 a precious second chance?

Mr ADRIAN PICCOLI: Foundation courses are available through TAFE NSW and through other providers such as the adult and community education sector which are in place to assist students who are in exactly that position. They may not necessarily be students who have left school. Indeed, they could be older people who left school prior to achieving a Higher School Certificate; they are able to access foundation courses through attending TAFE. I do not know precisely every course that is offered at every TAFE campus, but TAFE is given the opportunity to manage its own institutes and make those decisions.

Mr John Robertson: All care and no responsibility.

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

Mr ADRIAN PICCOLI: It plays in nicely to the Labor Party communist approach. It wants a training organisation such as TAFE to look like a communist era institution that tells students what courses to take instead of allowing students to determine what courses they want to take. We have moved a long way from the communist era approach in the 1960s or 1970s.

Ms Linda Burney: Point of order—

The SPEAKER: Order! I cannot imagine this will be about relevance.

Ms Linda Burney: It actually is, Madam Speaker.

The SPEAKER: Order! The Minister is being relevant to the question he was asked. The member will resume her seat. There is no point of view.

Mr ADRIAN PICCOLI: This is where Labor members keep getting their claims wrong. If we start with the facts we can have a debate about it.

The SPEAKER: Order! The Leader of the Opposition will come to order.

Mr ADRIAN PICCOLI: Even the previous question was about \$800 million cuts to the TAFE budget. Compared to 2011-12 the TAFE budget increased in 2013-14. I am not sure where members opposite get the \$800 million figure. By the look of it, they got it from the same bucket of lies they used for their other statistics. Perhaps he has moved on from Peppa Pig to Dr Seuss, but he has got the facts wrong. I am advised that since we have been in government vocational education and training [VET] funding has increased by 9 per cent. The choice we have with subsidising training across the VET sector, TAFE colleges and private providers is that we can 100 per cent subsidise every course in the VET budget—for example, a student can enrol in a course and it does not cost a student a cent—and we will train perhaps 30,000 people or we make a decision about what percentage of the course fee will be subsidised by the taxpayer. The Government sought advice from the Independent Pricing and Regulatory Tribunal about where the balance should land between what the student pays—

Mr John Robertson: Point of order: My point of order is Standing Order 129, relevance. The question was specifically why HSC courses have been cut from the Hunter TAFE system.

The SPEAKER: Order! There is no point of order. The Minister's response is relevant to the question he was asked. The Leader of the Opposition will resume his seat. The Minister has the call.

Mr ADRIAN PICCOLI: This Government believes in the power of organisations to make their own decisions, including TAFE colleges. They decide based on local demand. I would not suggest that the Hunter institute does the same as the Riverina institute because they represent different areas; they provide a different service to a different constituency. They get to make their own decisions, which is the way it should be.

The SPEAKER: Order! The member for Wollongong will come to order. The member for Murray-Darling will come to order.

Mr ADRIAN PICCOLI: As I said, three years ago the public of New South Wales threw out the political party that preferred the communist—Peter Phelps will be very happy with my saying this—command and control approach to running public administration. We believe in giving students choice. We believe in strong TAFE colleges and in giving private providers the opportunity to participate in the market. Every provider has to charge the same fee—

The SPEAKER: Order! The Leader of the Opposition will come to order. The member for Macquarie Fields will come to order.

Mr ADRIAN PICCOLI: —which means they have to compete on service delivery. We believe that is of benefit to the students. The reason we have a VET system is to deliver for students, and that is precisely what these reforms do.

FEDERAL BUDGET AND SENIORS CONCESSIONS

Mr CRAIG BAUMANN: I address my question to the Treasurer. How is the Government supporting seniors following the Federal budget cuts to concessions?

Mr ANDREW CONSTANCE: I thank the member for Port Stephens for his question. In doing so I recognise that an enormous number of pensioners and concession cardholders reside in his electorate who benefit from a raft of concessions that are applied to services provided by State and local government. Last week's Federal budget had major ramifications in health and education cuts.

The SPEAKER: Order! The member for Lakemba will come to order.

Mr ANDREW CONSTANCE: Significantly, last week the Federal Government also walked away from the national partnership, which has been in place for many years, to provide concessions to pensioners in a number of government services. Since 1993 the Commonwealth has been making a contribution to concessions in conjunction with State moneys. These include concessions in public transport fares, council rates, electricity, water and motor vehicle registration. Like the cuts made to the portfolios of Health and Education, the Federal Government did not negotiate or consult with the States in relation to this decision.

The SPEAKER: Order! The Leader of the Opposition will come to order.

Mr ANDREW CONSTANCE: That disappointing decision has serious consequences for thousands of seniors in this State who are challenged with meeting increased cost-of-living pressures. The Baird Government is concerned. We are working with seniors groups around New South Wales to take the fight to Canberra to have this cruel and callous cut in concessions reversed. Under the partnership agreement in 2014-15 there was to be an allocation of \$914 million for concessions in a number of areas, including public transport, \$176 million; council rates, \$78 million; water, \$155 million; energy, \$212 million; and motor vehicle registration, \$293 million. The decision taken by the Federal Government will result in a funding shortfall in 2014-15 of \$107 million, and across the forward estimates this figure is in the order of \$450 million.

Ms Noreen Hay: Scandalous.

Mr ANDREW CONSTANCE: The member for Wollongong could not be more correct. It is an absolutely scandalous decision by Canberra. The bottom line is that we will continue to call on Canberra to reverse this funding cut. We want the Federal Government to reverse this funding cut—

The SPEAKER: Order! The Leader of the Opposition will come to order.

Mr ANDREW CONSTANCE: —and make sure that the concessions are retained in their entirety under the national partnership for the benefit of seniors across this State.

The SPEAKER: Order! The member for Monaro will come to order.

Mr ANDREW CONSTANCE: On Sunday I joined Ian Day, Chief Executive Officer of the Council on the Ageing NSW, Kathryn Greiner, Chair of the Ministerial Advisory Committee on Ageing, and the Hon. John Ajaka, Minister for Ageing, to call for this reversal. Tomorrow, together with the Minister for Local Government, we will meet with the various seniors groups in New South Wales to discuss the implications of this cut.

The SPEAKER: Order! The member for Macquarie Fields will come to order.

Mr ANDREW CONSTANCE: We will continue to call on Joe Hockey and Tony Abbott to reverse this decision.

The SPEAKER: Order! The Leader of the Opposition will come to order.

Mr ANDREW CONSTANCE: Interestingly, one of the reasons why seniors in this State are under so much pressure is the incompetence of the former Labor Government over 16 years. The member for Blacktown oversaw a 60 per cent increase in electricity prices.

The SPEAKER: Order! The Leader of the Opposition will come to order. Government members will come to order. The member for Monaro will come to order.

Mr ANDREW CONSTANCE: In the last four-year price path of Sydney Water, under those opposite household bills went up \$861.

The SPEAKER: Order! I call the Leader of the Opposition to order for the third time. The member for Cessnock will come to order.

Mr ANDREW CONSTANCE: Under this Government electricity prices have fallen and Sydney Water bills are down \$61 over the four-year price path. It is absolute hypocrisy for those opposite to start lecturing us about cost-of-living pressures on the seniors in this State when they ran the cost of living through the roof and now sit silently as we fight Canberra—

The SPEAKER: Order! The member for Toongabbie will come to order.

Mr ANDREW CONSTANCE: —to return those concessions to seniors. It again typifies the member for Blacktown, who brings nothing to this Chamber or to the community; he continues to be the wrecker that he is.

TAFE NSW FEES

Mr CLAYTON BARR: I direct my question to the Deputy Premier.

The SPEAKER: Order! The member for Monaro will come to order. Members will come to order.

Mr CLAYTON BARR: What regional impact modelling was undertaken in respect to the recent announcement by the Government that would see significant increases to TAFE fees? Will the Government release that modelling?

Mr ANDREW STONER: Madam Speaker—

The SPEAKER: Order! Opposition members will listen to the answer in silence. The member for Macquarie Fields will come to order.

Mr ANDREW STONER: This question passes for the theme du jour for the Labor Party.

Ms Gabrielle Upton: They do not know what that means.

Mr ANDREW STONER: It is French for "of the day".

The SPEAKER: Order! The member for Maroubra will come to order. I call the member for Toongabbie to order for the second time.

Mr ANDREW STONER: The member for Toongabbie is so bitter after his own party knifed him, not once, not twice, but three times—poor old Toongabbie. Unlike those opposite who were in government for 16 years and failed to carry out genuine regional and rural impact statements on Cabinet decisions, this Government has a genuine process in which every item for Cabinet consideration must undergo an assessment of its regional and rural impacts. That was certainly the case in relation to TAFE colleges, and the Minister for Education can give more details about that.

Interestingly, the member for Cessnock avoided actual amounts in his question because, as the Minister for Education pointed out in a previous answer, the figures quoted by the member for Keira were incorrect. The member for Cessnock asked about "significant increases" because he is no longer sure. Along with other members of the government, I am happy to support reforms to TAFE. We are happy to support reforms to TAFE, because we saw what happened to the Soviet economy and we saw what happened to East Germany when they were under the communist model—the communist model that is still favoured by those opposite.

Dr Andrew McDonald: Point of order: I refer to Standing Order No. 129. The question was on regional impact modelling not East Germany.

The SPEAKER: Order! Members will come to order. There is no point of order.

Mr ANDREW STONER: When it comes to the Soviet economy and that of East Germany, we on this side will back the Mercedes Benzes or the BMWs. Those opposite still like the Lada Niva.

The SPEAKER: Order! The member for Keira will come to order.

Mr ANDREW STONER: In relation to Smart and Skilled prices and fees there are, as pointed out to me by the Minister for Education, loadings to be paid to training providers in regional and remote areas. Those include loadings for Aboriginal students and students with disabilities of 15 per cent, loadings for the long-term unemployed of 10 per cent, loadings for regional areas of 10 per cent and loadings for remote areas of 20 per cent. So there has been a proper consideration of these reforms in regional and rural areas. The reforms will ensure that TAFE can compete in the long term because it is not being protected under the old communist model espoused by those opposite.

Mr Clayton Barr: I seek additional information given that the Minister has not gone anywhere near discussing the modelling and whether or not the Government is going to release the modelling.

The SPEAKER: Order! The member for Keira will come to order. The Deputy Premier has 54 seconds in which to conclude his answer. The Deputy Premier has the call, unless he has completed his answer. Has the Deputy Premier completed his answer?

Mr ANDREW STONER: I have completed my answer.

GRANTS FOR GRADUATION PROGRAM

Mr LEE EVANS: My question is directed to the Minister for Family and Community Services. How is the Government helping public housing tenants break the cycle of disadvantage?

Ms GABRIELLE UPTON: I thank the member for Heathcote for his question. I know he is a passionate advocate for his community. In his first speech in this House the member for Heathcote revealed that he is a strong advocate for the vulnerable. In his inaugural speech he said that we need to assist the "homeless, the disabled and members of our communities who have fallen between the cracks". I share the passion and commitment of the member.

The SPEAKER: Order! All members should be listening attentively to this answer and all members should show some interest in this answer. I warn members that if they do not come to order they may be removed from the Chamber.

Ms GABRIELLE UPTON: I share the passion and commitment of the member and I look forward to working with the member for Heathcote to continue to deliver for those in his community. As I have said before, the New South Wales Government inherited deep and systemic challenges facing our social housing system. We had a system which managed disadvantage but did not break it. But the community expects more, as do all members of Parliament. We cannot keep doing what we have done for the last 30 years and expect the outcome to be different and to deliver for those who are vulnerable. We need to make some changes so that no member of the community falls between the cracks. A key objective of the social housing system in New South Wales must be to give vulnerable people a hand up not a hand out—that is, not a hand out but rather a hand up.

The SPEAKER: Order! Opposition members will come to order. The member for Toongabbie will stop shouting. If he is not interested in this answer he should leave the Chamber.

Ms GABRIELLE UPTON: Social housing has been, and continues to be, a way in which we can give the most vulnerable in our community a helping hand and a better future. This side of the House understands just how crucial education is in giving those people a better chance at life, with optimism and a brighter future.

The SPEAKER: Order! The member for Shellharbour will come to order.

Ms GABRIELLE UPTON: I am the first member of my family to graduate from university, and I know there are many members across the Chamber who are the first members of their family to graduate from university. I know the importance of education more than most. As a former deputy chancellor of a university and Parliamentary Secretary for Tertiary Education and Skills, I am acutely aware of the value of education. Education gives us something that no-one can take away from us. As I have said many times in this House before, it is something which is not diminished by age or by use. In fact it is enhanced by age and by use. Education allows all of us to reach out and attain goals that might at first have seemed beyond our grasp. Crucially, education helps those people who otherwise would be permanently disadvantaged. It helps break the cycle of disadvantage.

I took great pleasure today in announcing the Grants for Graduation program. This is going to be administered by The Smith Family. It is a one-year trial scholarship program that will give disadvantaged students from social housing an opportunity to pursue a tertiary education. It is a hand up not a hand out. Under the program, up to 50 students from across New South Wales will be selected to receive a grant to assist them with tertiary education opportunities, either through TAFE or the university system. Students will be able to apply for grants worth up to \$5,000. The program will help support those who want to complete further study but who do not necessarily have the financial means to do so. This program is going to not only give students a financial boost to help cover the costs incurred in seeking further education but also provide them with mentoring, which is an important part of making the most of educational opportunities. This is going to give those vulnerable the best chance of success in their studies.

I would strongly encourage those on this side of the House and those on the other side, even though they do not seem to want to listen, to encourage their constituents who are in the social housing system to apply for this grant program. Applications are now open and will close on 26 June 2014. All successful applicants will be notified later in the year. I have nothing left to say but that this side of the House is about giving a hand up not a hand out. The Grants for Graduation program which I have announced today is just one way that our side of the House is breaking the cycle of disadvantage.

Pursuant to standing order additional information provided.

The SPEAKER: Order! Members will come to order.

Ms GABRIELLE UPTON: I think I have made it very clear that the Grants for Graduation program is part of the Government's very strong commitment to those who are vulnerable. Giving people in the social housing system educational opportunities is one way in which you can give them a hand up not a hand out. This program provides opportunities to students who otherwise would not have the opportunity to study.

TAFE NSW FEES

Ms LINDA BURNEY: My question is directed to the Minister for the Central Coast. Previously the Minister has said:

TAFE students are not in a position to absorb big increases in fees ... many TAFE students struggle to meet basic living expenses, such as childcare, housing and public transport, and the last thing they need is a substantial increase in fees ...

Why is this Government adding more than \$500 to the cost of courses such as hospitality, concreting and commercial cookery at Wyong TAFE next year?

The SPEAKER: Order! Members will come to order.

Mr ROB STOKES: I will start by thanking the member for the opportunity to answer my first question in this place. This is a special moment for us both and something that can never be taken away. With that, I will hand my notes to the Treasurer. I stand by my comments in this place in debate on previous bills and other previous occasions. TAFE is a wonderful system for providing opportunities for people across New South Wales including the glorious Central Coast region, which I am absolutely stoked to represent.

The SPEAKER: Order! Government members will cease interjecting. The Minister does not need their assistance.

Mr ROB STOKES: I have more where that came from.

The SPEAKER: Order! If members do not come to order they will be removed from the Chamber.

Mr ROB STOKES: The Statler and Waldorf of the Chamber, the member for Mount Druitt and the member for Miranda, are putting me off my answer.

Ms Linda Burney: Point of order: I ask you to draw the member back to the leave of the question.

The SPEAKER: Order! Opposition members will cease interjecting. The member for Canterbury will resume her seat. The Minister has had difficulty answering the question because of the number of interjections. I warn members that if they persist with their interjections they will be removed from the Chamber.

Mr ROB STOKES: I commend TAFE for the wonderful work it does at Wyong and across the Central Coast. Just last week I had the opportunity to meet with the mayors of the Central Coast and they raised a number of issues of concern to them. Education was one of those areas of concern, which is why it is terrific that we have been able to work together with the Federal Government on the Kibbleplex complex. The memorandum of understanding with the University of Newcastle will bring new opportunities for tertiary and vocational study to the people of the Central Coast.

The SPEAKER: Order! I call the member for Maroubra to order for the first time. I call the member for Maroubra to order for the second time.

Mr ROB STOKES: I commend all students on the Central Coast and their teachers in the TAFE system for the wonderful work they are doing. I look forward to opportunities to continue to support them in my role of advocating for better services and opportunities for all communities on the Central Coast.

OPAL ELECTRONIC TICKETING SYSTEM

Mr KEVIN CONOLLY: My question is directed to the Minister for Transport. How is the Government progressing with the rollout of the Opal electronic ticketing?

Ms GLADYS BEREJIKLIAN: I am pleased to advise the House of the fantastic feedback and response about the Opal electronic ticketing system that we have received from our commuters not only across greater metropolitan Sydney but also from our regions. All of our regional customers are giving us great feedback. At last count more than 250,000 Opal cards had been registered. I note the member for Smithfield, the member for Ku-ring-gai and others are holding up their Opal cards. In the final minutes of question time it is important to again reiterate where we found ourselves with electronic ticketing when we came to Government. One of the first jobs I had as Minister for Transport was to settle a court case left by Labor's botched attempts at an electronic ticketing system.

The SPEAKER: Order! There is too much audible conversation in the Chamber.

Ms GLADYS BEREJIKLIAN: As members can appreciate, I pored over what members opposite said about the Tcard project. A lot has been said about education this question time. I stumbled across something the member for Canterbury said in this place in March 2006. She was talking about her credentials and said:

Like most members in this Chamber I have had considerable experience setting up new systems and government arrangements. I have confidence in the Government's arrangements to oversee the implementation of the Tcard system.

She got that wrong. For five years we watched Labor waste about \$100 million on its botched system. I remember campaigning with my colleagues in 2011, going to train stations and seeing the old Tcard machines that never got used.

Mr Kevin Anderson: Covered in cobwebs.

Ms GLADYS BEREJIKLIAN: They were gathering cobwebs. It took us a long time to collect all of those. On a positive note, I am thrilled by how the public is accepting the Opal card. I am also thrilled that we have already given out more than two million free trips on the Opal card. I have to confess that I have received free trips from the way I use my card. As we know, after eight paid trips the rest of the week's trips are free and there is a daily cap of \$15 after which travel is free. We know that more than 90 per cent of our customers are paying less when they use their Opal cards, which is a great validation of the system.

I will briefly advise the House on the progress of the rollout. We have already implemented the system at all of our train stations. It really excites me when I receive emails and feedback from people who are using the Opal card at remote train stations. The system has also been rolled out at all ferry wharves and we are progressing with the rollout on our buses. Labor's legacy was one of botching up a system that it promised for the Olympic Games. We are delivering a great product for our long-suffering commuters. I could not be more pleased with the feedback. Anyone who does not already have an Opal card should join the Opal system.

Question time concluded at 3.26 p.m.

POLITICAL DONATIONS REFORM

Personal Explanation

Mr JOHN ROBERTSON, by leave: Earlier in question time the Premier claimed that I had offered a bipartisan commitment to his inquiry.

The SPEAKER: Order! The Leader of the Opposition has the right to be heard in silence during a personal explanation

Mr JOHN ROBERTSON: Let me be clear: I offered a bipartisan commitment to take action to move towards full public funding of and a ban on political donations. I am disappointed that the Premier has already given up on taking any action on this important issue before the election—

The SPEAKER: Order! This is not a personal explanation.

Mr JOHN ROBERTSON:—instead of sending it off to a committee, something his predecessor was famous for. I am also disappointed—

Mr Anthony Roberts: Point of order—

The SPEAKER: Order! I can pre-empt what the Leader of the House will say, but I will give him the chance in a moment to make his point of order. I remind the Leader of the Opposition that a personal explanation is not an opportunity to advance an argument. Is the Leader of the Opposition correcting something said about him that was incorrect?

[Interruption]

The SPEAKER: Order! The Premier will resume his seat. Does the Leader of the Opposition understand what I am saying about personal explanations?

Mr JOHN ROBERTSON: Yes, Madam Speaker.

The SPEAKER: Order! Personal explanations should be brief. Has the Leader of the Opposition's reputation been impugned in any way? The Leader of the Opposition has the call. I will listen carefully to what he has to say.

Mr JOHN ROBERTSON: There was a phone call 15 minutes prior to question time that I took from the—

Mr Anthony Roberts: Point of order: This is not a personal explanation. It is sanctimonious, hypocritical ranting.

The SPEAKER: Order! I am giving the Leader of the Opposition one further chance to indicate that his reputation has been impugned in the House.

Mr JOHN ROBERTSON: I have offered bipartisan support on this issue from the day the Premier started. What I asked for in the question before I gave any commitment in the manner in which the Premier is doing this was to see the terms of reference, which I have only just received.

The SPEAKER: Order! That is not a personal explanation. The Leader of the Opposition will resume his seat.

Mr Anthony Roberts: Point of order: The issue here is that he does not want John Watkins. That is the issue.

The SPEAKER: Order! There is no point of order. The Leader of the House will resume his seat.

Leave withdrawn.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Mr ANTHONY ROBERTS (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [3.29 p.m.]: As members would be well aware, the Legislative Council has set a deadline for the consideration of bills for this session. As such, the Government must move forward its reform agenda to fit with the Legislative Council's deadline. As such, I move:

That standing and sessional orders be suspended to provide for the following routine of business for the remainder of this sitting after the motion accorded priority:

- (1) Government business;
- (2) private members' statements;
- (3) matter of public importance; and
- (4) the House to adjourn without motion moved at the conclusion of the matter of public importance.

Question—That the motion be agreed to—put and resolved in the affirmative.

Motion agreed to.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Motion of Condolence

Mr ANTHONY ROBERTS (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [3.30 p.m.]: As members would be aware also, the State recently suffered a great loss in the passing of former Labor Premier Neville Wran. This matter has already been the subject of statements in this place by the Premier and the Leader of the Opposition. However, to facilitate further condolence contributions from members of this place, time has been set aside this Thursday for a formal condolence motion by the House. As such, I move:

That standing and sessional orders be suspended on Thursday 29 May 2014 to:

- (1) Postpone community recognition statements and private members' statements until the conclusion of a motion of condolence for the Honourable Neville Kenneth Wran.
- (2) Provide that from 4.30 p.m. until the rising of the House no divisions be conducted or quorums be called.

Question—That the motion be agreed to—put and resolved in the affirmative.

Motion agreed to.

PARLIAMENTARY COMMITTEES

Membership

Motion by Mr Anthony Roberts agreed to:

- (1) That:
 - (a) Bart Edward Bassett be appointed to serve on the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission in place of Kevin John Anderson, discharged; and
 - (b) a message be sent informing the Legislative Council.
- (2) That Kevin John Anderson be appointed on the Standing Committee on Parliamentary Privilege and Ethics in place of Andrew Raymond Gordon Fraser, discharged.

PUBLIC ACCOUNTS COMMITTEE

Government Response to Report

The Clerk announced receipt of the Government Response to Report No. 13/55 of the Public Accounts Committee entitled "Follow Up of the Auditor-General's 2012 Financial Audit Reports".

AUDITOR-GENERAL'S REPORT

The Clerk announced, pursuant to section 63C of the Public Finance and Audit Act 1983, receipt of the following reports of the Auditor-General:

- (1) Performance Audit Report entitled "Effectiveness of the New Death and Disability Scheme: NSW Police Force", dated May 2014.
- (2) Financial Audit Report, Volume Two 2014, dated 27 May 2014.

LEGISLATION REVIEW COMMITTEE

Mr Stephen Bromhead, as Chair, tabled the report of the Legislation Review Committee entitled "Legislation Review Digest No. 56/55" dated 27 May 2014, together with the minutes of the committee regarding Legislation Review Digest No. 55/55.

Report ordered to be printed on motion by Mr Stephen Bromhead.

PARLIAMENTARY COMMITTEES

Chairs and Deputy Chairs

The Speaker, pursuant to Standing Order 282 (2), advised the House that:

- (1) On 15 May 2014:
 - (a) Melanie Rhonda Gibbons was elected Chair and Christopher Gulaptis was elected Deputy Chair of the Joint Standing Committee on the Office of the Valuer-General; and
 - (b) George Souris was elected Chair of the Legislative Assembly Committee on Law and Safety.
- (2) On 16 May 2014 Gregory Eugene Smith was elected Chair of the Committee on the Independent Commission Against Corruption.
- (3) On 26 May 2014 Jonathan Richard O'Dea was elected Deputy Chair of the Legal Affairs Committee.

PETITIONS

The Speaker announced that the following petition signed by more than 10,000 persons was lodged for presentation:

North-western New South Wales Mining Exploration

Petition drawing attention to the threats posed by coal seam gas mining and new coalmines in north-western New South Wales, and calling on the Government to introduce a strong monitoring and compliance regime for mining activities, received from **Mr Kevin Humphries**.

Discussion on petition set down as an order of the day for a future day.

The Clerk announced that the following petitions signed by fewer than 500 persons were lodged for presentation:

Sutherland Shire to Kogarah Railway Station

Petition requesting the restoration of direct rail services from the Sutherland Shire to Kogarah railway station, received from **Mr Barry Collier**.

Como and Jannali Railway Stations

Petition requesting the restoration of train services from Como and Jannali railway stations, received from **Mr Barry Collier**.

GyMEA College of TAFE

Petition opposing cuts to courses and increased fees for students at GyMEA College of TAFE, received from **Mr Barry Collier**.

Same-sex Marriage

Petition supporting same-sex marriage, received from **Mr Alex Greenwich**.

Pet Shops

Petition opposing the sale of animals in pet shops, received from **Mr Alex Greenwich**.

Pig-dog Hunting Ban

Petition requesting the banning of pig-dog hunting in New South Wales, received from **Mr Alex Greenwich**.

Slaughterhouse Monitoring

Petition requesting mandatory closed-circuit television for all New South Wales slaughterhouses, received from **Mr Alex Greenwich**.

Sutherland Shire Fire Stations

Petition opposing closures of fire stations in the Sutherland Shire, received from **Mr Barry Collier**.

Container Deposit Levy

Petition requesting the Government introduce a container deposit levy to reduce litter and increase recycling rates of drink containers, received from **Mr Alex Greenwich**.

The Clerk announced that the following petitions signed by more than 500 persons were lodged for presentation:

Westmead Hospital

Petition requesting the Government to allocate funding to commence the major redevelopment of Westmead Hospital, received from **Dr Geoff Lee**.

Crescent Head Police Shopfront

Petition calling on the Government to reactivate Crescent Head Police Shopfront, received from **Mr Andrew Stoner**.

BUSINESS OF THE HOUSE**Business Lapsed**

General Business Notices of Motions (General Notices) Nos 2828 to 2845 lapsed pursuant to Standing Order 105 (3).

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY**Resources for Regions**

Mr JOHN WILLIAMS (Murray-Darling) [3.35 p.m.]: I represent the community of Broken Hill, where I have lived nearly all my life, a place where there has been 130 years of continual mining of what was the richest lode in the world. For 130 years the mining companies have paid royalties to the State of New South Wales. During my time in Broken Hill there were many occasions when, in public forums, there were cries for the return of some of those royalties to Broken Hill. There is absolutely no doubt that the community of Broken Hill felt that they had been ignored by governments in New South Wales, despite the contributions that the community had made to this State. They had made those contributions over many, many years—and they were very sizeable amounts each year. The money was never spent in Broken Hill; it was taken from the community and used for developments in the City of Sydney and on the coast of New South Wales. We never saw any of that money ever again.

I am very proud to be part of a Government that has decided to recognise the significant contribution that mining companies make to New South Wales. They have made that significant contribution through royalties returned to this State. This is the first occasion in less than 130 years—because we were elected to government in 2011—on which means have been sought to put some money back into mining communities and to recognise the contributions that they have made to this great State. I do not think anyone in a mining community in regional New South Wales could not have seen the impacts of mining operations in their community. In 130 years of mining, one could imagine the changes that have happened at Broken Hill. I would like that lode not to have been discovered until today. If it had not, things would be a lot different. Unfortunately, that is not the case; the impact of mining in Broken Hill is ever evident. There is now an opportunity to say to those people: We will give you back some of the money that you contributed to this great State, and reward you for your endurance over those many years, by putting funds towards improvements in your lives and infrastructure.

TAFE NSW

Mr RYAN PARK (Keira) [3.38 p.m.]: Today and in the weeks ahead Labor will continue to hold this Government to account for what it is doing to one of the most world-renowned institutions right across any education sector in the world, the New South Wales TAFE system. TAFE in New South Wales educates more people than do universities; it has provided more opportunities to men and women in every one of our communities than any other education system; and it continues to be the driver and the key education system that provides access to a quality education to people who need a second chance in education. But what happened just recently? Under the cover of darkness following the delivery of one of the worst Federal budgets this country has seen, what did the New South Wales Government do? The Government quietly—48 hours after the Federal Budget—delivered massive increases in TAFE fees that men, women and disadvantaged young people are forced to pay in communities right across New South Wales. I assure members that, between now and March 2015, Labor will be standing and fighting with those men and women who believe in the fundamentals of a quality TAFE system.

We will not stand by and see TAFE destroyed as it has been destroyed in Victoria. We will not stand by and see TAFE become an institution that is available only to those who can afford to pay the fees. We want TAFE to be a strong, robust, quality education provider, but that cannot happen while the Government is ripping millions of dollars out of its budget, charging fees that only the rich can afford and then saying to the rest of those people: If you cannot afford it, get a loan. That is not the way Labor does things; that is not what Labor believes in and I tell those opposite something else—it is not what the community believes in. The men and women of the Labor Party will stand beside those who believe in a strong and robust TAFE system. We will take this fight all the way to March 2015 and beyond.

Question—That the motion of the member for Murray-Darling be accorded priority—put.

The House divided.

Ayes, 62

Mr Anderson	Ms Gibbons	Mr Roberts
Mr Aplin	Ms Goward	Mr Rohan
Mr Ayres	Mr Gulaptis	Mr Rowell
Mr Baird	Mr Hartcher	Mrs Sage
Mr Barilaro	Ms Hodgkinson	Mr Sidoti
Mr Bassett	Mr Holstein	Mrs Skinner
Mr Baumann	Mr Humphries	Mr Smith
Ms Berejiklian	Mr Issa	Mr Souris
Mr Bromhead	Mr Kean	Mr Speakman
Mr Casuscelli	Dr Lee	Mr Spence
Mr Conolly	Mr Marshall	Mr Stokes
Mr Constance	Mr Notley-Smith	Mr Stoner
Mr Coure	Mr O'Dea	Mr Toole
Mrs Davies	Mr O'Farrell	Ms Upton
Mr Dominello	Mr Owen	Mr Ward
Mr Doyle	Mr Page	Mr Webber
Mr Edwards	Ms Parker	Mr R. C. Williams
Mr Evans	Mr Patterson	Mrs Williams
Mr Flowers	Mr Perrottet	<i>Tellers,</i>
Mr Gee	Mr Piccoli	Mr Cornwell
Mr George	Mr Provost	Mr J. D. Williams

Noes, 22

Mr Barr	Mr Hoenig	Mr Robertson
Ms Burney	Ms Hornery	Ms Tebbutt
Ms Burton	Mr Lynch	Ms Watson
Mr Collier	Dr McDonald	Mr Zangari
Mr Daley	Ms Mihailuk	<i>Tellers,</i>
Mr Furolo	Mr Park	Mr Amery
Mr Greenwich	Mrs Perry	Mr Lalich
Ms Hay	Mr Rees	

Question resolved in the affirmative.

RESOURCES FOR REGIONS

Motion Accorded Priority

Mr JOHN WILLIAMS (Murray-Darling) [3.51 p.m.]: I move:

That this House notes that the Government is committed to supporting mining-affected communities through the Resources for Regions program.

I do not want to diverge from the subject of the motion, but recently my local newspaper contacted me regarding a press release of the Hon. Mick Veitch—a well-intentioned person but a one-trick pony with only the relocation grant on his mind. The newspaper interviewer said, "Mick Veitch has put out a press release on the failure of the relocation grant." I said, "Everyone's disappointed with that. We're disappointed. We didn't get the results. We would like more people out in the regions." The difference is that we did something to try to attract people to the regions. For 16 years those opposite did absolutely zero: the centre of a doughnut. They are very good at doing zero.

Today we debate the difference between a Government that cares and one that takes, takes and takes. For the first time we are giving back to mining-affected communities some of the money they have paid to the New South Wales Government in royalties. I am pleased that the member for Cessnock and the member for Wollongong are in the Chamber; certainly their communities have received this money. The member for Wollongong or the member for Cessnock might not have much to say about it, but their councillors and general managers are absolutely delighted that for the first time they can correct some of the effects of mining on their communities. For the first time they will receive some funding that can go towards rehabilitating their communities.

Today the Deputy Premier highlighted examples of some significant money that has been put back into communities. No doubt communities recognise those things that can further benefit from Resources for Regions. As a member of The Nationals I am proud to be part of this Coalition that has been pushing for regional New South Wales. It further demonstrates that we make sure the rubber meets the road. In 2011 we started putting money back into those communities. As I remarked when seeking priority for this motion, for many years the Broken Hill community said its mining companies had poured huge amounts of money into the State that was never returned. Today that community can say, "At last we have a Government that recognises the importance of the mining industry and of returning money earned from royalties."

After 130 years of mining in Broken Hill a Government has, for the first time, cared enough to put some money back into that community. I guarantee there will be far more projects than money, but it is a start. This program differentiates this Government from the former Labor Government. This Government really is about the workers. We invented the trade union movement in Broken Hill. We recognised workers. Those opposite never recognised those in western New South Wales who contributed so much to this State. Those opposite turned their backs, took the money and spent it in the city.

Ms NOREEN HAY (Wollongong) [3.56 p.m.]: I should like to add to the comments of the member for Murray-Darling about establishing the first unions, et cetera, in Broken Hill. I remind the member for Murray-Darling that Broken Hill had a married woman's policy that required them to show their union cards at jobs. Married women or those who later were married had to give up their jobs immediately. Many things require giving and taking, but I remind the member for Murray-Darling also that this side of the House supports mining communities. I point out to the member for Murray-Darling that it is not mining royalties being returned to the communities; it is money from the sale of programs such as Restart NSW. I further remind the member for Murray-Darling that Resources for Regions was a flagship commitment to the bush under Barry O'Farrell of \$160 million to build and repair infrastructure in mining-affected areas.

The Liberal-Nationals Government promised to put something back, but the problem is that the program took so long to get off the ground that the Government's first two budgets allocated a total of only \$10 million to just two councils—Singleton and Muswellbrook. Not only was no money provided for any other mining-affected council, but also the money was a bad deal for Singleton and Muswellbrook given that they alone generate nearly \$1 billion for the rest of this State. On the other hand, coming from the Wollongong electorate in the Illawarra region I can say that the member for Murray-Darling is sorely mistaken if he thinks my community will be satisfied with a \$4 million contribution to a footpath walkway in giving back to mining-affected communities. I remind people that this Government withdrew \$600 million from the Illawarra with the privatisation of the port at Port Kembla. If the Premier, as Treasurer, had not mislaid \$1 billion, perhaps he would not have had to rip us off and withdraw \$600 million.

In the recent budget, the Government allocated a long overdue \$120 million to Resources for Regions. Again only eight mining-affected areas stand to benefit. I agree that \$4 million will come to my community in Wollongong. However, it is nowhere near the contribution that has been made to other communities that are affected by mining. I am sure the member for Cessnock will have something to say about the fact that there was no mention of Cessnock. There was also no mention of Maitland, Lake Macquarie, Narrabri, Cockburn, Parkes, Gloucester, Great Lakes, Gunnedah and Broken Hill, among many others. This is a scheme that the Government has cobbled together on the run with inconsistent eligibility criteria. Last year the Government instructed councils to complete a survey for the purpose of determining whether they were affected by mining. It distributed the survey on 27 September with a deadline for submissions on 30 September.

Pursuant to sessional order debate interrupted and motion lapsed.

Pursuant to sessional order Government business proceeded with.

**ELECTION FUNDING, EXPENDITURE AND DISCLOSURES CONSEQUENTIAL AMENDMENT
BILL 2014**

Bill introduced on motion by Mr Mike Baird, read a first time and printed.

Second Reading

Mr MIKE BAIRD (Manly—Premier, Minister for Infrastructure, Minister for Western Sydney)
[4.01 p.m.]: I move:

That this bill be now a read a second time.

In the past two months this State has been confronted by the real challenge of ensuring that political donations do not buy influence and are not perceived to do so. It has been a problem in this State for a long time. It is a complex issue that has long been grappled with in New South Wales. Late last year in the High Court of Australia, Unions NSW successfully shut down the Government's first attempt to eradicate the hidden influence of election funding by corporate and sectional interests. The peak union body argued that the 2012 provisions, which banned corporate donations and aggregated the campaign expenditure limits of parties and their affiliates, infringed an implied constitutional freedom of political communication. Although the Government was disappointed with that outcome, the High Court has now spoken on this matter and our further attempts to address the risks associated with political donations will take that decision into account.

The first step we need to take is to ensure that, following the High Court's decision, corporate donations are regulated in the same way as all other political donations. The purpose of the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014 is to address a gap in election funding regulation that has arisen as a result of the High Court striking down these reforms. While the High Court's decision invalidated sections 96D and 95G (6) of the Election Funding, Expenditure and Disclosure Act, it did not affect various consequential amendments made at the time of the introduction of these two provisions, which therefore remain in force. The general effect of this is that the Act allows for donations from individuals and corporations, but the supporting provisions of the Act only contemplate donations made by individuals. This means that the disclosure requirements applying to donations made by individuals do not apply in their entirety to corporate donations. The bill will resolve this issue.

The bill will formally remove the provisions invalidated by the High Court and restore the 2010 provisions that were replaced by the two invalid provisions. Most importantly, the bill will also reverse the associated consequential amendments. In particular, this will mean that, should the bill be passed, corporate donations made between the date of the High Court's decision and the passing of the bill should be caught by the same disclosure requirements as apply to all other political donations. Donations made by a corporation will also be required to be aggregated during a particular financial year, or where they are made to elected members, groups or candidates of the same party as occurs at present in respect of donations made by individuals. The amendments made by the bill will be taken to have commenced on 18 December 2013, being the date of the High Court's Unions NSW decision. The key impact of treating the amendments contained in the bill as having commenced on this date is that corporate donations will be regulated in exactly the same way as all other donations from that same date.

Applying these amendments retrospectively will help to enhance the transparency and accountability of election funding and expenditure by ensuring that corporate donations made since the corporate donations ban

was struck down on 18 December do not slip through a regulatory loophole. For fairness, the bill provides transitional arrangements that will allow additional time to comply with certain restored disclosure obligations in relation to corporate donations until 28 days after the commencement of the amending Act or such longer period as the Electoral Commissioner may allow. There is, of course, more work to be done to change the culture of hidden influence and misplaced expectations of access that appear to follow even modest political donations in this State.

This Government is committed to this task and is working to develop sensible reforms that will clean up election funding in New South Wales. In the meantime, the amendments in this bill must not be delayed. It is important that the amendments are in force before the end of the annual disclosure period for political donations and electoral expenditure, which concludes on 30 June. In closing, I note that the Electoral Commissioner and representatives from the NSW Electoral Commission have been consulted closely in preparing this bill and that the Electoral Commissioner supports it. I commend the bill to the House.

Debate adjourned on motion by Mr Paul Lynch and set down as an order of the day for a future day.

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2014

Bill introduced on motion by Mr Brad Hazzard, read a first time and printed.

Second Reading

Mr BRAD HAZZARD (Wakehurst—Attorney General, and Minister for Justice) [4.05 p.m.]: I move:

That this bill be now read a second time.

The Statute Law (Miscellaneous Provisions) Bill 2014 continues the statute law revision program, which has been in place for the past 30 years. Bills of this kind are an effective method of making minor policy changes, repealing redundant legislation and maintaining the quality of the New South Wales statute book. Schedule 1 to the bill contains policy changes of a minor and non-controversial nature to 22 Acts and two regulations that are too inconsequential to warrant the introduction of a separate amending bill. I will describe some of the amendments to give members an indication of the kind of amendments that are included in this schedule.

Schedule 1 amends the National Parks and Wildlife Act 1974 to explicitly enable conditions to be imposed on an authority to harm animals, fell trees or pick native plants. An existing defence to conviction for an offence against the Act is that the conduct constituting the offence was done under an authority. The amendments will require a defendant relying on this defence to also show that the conduct was consistent with any conditions of the authority. Amendments to the Ombudsman Act 1974 and its regulation deal with the requirements for non-government agencies that provide substitute residential care for children to report to the Ombudsman on allegations about and convictions for reportable conduct involving children.

These amendments arise from advice of the Solicitor General that the expression "substitute residential care for children" is very broad. The amendments will ensure that the reporting requirements will focus on reportable conduct of employees who are employed in the agency in child-related work. This group of employees are those for whom Working with Children checks are or will be required under the Child Protection (Working with Children) Act 2012. The amendments to the Ombudsman Act 1974 will also ensure that the regulations can make further refinements identifying the particular non-government agencies, or employees in those agencies, providing substitute residential care for children to which the reporting requirements apply.

Schedule 2 deals with matters of pure statute law revision consisting of minor technical changes to legislation that the Parliamentary Counsel considers are appropriate for inclusion in the bill. Examples of amendments in schedule 2 are corrections of cross-references, typographical errors and terminology, and amendments arising out of the enactment of other legislation. Schedule 3 makes certain of the consequential and other minor amendments related to the enactment of the Government Sector Employment Act 2013 that are contained in the Government Sector Employment Legislation Amendment Bill 2013, which is currently in the other place.

The amendments do not include the main amendments in that bill, which relate to the alignment of employment arrangements for senior executives in the NSW Police Force and New South Wales health and

transport services with the new employment arrangements for senior executives in the public service. Schedule 4 repeals five redundant Acts and superfluous or redundant provisions of two other Acts. Schedule 5 contains general savings, transitional and other provisions. These include provisions dealing with the effect of amendments on amending provisions, and savings clauses for the repealed Acts and provisions.

The various amendments are explained in detail in explanatory notes set out beneath the amendments to each of the Acts and statutory instruments concerned, or at the end of the schedule concerned. I am sure that members will appreciate the straightforward and non-controversial nature of the provisions contained in the bill. However, if any amendment causes concern or requires clarification, it should be brought to my attention. If necessary, I will arrange for government staff to provide additional information on the matters raised. If any particular matter of concern cannot be resolved and is likely to delay the passage of the bill, the Government is prepared to consider withdrawing the matter from the bill. I commend the bill to the House.

Debate adjourned on motion by Mr Paul Lynch and set down as an order of the day for a future day.

**CRIMES (DOMESTIC AND PERSONAL VIOLENCE) AMENDMENT (INFORMATION SHARING)
BILL 2014**

Bill introduced on motion by Mr Brad Hazzard, read a first time and printed.

Second Reading

Mr BRAD HAZZARD (Wakehurst—Attorney General, and Minister for Justice) [4.11 p.m.]: I move:

That this bill be now read a second time.

In May 2013 this Parliament passed the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Act. That Act provided for the sharing of information by government agencies and non-government domestic violence support services in cases where domestic violence victims came into contact with the justice system. These provisions were not commenced, as the department was preparing information management protocols to supplement the legislative provisions. In February this year the Government released "It Stops Here", a comprehensive response to the problem of domestic violence in New South Wales. These reforms will introduce new referral pathways for domestic violence victims to ensure that they receive services in a more coordinated and efficient way.

These amendments to the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Act 2013 build on the existing provisions of the Act to support the Government's domestic and family violence reforms, increase the safety of victims and at the same time facilitate their access to domestic violence support services regardless of how they come into contact with the system. Service providers will be able to use new tools specifically designed to assess domestic and family violence risk of harm. The increased sharing of information between services will assist to improve the safety of victims and reduce the stress and trauma of victims having to navigate a complex service system and to repeat their story a number of times.

Domestic violence is a crime. It is also a multifaceted issue that requires a coordinated and integrated response from services in the areas of policing, justice, health, welfare, child protection and victim support services. The bill provides a framework for government agencies and non-government support services to work in partnership and exchange information in order to prevent domestic violence-related deaths, illness or injury. Several inquiries have been undertaken in recent years to review the effectiveness of the Government response to domestic and family violence in New South Wales, including inquiries by the Legislative Council Standing Committee on Social Issues in 2012, the Auditor-General in 2011 and the New South Wales and Australian law reform commissions in 2010. The inquiries recommended the development of more integrated government responses, ongoing and responsive collaboration and improved information sharing in cases of domestic and family violence in order to keep victims safe and hold perpetrators accountable.

The domestic violence reforms establish a central referral point, which will receive referrals from agencies, including the NSW Police Force and the Local Court, under the framework. The central referral point will be an electronic platform which receives and processes referrals and passes on information to local coordination points in the victim's local area. The local coordination point will contact the victim seeking consent in order to provide domestic violence support services and for further sharing of information. As part of

the domestic violence reforms a new risk assessment tool has been developed. This will be used by agencies that come into contact with victims of domestic violence to assess the level of threat experienced by the victim to determine the appropriate support response.

Another aspect of the reforms will be safety action meetings. These are designed to coordinate an integrated agency response for victims identified as subject to serious threat in relation to domestic violence. These meetings will bring together representatives from key government agencies and non-government agencies that provide services to victims experiencing domestic and family violence in the local area. These safety action meetings will develop and implement multi-action safety action plans for victims. I turn now to the provisions of the bill. Item [2] of schedule 1 contains a number of definitions to be used in the proposed part. This includes definitions for the central referral point and local coordination point.

The "central referral point" is defined as the Secretary of the Department of Police and Justice. In practice, this function will be delegated to Victims Services within the department, as it will be responsible for managing the functions of the central referral point. A "local co-ordination point" means a support agency or non-government support service nominated by the Minister. Generally, it is proposed that this role will be carried out by Women's Domestic Violence Court Advocacy Services. These non-government organisations provide domestic violence support to victims in 28 Local Court areas across New South Wales. Item [4] of schedule 1 inserts two new divisions into the proposed part.

New division 2 deals with general dealings with information. New section 98C contains a definition of "contact purposes", which involves seeking the consent of a primary person to the provision of domestic violence services to the primary person and to further dealings with the information in relation to the provision of such services. New section 98D permits an agency to disclose personal information and health information to the central referral point or a local co-ordination point for contact purposes. The agency can do so if it believes on reasonable grounds that a person is subject to a "domestic violence threat". This is defined as a threat to the life, health or safety of a person that occurs because of the commission or possible commission of a domestic violence offence. The disclosure may occur only with the consent of that person.

Under this section, personal information and health information about a person that the agency believes to be a cause of the threat may also be disclosed. No consent is required from that person. The information management protocols will outline the types of information that would be disclosed under the framework. New section 98E permits the Local Court to disclose personal information and health information to the central referral point for contact purposes unless the primary person expressly objects. The consent of the associated respondent is not required. Under the framework a "primary person" is the person for whose protection an apprehended violence order is sought or made, or the person who is alleged to be the victim of a domestic violence offence. A person whom an agency considers to be subject to a domestic violence threat is also taken to be a primary person.

An "associated respondent" is, in relation to a primary person, the person against whom the apprehended domestic violence order is sought or made—the person who has been charged with the domestic violence offence. Any person that an agency reasonably believes is a cause of a threat to a threatened person is also taken to be an associated respondent. This provision will allow the Local Court to provide information when an application for an apprehended domestic violence order [ADVO], or an interim or final ADVO, has been made. This referral will be made unless the primary person expressly objects to the disclosure. New section 98F permits the central referral point to collect information that is disclosed to it in accordance with new sections 98D and 98E, or by the NSW Police Force for contact purposes. The central referral point therefore will be able to receive information where the police have sought an ADVO or have laid charges for a domestic violence offence, as well as where police officers consider that there is a threat to an alleged victim due to domestic violence but do not seek an order or to charge a person in relation to it.

Under new section 98F (2), the central referral point will be able to pass on the information it receives through these referrals to a local coordination point so that it can contact the alleged victim. Under new section 98G, a local coordination point will be able to collect the information that is disclosed to it under the framework. New section 98H permits a "support agency" to collect information that is disclosed to it as outlined in the section. A support agency may use any information that it is authorised to collect under the proposed division for contact purposes, without the consent of the primary person or any associated respondent, or to provide domestic violence support services to the primary person, with the primary person's consent only.

New section 98H reproduces the substance of requirements in relation to the sharing of information currently in section 98C of the existing Act. It provides for agencies that provide domestic violence support to

collect information from a number of sources, including the central referral point, a local coordination point, other support agencies, non-government support services and the NSW Police Force. Support agencies can use this information for contact purposes and to provide domestic violence support services. Support agencies may disclose information to other support agencies and non-government support services to allow the other agency or organisation to provide support services if the primary person consents to the disclosure and it is reasonably necessary to disclose the information for the provision of those services.

New section 98J requires agencies to comply with protocols made by the Attorney General if the agency deals with information under the proposed division. The Act already provides that the protocols may contain recommended privacy standards for non-government support services and may prohibit the disclosure of information to services that do not adopt those standards. New section 98L provides that the regulations may prescribe additional circumstances in which an agency may deal with personal information or health information under this framework. The New South Wales Privacy Commissioner will need to be consulted in the development of any such regulation. New division 3 deals with dealings where there is a "serious threat".

New section 98M sets out circumstances in which an agency may share personal information or health information about a person without the consent of the person if the agency believes the person is under serious threat in relation to domestic violence. An agency may rely on this provision if it believes on reasonable grounds that the dealing is necessary to prevent or lessen a domestic violence threat to the person or any other person; that the threat is a serious threat; it is unreasonable or impractical to obtain the person's consent; or the person has been asked to consent and has refused to do so. This section reproduces the existing substance of section 98D in the current Act. However, it extends the exception to allow dealings with information even when the person has refused consent. The effect of this change is that while it will be necessary to seek consent where it is reasonable and practical to do so, agencies will be able to share information in spite of a refusal of consent if they consider that it is necessary to do so to lessen or prevent a serious "domestic violence threat", as defined in the Act.

New section 98M would provide a basis for the sharing of information for safety action meetings where an agency reasonably believes that a person is subject to a serious threat and the person has refused consent or it is unreasonable or impractical to obtain the person's consent to the proposed dealing. Section 98M authorises agencies to share information where it is necessary to prevent or lessen a serious threat to the life, health or safety of a person. Therefore, agencies will be able to take a broad range of actions as long as they are considered to be necessary to achieve that purpose.

Item [6] of schedule 1 provides that the part is to be reviewed after two years from commencement and a report on the outcome of the review will be tabled in Parliament. This will provide an opportunity to consider whether any change to the legislative framework might be required. The Government's domestic violence reforms represent a significant step forward in managing the provision of services to victims of domestic violence in New South Wales. Central to this approach is the need for better coordination between those agencies and organisations providing support services to victims and the need to overcome barriers to the sharing of information in appropriate circumstances. These amendments provide a firm basis for this to occur. I commend the bill to the House

Debate adjourned on motion by Mr Paul Lynch and set down as an order of the day for a future day.

TRADE AND INVESTMENT CLUSTER GOVERNANCE (AMENDMENT AND REPEAL) BILL 2014

Bill introduced on motion by Mr Andrew Stoner, read a first time and printed.

Second Reading

Mr ANDREW STONER (Oxley—Deputy Premier, Minister for Trade and Investment, Minister for Regional Infrastructure and Services, Minister for Tourism and Major Events, Minister for Small Business, and Minister for the North Coast) [4.26 p.m.]: I move:

That this bill be now read a second time.

The Trade and Investment Cluster Governance (Amendment and Repeal) Bill 2014 is a package of changes to entities within the trade and investment cluster which will decrease the number of separate statutory bodies in

the cluster and create savings from reduced operational, financial reporting and audit costs. The changes will benefit the delivery of services by the trade and investment cluster. In most cases the changes to be made are to back-office organisation. The aim is to improve efficiency.

Improving and streamlining the organisation of the public sector has been a priority for this Government. In 2011 public sector agencies were aggregated into nine clusters. The clusters bring together a group of entities and allow similar and complementary government services to be coordinated more effectively within the broad policy area of a particular cluster. Establishing appropriate governance arrangements for the functions and activities undertaken by public entities is critical to the delivery of high-quality performance in the New South Wales public sector. Well-considered and fit-for-purpose governance arrangements provide a foundation for effective and efficient management of public sector entities.

In 2012 the New South Wales Commission of Audit delivered its interim report on public sector management. Recommendation No. 2 of that report required each cluster to review the number of entities it contained. Immediate steps were to be taken to group or merge entities where appropriate and abolish entities if they no longer serve a purpose. In 2013 NSW Trade and Investment reviewed existing governance structure arrangements and accountability. A number of entities were identified that could be abolished or absorbed into larger bodies. This bill represents an important step in implementing a more streamlined model of cluster governance.

Significant annual reporting and audit costs are associated with each stand-alone entity. Accordingly, each entity must continue to demonstrate a compelling reason to exist as a separate statutory body that outweighs its cost. Trade and Investment has been proactive in reviewing the bodies within the cluster to identify opportunities to reduce the number of entities. In some cases it has been determined that a body's statutory functions no longer need to be performed by the New South Wales Government. In other cases it was determined that although there is a need to retain statutory functions a separate statutory body is no longer needed to perform them.

I will now provide a brief overview of each significant element of the bill. Part 2 of the bill dissolves the Chipping Norton Lake Authority and repeals the Chipping Norton Lake Authority Act 1977. The authority was tasked with the responsibility of restoring a six-kilometre length of the Georges River and landscaping the area into parkland and building recreational facilities based around the river and an artificial lake system. The environmental restoration of the affected parts of the Georges River has been completed by the authority. The land formerly owned by the Chipping Norton Lake Authority has been progressively declared as Crown land under the Crown Lands Act 1989, with the relevant local council acting as the reserve trust manager.

As the remainder of the authority's powers and functions now duplicate those of the local councils, there is no longer any need for a separate statutory authority. The authority's remaining funds will be transferred to the Public Reserves Management Fund. Part 3 of the bill dissolves the New South Wales Dairy Industry Conference and repeals the Dairy Industry Act 2000. Recent resignations, changes in membership and other developments have left the Dairy Industry Conference without a quorum and unable to perform its legislated functions, including consulting with the Food Authority in relation to the Dairy Food Safety Scheme.

The Dairy Industry Conference controls a private wholly owned subsidiary corporation known as DICONF Management Pty Limited, which was established and funded through an agreement with the Food Authority and the then Minister for Primary Industries. Funds currently held by DICONF will be consolidated with funds held by the Department of Primary Industries following the wind up of Milk Marketing and will be used for the benefit of the dairy industry in consultation with that industry. A dairy industry consultative committee, in line with those for food safety schemes in other industry sectors, will be established under the Food Regulation 2010 to replace the Dairy Industry Conference's industry consultation function.

Part 4 of the bill abolishes the Lake Illawarra Authority and repeals the Lake Illawarra Authority Act 1987. The authority was the subject of a review and public consultation in 2012 that was undertaken under the supervision of the then Parliamentary Secretary for Natural Resources, the member for Dubbo. The review found the authority had achieved its primary objective to improve the environment of Lake Illawarra. Similar to the Chipping Norton Lake Authority, it was recommended that further development of the area be managed by local councils to avoid duplicated functions. Most of the authority's landholdings, assets and functions have been progressively transferred to local government and other key agencies. Remaining assets and liabilities are to be transferred to the Crown.

The Ministerial Corporation for Industry was created under the State Development and Assistance Act 1966 to promote establishment, expansion or development of industries primarily by undertaking a project management role. Part 5 of the bill dissolves the Ministerial Corporation for Industry. The department has been primarily responsible for managing projects entered into in the name of the ministerial corporation since 2010. Most legacy projects are now completed or being administered under various departmental schemes. The ministerial corporation's sole remaining landholding is currently in the process of being sold. As the Ministerial Corporation for Industry is no longer required, the State Development and Assistance Act 1966 will be repealed. The balance of funds standing to the credit of the fund established under that Act will be transferred to the Consolidated Fund.

The two entities established under the Poultry Meat Industry Act 1986 were also the subject of a recent review and public consultation. The Act regulates the relationship between contract growers and processors of poultry meat. The Poultry Meat Industry Committee and the Poultry Meat Industry Advisory Group are established under the Act to perform functions relating to contractual arrangements in the industry. The review recommended a move away from State-based regulation of the poultry meat industry towards a model overseen by the Australian Competition and Consumer Commission. This will put the New South Wales poultry meat industry on an equivalent footing with industry in Victoria and Queensland. Accordingly, part 6 of the bill dissolves the committee and advisory group and repeals the Act.

Part 7 contains general provisions applying to the transfer of assets, rights and liabilities to ensure a smooth transition period as the operations of dissolved entities are wound up. This part also provides that no compensation is payable by the State as a result of this bill. There are two schedules to the bill that absorb two entities, being Screen NSW and the Homebush Motor Racing Authority, into the Department of Trade and Investment and Destination NSW respectively. Both of these statutory bodies already have strong administrative links with the larger entities. Schedule 1 amends the Film and Television Office Act 1988 to dissolve the NSW Film and Television Office and its board, which is now operating as Screen NSW.

Most of the operational functions, including funding and investment in the New South Wales film and television industry under the Act, will be transferred to the Secretary of the Department of Trade and Investment and performed by Screen NSW as an office of the department. An expert advisory function will be retained through the creation of a new ministerially appointed advisory committee to advise the Minister. The NSW Film and Television Office account will be abolished and Screen NSW will be funded from the department's appropriation.

Schedule 2 transfers the functions, powers, assets, rights and liabilities of the Homebush Motor Racing Authority to Destination NSW. Destination NSW will continue to organise an annual V8 motor race at Homebush under the Homebush Motor Racing (Sydney 400) Act 2008. This bill makes logical changes to improve efficiency and effectiveness and consolidate the operations of the trade and investment cluster. It meets the Government's commitment to reduce the amount of legislation in this State and get the most value for taxpayers' money. The bill will ensure that the department's compliance and financial reporting obligations can be done more efficiently and at less cost to the taxpayer. I commend the bill to the House.

Debate adjourned on motion by Mr Ron Hoenig and set down as an order of the day for a future day.

COMMUNITY SERVICES (COMPLAINTS, REVIEWS AND MONITORING) AMENDMENT BILL 2014

Message received from the Legislative Council returning the bill without amendment.

ENERGY LEGISLATION AMENDMENT (RETAIL PRICE DEREGULATION) BILL 2014

Second Reading

Debate resumed from 13 May 2014.

Mr RON HOENIG (Heffron) [4.37 p.m.]: I lead for the Opposition in debate on the Energy Legislation (Retail Price Deregulation) Bill 2014 and indicate that the Opposition is opposed to the bill. At this stage I express my appreciation to the Minister for Energy and Resources, his advisers and officials for the briefing they provided while knowing that the Opposition was likely to oppose the legislation. The bill is a product of economic rationalist zealots which will cause significant price rises in the cost of electricity and will

not, as the Minister asserts, place downward pressure on the cost of living for ordinary and low-income pensioners and families. It will cause an unconstrained increase in electricity prices for the people of New South Wales. The bill is a political stunt that from 1 July 2014 causes a reduction of 1.5 per cent in the regulated rate for 12 months—

Mr John Williams: South Australia, Queensland.

Mr RON HOENIG: If the member for Murray-Darling pays attention he will learn something because there is an intellectual reasoning for the view taken by the Opposition. It is the sort of view one would expect The Nationals to support. In any event, I can say that there is certainly a difference of opinion between our view and that of the Liberal Party. The reason I say that the bill is a political stunt from 1 July 2014 is that it causes a reduction of 1.5 per cent in the regulated rate for 12 months in a transitional period until 1 July 2015 before moving those consumers onto a standard retail contract. In other words, the Government is forcing a reduction of 1.5 per cent to get past the election in March 2015.

Mr John Barilaro: Rubbish! Look at our track record and compare it to yours.

Mr RON HOENIG: I will take the Parliamentary Secretary to the Coalition's track record, for it is just as appalling as those of other governments. The Minister said in his second reading speech on 13 May 2014:

Under this reform, the Government has ensured that most customers moving to the transitional tariff will receive a 1.5 per cent decrease compared to the regulated price. This is the first time in more than a decade that customers on the regulated price will experience a decrease—an achievement for which this Government is rightly proud.

However, the Coalition has been in government for three years, and I invite the attention of the House to what has happened with electricity prices under its watch. In 2011-12 electricity prices in this State rose by 17 per cent, and in 2012-13 by 18.1 per cent. So why is there now to be a reduction of 1.5 per cent? Why now, if this is not a stunt? Why could there not have been a reduction in the regulated price of electricity any time over the past three years?

Mr John Barilaro: We have cut out the Labor waste that you left behind.

Mr RON HOENIG: You have done no such thing. If ever somebody has been led by the nose—someone with absolutely no understanding of how the electricity networks operate in New South Wales—it is the Parliamentary Secretary. If he were to pay attention to what I am saying, he might learn a lesson that he could use to help people in his electorate—and he will need to, bearing in mind who his opposing candidate is.

Mr John Barilaro: Bring it on! Old second-chance.

Mr RON HOENIG: It certainly is going to be called on.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Heffron and the Parliamentary Secretary will direct their comments through the Chair.

Mr RON HOENIG: If Government members really believe in the economic theory that "competition is the best available tool for promoting consumer wellbeing", why do they not deregulate now? Why not deregulate as at 1 July 2014? Why not show that their rationalist economic zealotry works? The Government has the opportunity to do that now, so why is it putting off that action for another year—past a State election? After all, the Minister for Resources and Energy asserts that 16 organisations are competing in the New South Wales electricity retail market and, he says, that there are 33 organisations licensed and ready to enter that market. If the Government has a real fundamental belief that deregulation will reduce prices, and that consumers will benefit, why wait a year? Why not do it now? Why not have 49 licensed retailers competing in New South Wales—if the Government really believes that deregulation will result in a reduction in electricity prices?

If deregulation really is going to reduce prices, not only should the Government deregulate now, it should give an unqualified guarantee now. It cannot, and it will not. The Government's own bill demonstrates why. The bill provides for the appointment of a market monitor, and the Minister has advised that that market monitor will be the Independent Pricing and Regulatory Tribunal [IPART]. IPART is not given any teeth, just the opportunity to write a report. Why do we need a market monitor to measure a deregulated retail market? The Commonwealth Competition and Consumer Act 2010 established the Australian Competition and Consumer

Commission [ACCC] as well as the Australian Energy Regulator. It has been set up to monitor, regulate and control companies and organisations engaging in trade and commerce, and to ensure they do not act anti-competitively.

Why does the Minister propose to spend New South Wales money on a market monitor when it is a Commonwealth function to monitor trade and commerce and anti-competitive conduct of corporations? Has not the Commonwealth ripped enough out of the New South Wales budget through the recent Federal Budget? The Energy Retailers Association has, over the past several years, approached the Government seeking deregulation of the energy retail market and has argued that competition will benefit consumers. I remind the House—in words used by the Minister's office—that the regulated rate is in effect a ceiling rate to induce consumers to "switch", to use that famous word. Those in the competitive market have to, on most occasions, charge less than the regulated rate. Only Origin Energy and Energy Australia provide a regulated rate. If the regulated rate is a ceiling rate, and more than 60 per cent of the market has switched to a deregulated rate, then competition to this day is working. The regulated rate puts a ceiling on the market; it is a safety net for consumers in New South Wales.

The safety net is not just for those paying the regulated rate: it provides a safety net for all consumers by keeping a lid on the retail electricity market. Does anyone really believe that removing the ceiling rate will result in retailers charging less, thereby reducing their own profits? I do not believe it. The former Minister for Resources and Energy obviously did not believe it, because he would not bring this bill to the House. I do not believe that the current Minister believes it either. The New South Wales Government, through the COAG process in 2004, entered into an Australian Energy Market Agreement. The agreement set the agenda for "phasing out retail electricity and gas price regulation in markets where competition is found to be effective". I accept the theory that in the free market, where there is genuine competition the consumer will benefit. The problem is that competition is not always fair; and even the great capitalist society in the Land of the Free had to implement the Sherman Act—in effect, anti-trust legislation—to stop anti-competitive conduct.

Creating competition that results in a benefit to the consumer is not an easy task. The Australian Competition and Consumer Act was established to try to control anti-competitive conduct, as was its predecessor the Trade Practices Act enacted for that purpose. The difficulty with this bill is that we are not talking about the product Kellogg's Cornflakes. We are talking about an essential service that government is bound to provide. With the establishment of the National Electricity Market, competition is one factor, but not the only factor, that has kept the cost of generation under control. That task itself has not been an easy one. It is the network costs in New South Wales that have been responsible for the explosion of electricity prices. Called by some "gold plating", NSW Treasury has closed its eyes to the monopolistic behaviours of networks as the Treasury has raked billions of dollars into its State budget, even leveraging their assets with "off-budget" loans which electricity consumers have been paying for.

As far as retailers are concerned, I do not take issue with the Government's sale of its retail arm. It is the retailer who takes the risk. When the retailers were owned by the New South Wales Government they were not so successful in managing the hedging of their contracts. But I draw the line at the removal of the safety net. In 2013, IPART increased regulated prices and enacted what was called a customer acquisition and retention cost alliance. This increased fee pushed up the regulated prices, which it said was designed to increase competition. In effect, it pushed up the ceiling price to encourage people to switch to a deregulated market. I accept the change to technology that is available in a deregulated market—and an example has been given to me of a retailer who—in order to induce a person to enter into a competitive contract at a lower rate—might put a device on a swimming pool pump which would measure the use of electricity from the pump. I accept that technology will allow greater variety but I do not accept, in accordance with the 2004 Australian Energy Market Agreement, that there is sufficient consumer protection to enable the deregulation of electricity prices.

Retail contracts are unclear, confusing and complicated and have a lack of transparency. The ACCC, the Australian Energy Regulator and IPART have been completely ineffective in simplifying that process. If it were otherwise, 40 per cent of the customers would not be paying a regulated or ceiling rate. It is for that reason that the New South Wales Opposition does not accept the Australian Energy Market Commission's view, as expressed in 2013. I challenge any member of Parliament to explain the differences between offers from competitive retailers, even after their own careful analysis of the websites or the offers. Whilst the Government might accept this nonsense and make a 1.5 per cent cut for election purposes, even the economic rationalists' agenda will cause prices after 2015 to blow up in their faces.

Mr JONATHAN O'DEA (Davidson) [4.51 p.m.]: I speak on the Energy Legislation Amendment (Retail Price Deregulation) Bill 2014. This is a bill that amends both national and State-based energy laws and

regulations as they apply in New South Wales to increase competition and choice in the State's electricity market. The bill provides for the removal of retail electricity price regulation; the establishment of a market monitor in New South Wales to monitor and report annually on the performance and competitiveness of the electricity retail market; the appointment of the Independent Pricing and Regulatory Tribunal as the market monitor; the transition of electricity customers currently on regulated offer contracts to standard retail contracts; and the continuation and maintenance of retail gas price regulation.

A competitive market, with real choice, provides the best form of customer protection and the lowest prices for customers. IPART's historical statistics do indeed show that in the year 1999-2000, an average nominal bill for a residential Energy Australia customer was \$635. In the year 2013-14, that same customer will receive a bill for \$1,879. This means that electricity prices have nearly tripled over that time, in a fairly low-inflation environment. Without labouring the point, it is obvious that the Labor Party was in power for the vast majority of that time. I agree with the shadow Minister that electricity prices have increased and that is why this Government is taking action. Electricity is not a luxury; it is a necessity. We need electricity to be affordable for both residential and business customers. If New South Wales wants to remain competitive—both nationally and internationally—we need to address rising electricity prices.

The New South Wales Public Accounts Committee—which I chair—conducted an inquiry in 2012 into the economics of energy generation in New South Wales. While the committee considered many aspects of energy generation, affordability was of paramount consideration. I suggest that the shadow Minister read that report because he might learn something. The report of the committee stated that effective competition will provide the best outcomes for electricity consumers and that both wholesale and retail markets should be allowed to operate freely wherever possible. The committee also urged the New South Wales Government to maintain its existing commitment to price deregulation, in accordance with the National Electricity Market agreement. The shadow Minister is arguing against pretty much every government in Australia.

The committee recommended that the New South Wales Government remove price regulation when competition is found to be effective in New South Wales by the Australian Energy Market Commission—the expert organisation. The shadow Minister obviously holds himself out as being the alternative expert. He cites no authority and he ignorantly asserts comments, without backing them up with any credible source. It is his bluster versus the authority of the Australian Energy Market Commission. The recommendation and the report were unanimously passed by the Public Accounts Committee, which included the shadow Treasurer.

I do not know whether the shadow Treasurer is going to speak on this bill but certainly he was at odds with the comments made by the shadow Minister. Rather than the Government playing petty politics, it is the shadow Minister who has demonstrated his ignorance and his inability to lift himself above petty politics in the interests of the broad New South Wales public. Contrary to the shadow Minister's view, the Australian Energy Market Commission has found competition to be effective in New South Wales in the electricity market. In the final report of the Review of Competition in the Retail Electricity and Natural Gas Markets in NSW, published in October 2013, the AEMC said:

We are confident that competition in NSW is now sufficiently robust to promote choice for consumers...

It recommended:

... removing retail price regulation, improving information for consumers, maintaining consumer protections, and ongoing market monitoring.

However, on a number of those points, the shadow Minister again says that he knows better but has given no authority or source for his assertions. Retail price regulation in New South Wales has not protected New South Wales consumers from skyrocketing electricity prices in the past. Increased electricity prices have largely been caused by increasing network costs and the introduction of State and Federal green schemes. The green schemes alone make up about 17 per cent of the representative market offer price in New South Wales and in 2012-13, of that 17 per cent, 9 to 10 per cent was due to carbon pricing; 5 per cent was due to renewable energy costs; 2 per cent was due to the cost of the Climate Change Fund and 1 per cent to the cost of the Energy Savings Scheme.

Network costs are expected to increase marginally by 4.6 per cent a year over the next three years, from 2012-13 to 2015-16. Happily some of the underlying factors which helped drive up network costs in the past are expected to moderate. These factors include the cost of capital—largely due to the effects of the global financial crisis, which have now reduced—expectations of peak and average demand; and changes to jurisdictional

reliability standards. That is again backed by the Australian Energy Market Operator [AEMO]. The Energy Legislation Amendment (Retail Price Deregulation) Bill 2014 will remove regulated offer contracts for electricity. As competitive influences into the market and the ongoing costs associated with regulation and compliance are largely removed from the cost of electricity this should put downward pressure on electricity prices. Electricity deregulation will further encourage competition in New South Wales. Retailers have indicated that they will be able to make new, innovative and more competitive electricity offers to customers.

Additionally, electricity deregulation will encourage new retailers to enter the New South Wales market, adding to the current market of 16 electricity retailers. This will further enhance competition and provide customers with increased choice on price, product and service. In fact, a further 33 companies are licensed to operate in New South Wales, many of which could reasonably be expected to enter the market as a result of this reform. The bill will also introduce a market monitor, which the Government has nominated as the Independent Pricing and Regulatory Tribunal, to evaluate the performance and competitiveness of the retail electricity market in New South Wales. If the market is deemed to have become non-competitive, the Minister for Resources and Energy can demand a review. Obviously, price monitoring is essential.

The New South Wales electricity market monitor—I again note that the shadow Minister does not want that to exist; strangely, he wants to abrogate that responsibility and hand it to the Federal Government—will undertake an annual review reporting on necessary improvements to market competitiveness; whether there is a need for a detailed review of retail prices; profit margins; participation of small customers in the market; barriers in the market; and competition between retailers. This annual report will be tabled in Parliament. The shadow Minister does not want that accountability. The market monitor will help protect vulnerable customers while checking that the energy market does not unnecessarily push up prices. The bill ensures also that customers on payment plans or subject to a hardship policy will continue automatically to receive these protections on their new standard retail contracts. [*Extension of time agreed to.*]

Once the market is deregulated, it is vital that all consumers are aware of their market options. It is difficult for elderly, vulnerable customers to be fully aware of their retail choices and establish the best retail offering for their circumstances because often there is a large range of retailer offerings. Vulnerable customers who are not empowered often financially support consumers who are more aware of their options and choose better deals. At the moment, those who have remained on regulated contracts are subsidising those who have gone to the competitive marketplace. If anyone is still on a regulated contract, they should go to the competitive marketplace because they will do better. It is essential that energy retailer communication material presents necessary electricity package options clearly and concisely so as to not marginalise or disadvantage those who are potentially already disadvantaged. Consumer protection is paramount. Electricity affordability is directly linked to the basic human needs of cooked food and warmth. Its provision should not be threatened by unfair market forces.

The New South Wales Government has ensured that customers who move to the transitional tariff will receive a 1.5 per cent decrease compared to the current regulated price—that is not theory; it is reality. Prices will reduce. For the first time in 10 years customers on the regulated price will experience a reduction. Not only should deregulation move prices down, but changes in the pipeline to Federal policy—for example, removing the carbon tax—also should contribute to more stable electricity pricing. Due to rising electricity prices in the past few years, many energy consumers connected to gas or converted to instant gas-fired hot water systems. Often, this action was taken by families and consumers feeling cost-of-living pressures. Gas prices now are escalating, which was not apparent when some consumers made the switch. The high Australian dollar and the increase in gas exports associated with the completion of the Gladstone port later this year will place even more pressure on gas prices.

The Australian Energy Market Commission in its report on competitiveness in the electricity and gas markets found no significant barriers to entry, expansion or exit in the electricity market, but some in the gas market. There also were more signs of independent rivalry in the electricity market than in the gas market, especially in regional areas. The gas market differs from the electricity market in that it has fewer customers. This alters the market forces substantially and contributes to difficulties faced by new retailers entering the market. Another issue is that New South Wales produces only 5 per cent of its gas needs and imports the rest. Whether New South Wales develops its coal seam gas potential will impact prices as larger supplies of gas should put downward pressure on prices. AGL, in its submission to IPART, said that importing its gas from Queensland was forcing wholesale prices to rise to around \$6 to \$7 a gigajoule, up from \$4.70 currently.

This bill will not introduce price deregulation for gas retailers. I agree that this should not occur before the gas market has stabilised and the future direction of gas production is more clear and predictable. The fact

that gas prices are not being deregulated demonstrates that our Government does not just place a blind faith in the operation of market forces. There is a clear distinction, which is not acknowledged by the Opposition to date. It is appropriate that energy markets operate in a deregulated environment where competition is robust, expanding and clearly benefiting the consumer. However, information about their electricity pricing options must be clear to all customers. While useful educative and comparative tools already exist, including online, there will need to be an enhanced education program to inform consumers about choices and direct them to contracts that suit them best.

Once the market is deregulated, market monitoring is essential for consumer protection, especially for vulnerable customers, as I have highlighted. I support this bill as it should, and indeed will, bring substantial benefits, particularly to the residents and businesses of New South Wales. This bill provides clarity and future direction for energy retailers whilst protecting customers from unjustified price rises. This bill is consistent with the Government's commitment to place downward pressure on the cost of living, by increasing competition in the electricity market and addressing prices for New South Wales customers. I commend Minister Roberts on its introduction. I hope that other Opposition members are more informed and less ignorant than the shadow Minister.

Mr NICK LALICH (Cabramatta) [5.06 p.m.]: I shall make a brief contribution to this critical debate on the Energy Legislation Amendment (Retail Price Deregulation) Bill 2014. The bill seeks to make amendments to remove retail electricity price regulation, establish a market monitor to monitor and report annually on the performance and competitiveness of the electricity retail markets, appoint the Independent Pricing and Regulatory Tribunal as the market monitor, transition electricity customers currently on regulated offer contracts to standard retail contracts, and continue and maintain retail gas price regulation. I stand behind my colleagues on this side of the Chamber in opposing this bill for several reasons. First, while those on the other side say electricity price deregulation will reduce electricity prices, this has not been the experience in Victoria's deregulated electricity market. Without any regulation, how can the Liberal-Nationals Government guarantee that New South Wales will not go through what Victorian families are experiencing and dealing with?

According to the Australian Bureau of Statistics, between June 2007 and June 2012 Victoria experienced the largest increase in electricity retail price in Australia—84 per cent. Worryingly, the Victorian Energy and Water Ombudsman saw a huge 183 per cent increase in complaints since electricity prices were deregulated, from 16,831 in 2008 to 47,790 in 2012. In addition, South Australia's deregulated electricity market has Australia's highest electricity prices with average household power bills reaching \$2,335 a year. Complaint numbers in that State have soared to 50,655. Currently, New South Wales has an effective system in which the Independent Pricing and Regulatory Tribunal determines electricity pricing by setting the ceiling price that electricity companies can charge consumers. Consumers are not calling for any change in this system; the big electricity corporations have been lobbying the State Coalition Government.

New South Wales families, the elderly and the poor cannot afford any increase in electricity prices, especially after the Federal Coalition Government's vicious budget of huge rises in the costs of health care, getting an education and running a car. My second reason for opposing the bill is the impact that deregulation of electricity prices will have on the competition. Currently New South Wales has plenty of competition in the electricity market with 16 retailers servicing the State. Unfortunately, Victoria's deregulated electricity market has shrunk and is concentrated in the hands of three big players—AGL, Origin and Energy Australia—which now control 72.1 per cent of the Victorian electricity market. Over the past few years, their dominance in the market has allowed them to swallow up the smaller electricity companies. The Liberals talk about competition and how people will be able to choose, but there will be only three big corporations to choose from. Is that what we want to see happen in New South Wales? If the bill is passed, that is what will happen.

My third reason for opposing the bill is the State Government's lack of investment in measures that will help customers navigate the market. The experience of customers in Victoria is that they do not understand the mumbo jumbo that electricity salespeople tell them. They are not able to work out what is a good deal and what is not. The information that electricity companies provide is often misleading. I have been advised that the doorknockers are the worst for conning people. Let us face it, if it is too hard, a lot of customers will not vote with their feet and will stay with a bad deal because it is easier, less fuss and less of a headache for them. The State Government should put up some funding for measures that will help to ensure that customers get the best possible deal. That is not what the bill is about. It is not about protecting customers or pushing electricity prices down. It is about what is good for the big electricity corporations. Big businesses have been lobbying the Liberals to remove the safety net so that they can charge whatever they like. Next, the Liberals will privatise New South Wales electricity poles and wires, and then customers will really be up the creek.

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [5.11 p.m.]: I support the Energy Legislation Amendment (Retail Price Deregulation) Bill 2014. The deregulation of retail electricity prices is not some kind of neo-liberal zealotry on the part of the New South Wales Government. Leaving aside the dinosaurs of New South Wales Labor who would rather look to North Korea for their economic example, it is a model that has broad bipartisan support across Australia. As recently as 1 May this year the Council of Australian Governments Energy Council applauded the New South Wales Government's decision to remove retail electricity price regulation, which will deliver greater competition and lower electricity prices for many households and businesses in New South Wales. It is not just coalition governments that support retail price electricity. That bastion of neo-liberal zealotry, the South Australian Labor Government, also spoke positively about its experience with deregulation and the downward pressure on prices as a result.

The South Australian Labor energy Minister offered his congratulations to this Government on making this decision, despite the scaremongering from those on the other side. The decision to deregulate electricity prices has sensible bipartisan support outside New South Wales. Indeed, a former Labor Federal Government Minister, Martin Ferguson, requested the Australian Energy Market Commission to conduct a review of the state of competition in New South Wales in 2012—Federal Labor was also looking at deregulation as a way to improve customer benefits. What is presented to Parliament today is not based on the economic theory of the member for Heffron or the economic expertise of the member for Cabramatta, but what the experts in the AEMC have found. As a result of their extensive inquiry, they recommended that retail price regulation be removed. In October 2013 the commission stated:

This will encourage greater innovation and lead to more tailored energy products and services for consumers. Already over 60% of NSW energy customers have chosen market offers set by their retailer.

The Government is introducing the bill to apply downward pressure on prices. I will come to possible qualifications in relation to the gas market but, generally speaking, competition is the best way to deliver the lowest possible prices and the best quality services to customers. We have seen the result in other industries. We have experienced the result of deregulation of telecommunication prices, and deregulation of prices and competition in the airline industry. It is not neo-liberal zealotry but basic common sense that worked. The Government is not setting aside regulation of retail electricity and saying that is the end of it. It is appointing a market monitor, namely the Independent Pricing and Regulatory Tribunal [IPART], to determine whether our confident predictions will be correct. The Government is not scared of the result. To put it in the vernacular, it is sucking it and seeing how it goes.

Ultimately we will see whether the doomsday predictions of the member for Heffron and the member for Cabramatta come to pass. Hopefully they will not, which is why the market monitor has been put in place to scrutinise the competitiveness and effectiveness of the retail electricity market. IPART will scrutinise the market and report annually. There will also be a power to request IPART to conduct a special review, which will include a detailed review of retail prices and profit margins in New South Wales and whether they reflect a competitive market. The Minister for Resources and Energy can request such a review and also request the market monitor to consider other matters should there be additional concerns. The market monitor will act as a watchdog and provide an additional layer of protection.

It is quite extraordinary that we hear the doomsday predictions from our friends opposite. In 2009 and 2010, when the current Leader of the Opposition was the Minister for Energy, he presided over a price spike of 22.4 per cent. He locked New South Wales into five years of double digit price increases, which thankfully, have been reined in by this Government. It is no surprise that we have people such as the Leader of the Opposition who chooses to play politics and engage in scaremongering. He is ignoring the hint that Federal Labor was giving before it was defeated at the last Federal election and he is ignoring what our Labor equivalents in South Australia are saying. The fact that we are not deregulating prices in the gas market shows that we are not neo-liberal zealots who have a blind faith in the market and who will not look to particular circumstances.

The AEMC found a lack of effective competition in the gas market and that is why regulation is staying. The AEMC has found effective competition with the current 16 suppliers and a further 33 prospective suppliers, so it makes sense to deregulate the market to create downward pressure. The AEMC has said that deregulation will encourage innovation, and will lead to more tailored energy products and services for customers. The bill is about what is best for customers, not scaremongering by our opponents or what their electrical trade unions may want. It is about what is best for consumers and the businesses in New South Wales that provide the goods and services that we use every day. It is a great bill. It has the endorsement of COAG, so it has bipartisan support outside New South Wales. I commend the bill to the House.

Dr ANDREW McDONALD (Macquarie Fields) [5.18 p.m.]: The Opposition opposes the Energy Legislation Amendment (Retail Price Deregulation) Bill 2014 because it will not protect the community from future uncontrolled electricity price rises. New South Wales electricity prices are among the highest in the western world. In the past few years power bills have almost doubled in this State, taking New South Wales from a middle-ranking State to near the top in the world. That is why the term "bill shock" has entered the English language. According to Federal Treasury, on average our electricity bills can be broken down as 9 per cent for carbon price, 20 per cent for retail and customer services, 20 per cent for the actual cost of producing electricity, and the remaining 51 per cent for network charges. In the past two years the average electricity bill has increased by 100 per cent—58 per cent due to network costs, 9 per cent due to the carbon price and 4 per cent due to the renewable energy targets.

For the average consumer that brings the annual bill to about \$2,000 and will mean that many of my constituents suffer energy poverty. "Energy poverty" is defined as a family that spends more than 10 per cent of its disposable income, even with rebates, on energy. The latest \$450 million cut in the Abbott budget forward estimates will put these rebates and concessions at greater risk. As I said earlier, more than half of the increase over the past two years has been the result of network charges. Since 2009 network companies have spent \$45 billion in Australia to upgrade their networks, and consumers have paid every cent of that \$45 billion in power bills. These very expensive assets are being fattened up for the prospect of privatisation. Indeed, the Government that privatises these poles and wires will make a substantial windfall. But it is not only about poles and wires: The demand for electricity is reducing.

In 2009, for the first time, electricity consumption dropped by 2.5 per cent and it has been falling ever since. This means that Australia now has enough generation capacity. Currently more than two million households in Australia use solar photovoltaic power or solar hot water, in some cases both, and another one million households are expected to install solar power by 2020. About one in 10 Australian households get their daytime power from solar panels. This means they bypass the retailers completely at times of peak demand, which is when some of the coal-fired companies make the majority of their profits. In fact, some of those companies can make a quarter of their annual profit at peak demand times—often in as little as 36 hours. For example, when it is boiling hot and people need to use air-conditioning units for extended periods. Indeed, these power companies are under attack from two fronts: renewable energy from home-based sources and decreasing demand.

This reduction in profitability means that more than ever this market must be monitored and watched carefully by the Independent Pricing and Regulatory Tribunal [IPART]. The previous speaker, the member for Cronulla, talked about using competition to determine price. That only really works when there is a true market, but in electricity there is a natural monopoly. Despite the reduction in the wholesale cost of coal-fired power, there has been little difference to retail electricity prices. Australia now has enough capacity to generate all the electricity that it needs, and further developments in renewable energy such as wind power or solar power will displace other forms of generation. That is yet another reason why IPART should supervise electricity prices. Bernie Fraser, Chair of the Climate Change Authority, was quoted in a background briefing program as having said:

Policy-makers need to look beyond short-term economic considerations in the interests of some of the big companies to longer-term community interests. And that's what governments are supposed to do, but unfortunately it's not happening at the present time.

That is what this bill is all about. It is not about long-term community interest; it is about the short-term economic considerations of the big companies. In my electorate there has been no push from the community to remove IPART from its electricity supply and costing role. Like most members of Parliament, I have not received one community representation suggesting that the removal of IPART would help to reduce the high cost of electricity. In effect, IPART sets a ceiling price, so why would we remove it when the market is expected to solve the problem? As soon as the ceiling is removed and the economic circumstances change the captive audience—the electricity customer—has the potential of being subjected to very high prices. Those at greatest risk are the most vulnerable who find it hard to change electricity companies.

As some companies are earning less profit from the sale of electricity, they are seeking to recoup their costs by increasing their network charges. This trend will continue. The rise in network charges will counter the use of locally produced electricity from solar panels, or if people reduce their use of electricity, because people need to remain connected to the grid—renewable energy is not usable 24 hours a day, seven days a week. This captive audience has to be connected to the grid and so our vulnerable will face increasing network costs. In fact, the 2012 Senate inquiry found there was a perverse incentive for companies to invest in networks and pass the cost on to the consumer. This increases the profits of electricity companies in the face of reducing demand.

If IPART ceases to be the regulator of energy prices there will be no-one to protect the consumer, especially those most vulnerable. A toothless observer is of minimal benefit to those who need help the most. The record of the market and electricity companies is that of maximising profits for shareholder return. They are private companies. That is their job. Serving the customer is not part of their core duty. That is why the community needs the balance that IPART provides as a price regulator—namely, to protect both the consumer and the electricity companies. Everyone needs electricity and everyone needs to be protected from predatory charging by electricity companies. The most vulnerable need the support of the Government. The Opposition opposes the bill because it will remove the protection that everyone needs and deserves.

Mr ANDREW ROHAN (Smithfield) [5.27 p.m.]: I speak in support of the Energy Legislation Amendment (Retail Price Deregulation) Bill 2014. This key piece of legislation represents the last stop of the energy deregulation train that was set in motion by Federal and State governments some 10 years ago through the Australian Energy Market Agreement. This bill deregulates the retail energy market by removing retail electricity price regulation, not simply the wholesale market. This move to deregulate the market has been a carefully considered one. It follows a review by the Australian Energy Market Commission [AEMC] in 2013, which found that the competitive framework in New South Wales for the retail electricity market has developed well enough to no longer require price regulations. It also found regulation to be possibly inhibiting competitive prices, including a possible saving of \$300 to \$400 a year for a consumer by switching to competitive market contracts.

Currently in New South Wales 16 actively operating electricity retailers supply a large range of products and services across New South Wales, and a further 33 companies licensed to operate in New South Wales are expected to enter the market following this crucial reform. The bill follows the Government's commitment to exert downward pressure on the cost of living. For those opposite who are having a hard time following this, that will be achieved by an increase in competition following the deregulation of the electricity market. A natural result of sustained and unencumbered competition is the reduction of price, which seems to be the core differentiating factor.

As at the start of this month, more than 60 per cent of New South Wales households have made the switch to a competitive market contract. For those who remain on the regulated contracts until 1 July this year, they will be moved onto a transitional tariff, which will result, for most, in a decrease of 1.5 per cent in price—the first decrease experienced in 15 years. Those who switch to competitive market contracts are able to save up to 15 per cent of the regulated price. Most importantly, electricity prices will increase at most by the consumer price index [CPI]. This is in stark contrast to those bygone days of double-digit spikes in electricity prices.

The Council of Australian Governments has applauded the move; at least 60 per cent of New South Wales households agree, with many more making the switch. The Victorian and South Australian governments and the Queensland Government seem to agree that deregulation of the electricity market is the way to go. The Government recognises, of course, that various safeguards must be installed or maintained in order to ensure customer protections will not be lost or lessened. So it is that the bill introduces the market monitor, an independent watchdog that will carefully watch over the state of competition and the effectiveness of the retail electricity market. After a reading of new section 234A under part 9A, I imagine that this would include the detection of any unfair pricing, coordinated effects, misuse of market power and any unnecessary or unwanted barriers to entry and exit from the market.

Furthermore, its role will include assessing movements in electricity prices and product variety to ensure the dynamics of the price environment reflect a competitive market. Indeed, the body will be supported by the Independent Pricing and Regulatory Tribunal [IPART], which has been appointed to serve as the market monitor. This is an excellent decision, as the tribunal has extensive experience in dealing with the energy market over many years. Further customer protections lie in the standing offer price, which engenders a basic and no-fuss, no-frills product offering that the customer is more than able to switch from. I urge the people of New South Wales who remain on regulated offer contracts to start doing their homework and to get onto the free comparison website, www.energymadeeasy.gov.au, to check out the various energy offers. Moving on to the gas market, following the report by the Australian Energy Market Commission [AEMC] in some regional areas the retail gas market has not developed a sufficient level of effective competition. Given this, there is no deregulation of the retail gas price.

I commend the Minister for Resources and Energy, Mr Anthony Roberts, for finalising and delivering on the last step of the deregulation process. His department's extensive consultation with industry, consumers, regulators and key government bodies has ensured a well-rounded approach to this reform. I also thank the

Minister for paying my electorate a visit a few weeks ago to promote knowledge of the deregulation and its effects with my constituents at the Stockland Wetherill Park Shopping Centre. This bill will surely affect a great number of families in my electorate of Smithfield who are doing it tough. I strongly agree with previous speakers that this bill will secure a brighter place for New South Wales through future innovative energy offers benefiting both retailers and consumers. We are committed to maintaining best practices in protecting consumers in the energy market. I commend the bill to the House.

Mr GUY ZANGARI (Fairfield) [5.34 p.m.]: The object of the Energy Legislation Amendment (Retail Price Deregulation) Bill 2014 is to amend the Electricity Supply Act 1995 and the Electricity Supply (General) Regulation 2011 while abolishing electricity regulation, establishing a market monitor that will report on the performance and competitiveness of the electricity retail market, and providing the means for customers on regulated offer contracts to be transitioned onto standard retail contracts. However, gas price regulation will continue unchanged by this legislation. Amendments proposed in the bill will remove protections for electricity consumers across the State. The deregulation of electricity prices in New South Wales will give retailers the permission they need to charge their consumers whatever price they feel is appropriate.

Those on the other side of this Chamber have dug in their heels, believing that deregulation will result in savings for households across this State. The Government has noted that it is committed to a 1.5 per cent price reduction during the transitional period for those on a regulated price. For this promise to be substantial, we would need to see the electricity retailers promise the consumers of New South Wales that they will be happy to reduce their profitability in the long run, because they have no intention of capitalising on the deregulated electricity market. If those opposite think deregulation of the State's electricity prices is going to drive prices down then they must be from la-la land.

At present, there is plenty of competition in the New South Wales retail market, with more than 60 per cent of electricity consumers having switched from the regulated price to a competitive market contract. With 16 different electricity retailers, we see a variety of products and services being offered to meet the needs of the public. Following deregulation, what would happen to this vibrant market? It is quite clear that the largest organisations will ensure that the smaller entities are no longer able to compete and will have free reign over the industry. We have seen the figures from South Australia and Victoria following their electricity price deregulation. The outcome speaks for itself.

Following deregulation in those States we saw the largest electricity providers take control, and increased prices were then passed on to the consumer. Along with this came a significant increase in complaints to the energy and water ombudsmen in those States as a result of soaring prices. The process is not all that surprising. If you allow these large electricity corporations to decide how much the New South Wales consumer is going to have to pay then of course prices will go through the roof. Why would they not? What is there to stop them? We have all played Monopoly and we have seen the outcome. The New South Wales public is not crying out for the deregulation of the electricity network. The outcry is that under the Baird Government, people have faced rising prices in their day-to-day expenses. They do not want to see electricity prices go any higher.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! Government members will come to order. The member for Tweed will come to order.

Mr GUY ZANGARI: As it stands, the New South Wales public is being hit left, right and centre as a result of the cuts of the Abbott Government and the Baird Government. We, the New South Wales Labor Opposition, stand up to the Government and say, "No more. Enough is enough." The people of New South Wales deserve better than this. I say no to electricity price deregulation. I say no to the rising costs imposed on the hardworking men and women of New South Wales. I say no, and I will not support this legislation. I oppose this bill.

Mr CRAIG BAUMANN (Port Stephens—Parliamentary Secretary) [5.38 p.m.]: I speak in support of the Energy Legislation Amendment (Retail Price Deregulation) Bill 2014, and seek to bring some sense to this debate following the contribution of the previous speaker. I am fully aware of the cost-of-living pressures for people in my electorate. Last week I placed in my local newspaper an advertisement promoting the New South Wales energy rebates available to families and low-income earners. My office has been flooded with calls. More than 940,000 households are eligible to receive a New South Wales Government rebate, including the Low Income Household Rebate and the Family Energy Rebate.

The Low Income Household Rebate increased to \$225 per year on 1 July 2013 and will rise to \$235 this year. The \$125 Family Energy Rebate will rise to \$150 by July 2014. More than 540,000 New South

Wales families are eligible. I know people are doing it tough with increases in seemingly every area of our lives, from petrol to food to electricity costs. The New South Wales Government has made a commitment to place downward pressure on the cost of living by increasing competition in the electricity market and reducing prices for customers. We have put an end to the double-digit price increases experienced under Labor. We have turned the corner and are now seeing some relief.

The bill amends both national and State-based energy laws and regulations as they apply in New South Wales to increase competition and choice. That is really what we all want: choice. More than 60 per cent of New South Wales customers have switched from the regulated price to a competitive market contract. There are around 16 electricity retailers offering products and services in New South Wales. A further 33 companies are licensed to operate in New South Wales and are expected to enter the market as a result of this reform.

In 2013 the Australian Energy Market Commission [AEMC] undertook a comprehensive review of the effectiveness of competition in the New South Wales retail energy market. As part of the review the AEMC consulted extensively with households, small business owners, consumer groups and industry. The Australian Energy Market Commission found that competition is sufficiently developed in the New South Wales electricity market to justify removing retail price regulation. Based on the Australian Energy Market Commission's recommendations, the New South Wales Government has decided to proceed with deregulation of the electricity market.

Electricity deregulation will not degrade customer protections. The regulation of retail prices provides an effective form of protection for customers only in markets where competition is not effective and where individual retailers can exert their market power and influence prices. Retail price regulation does not provide effective protection for customers in a competitive marketplace. An effective and competitive market provides the strongest protections and lowest prices for customers. Importantly, electricity deregulation will reduce red tape and the administrative burden it imposes on retailers. This means that the cost of this red tape will no longer be passed on to consumers, which will place further downward pressure on electricity bills.

The Government is proceeding with electricity deregulation because evidence has shown that there is strong competition in the New South Wales electricity market. To keep an eye on the level of competition in the market, the bill provides for the appointment of a market monitor. The market monitor will scrutinise and report annually on the competitiveness and effectiveness of the retail electricity market. This will ensure that any problems arising in the market can be addressed early so that customers will not be subject to unfair pricing. The Minister has announced previously that the Government has nominated the Independent Pricing and Regulatory Tribunal as the market monitor. The bill also provides the New South Wales Government with the power to request the Independent Pricing and Regulatory Tribunal to conduct a special review if necessary.

In making the transition to a market that is free of retail electricity price controls customers will not face any disruption or be required to do anything extra to maintain access to the supply of electricity. Customers on regulated contracts will automatically transition to standard retail contracts. The terms and conditions of these contracts will be exactly the same as those under the regulated contracts. If customers were on a payment plan or subject to a hardship policy these protections will automatically continue to apply to their new contracts. I commend the bill to the House.

Mr RICHARD AMERY (Mount Druitt) [5.43 p.m.]: I will make a brief contribution to debate on the Energy Legislation Amendment (Retail Price Deregulation) Bill 2014. I support what Opposition members have said, which is that we should oppose this bill. As the overview states, the bills seeks to deregulate the retail price of electricity, provide for the monitoring of the performance and competitiveness of the retail electricity market for customers in New South Wales and amend the 1995 Act to remove a number of provisions and so on.

One of the reasons I speak against this bill is that deregulation of the price of any product has rarely if ever been done in this State without there being some losers in the system. A Federal Labor government deregulated the banking industry. Who were the losers when that took place? Consumers and customers. Before the deregulation banks would offer a minimum of 3.5 per cent interest on accounts. They now offer 0.10 per cent. Who were the winners in that deregulation?

As a result of deregulation of the dairy industry the price of milk stabilised for retailers, but who were the losers? The producers and dairy farmers. Government involvement in setting a price somewhere along the chain was removed and price determination was left open to the marketplace. This bill seeks to remove a

maximum price on electricity in an industry that will now be run by private enterprise. Large numbers of various companies are in the field and it is likely that more will join them. I cannot understand how the Government can argue its position to the consumer.

This debate has involved many blame games. Electricity prices have increased under all governments. There have been increases of 16 per cent, 17 per cent and 20-plus per cent in electricity prices over a number of years. A lot of porkies have been told about the reasons for that. For example, people have said that the carbon tax is to blame for the whole thing. The fact is the restructuring of the electricity industry and the reduction of the national grid have brought different pricing pressures to the system.

Whilst all of the factors mentioned in the arguments may have contributed to price increases, it is absurd to suggest that when the Government removes the maximum price the suppliers will out of the goodness of their hearts sell electricity at a lower rate than now, when a maximum price is in place. Does the Government really believe that? I think the answer to that rhetorical question is contained at paragraph (b) of the overview of the bill, which states that the bill will provide for the monitoring of the performance and competitiveness of the retail electricity market for small customers in New South Wales.

If the Government really believed that deregulation of the market and removal of that maximum price would expand competition, which is happening anyway, and reduce the price there would be no need to bring in monitoring. It is a political sop to the consumers to say that we are going to look after it. Does the monitoring process as set out in paragraph (b) give the Government, the Minister or anybody an opportunity to say that a price increase is unfair and will not be allowed? Of course it does not. That is because this is a deregulating process.

During a discussion in caucus today Labor members were unanimous in their view that we should support the shadow Minister's recommendation to oppose this bill. In leading for the Opposition in this debate the shadow Minister has outlined the reasons for our position. Those who think deregulation of anything will bring about a fairer go for consumers or anyone else in the supply chain do not read enough history. The bill will pass this House but I hope that it will be defeated when it comes before the Legislative Council. I oppose the bill.

Mr STEPHEN BROMHEAD (Myall Lakes) [5.48 p.m.]: I support the Energy Legislation Amendment (Retail Price Deregulation) Bill 2014. We all know the pressures on household budgets and that people all over regional New South Wales are suffering due to the cost of living. We know that, and that is why we care. This bill is about changing what has been happening. It is obvious that if we do not make changes things will stay the way they are. By bringing in competition we can lower electricity costs and help households in regional New South Wales.

The objects of the bill are, first, to modify the operation of the National Energy Retail Law (NSW) so that the mandatory scheme requiring energy retailers to offer energy at a regulated price to certain small customers no longer applies in relation to the supply of electricity to those customers and to provide for transitional contract arrangements for those customers; secondly, to provide for the monitoring of the performance and competitiveness of the retail electricity market for small customers in New South Wales; thirdly, to amend the Electricity Supply Act 1995 and the Electricity Supply (General) Regulation 2001 to update references and remove provisions as a consequence of the deregulation of retail electricity prices; and, fourthly, to provide for gas pricing order provisions to be retained and revived in the Gas Supply Act 1996.

The Minister, the Hon. Anthony Roberts, told the Parliament in his second reading speech that in 2004 the Commonwealth, State and Territory governments of Australia entered into the Australian Energy Market Agreement. The agreement set the agenda for phasing out retail electricity and gas price regulation in markets where competition is found to be effective. Minister Roberts further stated that in 2013 the Australian Energy Market Commission undertook a review of the effectiveness of competition in the New South Wales retail energy market, consulting extensively with stakeholders. The review found that competition is sufficiently developed in the New South Wales electricity market to justify removing retail price regulation. However, it also found that competition in the retail gas market has not evolved to the same extent. For this reason, the bill removes the requirement for the Independent Pricing and Regulatory Tribunal to regulate retail electricity prices. However, it makes no such change in relation to gas.

Much has been said about the protection of consumers. Schedule 1 [9] modifies the national law by inserting new part 9A. The new part establishes a market monitor, to be prescribed by regulations, to monitor

the performance and competitiveness of the retail electricity market in New South Wales for small customers and to report annually on it. Schedule 2 [4] provides that the market monitor is the Independent Pricing and Regulatory Tribunal. So IPART is the market monitor that will report annually to Parliament to ensure that consumers are being looked after under this scheme. We heard scaremongering from the member for Heffron, the member for Fairfield, the member for Cabramatta and the member for Macquarie Fields. Typically of Labor, they painted only half the picture. They did not mind saying that under the Coalition prices increased by 17 per cent and 18 per cent, but they did not say that under Labor prices increased by more than 60 per cent.

The member for Macquarie Fields said that this Government is fattening the prices of the poles and wires for privatisation. Let us look at the history. In 2009 the Federal Labor Government, along with the New South Wales Labor Government and the governments of other States, went to the Australian Energy Regulator stressing their significant capital outlay on poles and wires around Australia—something like \$19 billion. That was the agreed position of those two Labor governments. As the member for Macquarie Fields said, 51 per cent of the increases related to poles and wires. Who agreed to increasing the value of the poles and wires? It was the Labor Party in New South Wales and the Labor Party federally. The Coalition inherited this over-capitalisation of the poles and wires from Labor.

We looked at the evidence of what was leading to that over-capitalisation. In my electorate, TransGrid proposed erecting more poles and wires from Stroud to Lansdowne. In the electorate of the member for Lismore, it was a line going from Bonshore to Lismore. Having looked at those proposals, we said to the Minister, "Hang on a second; this is not right." To his credit, the Minister said the Government would review the situation, and that review recommended that the proposed line not go ahead. So it is this Coalition Government that stopped price rises attributable to over-capitalisation of poles and wires. Though this year there was a very small increase, in the next financial year there will be a decrease, and competition will drive electricity prices down even further.

Mr Geoff Provest: We listened to the people.

Mr Barry O'Farrell: The people's champion.

Mr Geoff Provest: Hear, hear! The people's champion.

Mr STEPHEN BROMHEAD: That is right. Federally, Labor supported deregulation and competition. In South Australia, they supported deregulation and competition. The Council of Australian Governments [COAG] supports deregulation and competition. The only ones with their heads in the sand are Labor members. Typically, for the 16 years that they were in office they mismanaged New South Wales. They were incompetent, absolutely hopeless, and New South Wales has been paying for that. But luckily for New South Wales the Coalition was elected to government, and we are turning around the economy and addressing mismanagement. We are getting on top of it.

The member for Mount Druitt also referred to deregulation of the dairy industry. Who did that? Labor did it—and that is why it failed. He also spoke of deregulation of banking and the Commonwealth Bank. Who did that? It was Federal Labor—and that is why it failed. Labor has an absolutely hopeless record when it comes to this sort of thing, whereas the Coalition has an excellent record. We have the runs on the board. I commend the bill to the House.

Mr CLAYTON BARR (Cessnock) [5.55 p.m.]: I speak on the Energy Legislation Amendment (Retail Price Deregulation) Bill 2014 and note the objects of the bill. I follow the member for Myall Lakes, who obviously sits in this Chamber as a member of The Nationals, in this debate. I am surprised by his speech because more than anything else we must have great concern about retail price deregulation. The member referred to the process of gold plating the poles and wires. The most difficult customers to service are those in regional and remote communities. By that, I mean that the price per household to deliver anything to those in regional and remote communities will be higher than the price of delivery to urban and dense residential areas.

One would think on that ground that members of The Nationals would have to be dragged into this place kicking and screaming. They have been asked to argue in favour of this bill because that is what they are required to do as members of this Coalition—this marriage of convenience, or perhaps inconvenience. However, they do not come in here kicking and screaming; they come in here gladly and willingly, openly supporting the Liberal line that there is a need to deregulate everything.

During this debate there has been mention of a whole range of services delivered to the consumer that have been deregulated. The question posed by the member for Mount Druitt was: Which of those deregulated services can we point to as successes? I can tell the House that the people of my electorate are wishing that, for example, compulsory third party [CTP] green slips were still regulated and that there was a maximum price, because the cost of CTP insurance seems to be on the increase, not the decrease—thanks to competition. I am sure there is a whole range of people across the community who wish that bank fees and charges were still regulated, because those fees and charges are on the increase, not the decrease.

I take this opportunity to pose a rhetorical question to those opposite. I do not expect an answer—of course, it would be unparliamentary to engage in debate across the Chamber. My rhetorical question is this: Which Government members will stick up their hand and offer a money-back guarantee that electricity prices will go down as a result of this proposed deregulation? For the millions of customers across New South Wales, when electricity prices go up, who will they send their bill to and say, "You promised me prices would go down; they've gone up"? Which members opposite are willing to stick up their hand and say, "I will bankroll and guarantee that prices will go down; and if prices go up, I will refund the increase in price to you"?

I do not expect—even to this rhetorical question—any of those opposite to be sticking up their hand too soon, because we all know that the result of deregulation, whether it be in banking or insurance, is that ultimately prices go up. Would you not love to go to the petrol bowsers today and know that the price was regulated? Would you not love to know that the maximum you would pay would be X? Has not the deregulation of petrol prices been a boon for our economy? It does not matter how many times the Australian Competition and Consumer Commission investigates that mob, it still cannot find any evidence of collusion. But no matter how many times I switch off *A Current Affair*, I am always mid-story about collusion on petrol prices.

Mr Richard Amery: It's just coincidental.

Mr CLAYTON BARR: Of course it is coincidental! As the member for Mount Druitt says, the price goes up on weekends and goes down mid-week. It is coincidental that when the price of oil goes up, petrol prices go up immediately; but when the price of oil comes down, it takes quite some time for that price reduction to have a flow-on effect in petrol prices. It is just coincidental. And that is what we can expect with the Energy Legislation Amendment (Retail Price Deregulation) Bill 2014.

It is important to note that, currently, the regulation of the retail price is about setting the maximum price. If competition is going to drive price down, that can also occur under the existing system. The Government argues about lowering, undercutting, reducing, charging less. All that can happen now. This bill removes the ceiling, and the only reason one would do that is to allow prices to rise. I believe wholeheartedly that this is about preparing the network—the poles and wires—for sale. This is about removing barriers in order to fatten up the cow to enable an increased price for the sale of poles and wires.

That is a matter of great concern because—as we have seen in other parts of Australia and the world—the sale of a network does not lead to a decrease in price; it holds the community to ransom and results in deterioration in the reliability of the network. That is not a good outcome for the citizens and community of New South Wales. More than 80 per cent of the people of New South Wales believe the poles and wires should stay in government hands and that it should remain a government-operated process. I proudly stand with the Labor Party in opposing the Energy Legislation Amendment (Retail Price Deregulation) Bill 2014. While the Opposition may not have the numbers in the lower House, we will keep our fingers crossed about the result of the vote in the upper House.

Mr ANTHONY ROBERTS (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [6.00 p.m.], in reply: The Energy Legislation Amendment (Retail Price Deregulation) Bill 2014 will reform the retail electricity market and deliver greater benefits to New South Wales households and businesses. The bill makes good on the Government's commitment to place downward pressure on the cost of living for the people of New South Wales. It increases competition and choice in the State's electricity market and, for the first time, puts consumers in the driving seat to determine how much they want to pay for electricity. A competitive market provides the best form of consumer protection and the lowest prices for customers.

Competitive markets give customers the power to change retailers if they are unhappy with the prices or the level of service offered by their existing retailer. This means that, over time, retailers will compete to retain their customers by offering more competitive prices, better products and better protection for customers.

I now turn to the issues raised by members, specifically by those opposite. Opposition members have talked about price controls and rationing and various things. The question I ask those opposite is: How many of them are on the regulated price?

The member for Cessnock indicates that he is. I say to him, "You are a good man but don't run the Treasury." As most New South Wales consumers have found—even before deregulation—if they pick up the telephone and say to their supplier, "I want a better deal, give me a better deal", the supplier will give them a significant amount off their bill because it wants their custom. I do not know how close the member is to electricity retailers but he can have that wonderful relationship and have \$300 or \$400 in his pocket, instead of in theirs.

The member for Heffron raised a number of issues. We all know that he supports deregulation, as do most of those opposite but they been forced to deliver speeches written by the failed former Minister for Energy, John Robertson. I will address my reply to him. The member for Heffron raised the issue of electricity price rises over the first three years of a Liberal-Nationals government. He also queried why we have not had a 1.5 per cent decrease in the regulated price throughout those years. First, the regulated prices have been set by the Independent Pricing and Regulatory Tribunal [IPART], an independent body in whose work the Government does not interfere. The member for Heffron should know also that this was the process adhered to under the former Labor Government, a process to which the Liberal-Nationals Government remains committed.

Secondly, the member for Heffron should take note of history. The price increases during the first three years of the Liberal-Nationals Government were driven, in large part, by increased network costs. The network cost increases were determined and locked in for a five-year period by the Australian Energy Regulator in 2010. And this is where it gets interesting: Who was the Minister who locked those in when that determination was made? It was none other than the Leader of the Opposition, John Robertson—who is not present in the Chamber. Furthermore, by way of a history lesson, on 18 March 2010 IPART issued a media release stating that the regulated price was expected to rise by up to 42 per cent by 2013. IPART stated that this would equate to around \$601 over that period. On 28 April 2010, IPART confirmed this fact with a release stating that the regulated price would rise by 42 per cent by 2012-13. Who was the Minister for Energy in March 2010, at the time of those price determinations? I am not going to give a prize for this tonight because the answer is obvious.

Mr Stephen Bromhead: Captain Solar.

Mr ANTHONY ROBERTS: Once again, none other than John Robertson, the Leader of the Opposition—Captain Solar. The member opposite asked why we are not deregulating now in time for 1 July 2014. I have good news for the Opposition. The Government is deregulating in time for 1 July 2014. Deregulation will take effect as at 1 July 2014, with the regulated price ceasing to exist from that date in this great State. Instead—and some of those opposite still on the higher regulated price might want to listen to this—customers on the regulated price will shift to a transitional tariff for a period of two years unless they choose, if they have not already done so, to move to a competitive market contract to save themselves money prior to that period.

The member for Heffron raised the issue of why the Government is establishing IPART as the market monitor. Members opposite have called into question the ability and appropriateness of IPART to take up this important role. I ask who is more qualified to fulfil this role, given IPART's extensive experience in and thorough knowledge of the New South Wales energy market? I am astounded that those opposite would choose to use this debate as a means to attack the credibility and competence of IPART. Again, I state that I do not believe this is the real view of the member for Heffron or many of those opposite and I am truly disappointed that the Leader of the Opposition has prevented his colleagues from debating this policy on its merits.

The member for Heffron, and a number of speakers on the other side, indicated that the regulated price acted as a ceiling price on electricity. I make it clear that that is, quite frankly, wrong. The regulated price is the average maximum price that each of the regulated retailers can charge customers. This means, in practice, customers in any region of the State could be charged prices above the regulated price. Let us be clear, the regulated price is not the ceiling price for New South Wales electricity customers. The member for Cabramatta made comments relating to price increases in other States that have been deregulated. It is frustrating when members present mistruths as facts to the Parliament.

Let me clear up these irregularities. In Victoria, the then Labor government-mandated rollout of Smart Meters resulted in massive bill increases due to the cost of the meters being passed on directly to customers. In South Australia, the increasing reliance on renewable energy—which accounts for as much as 30 per cent of total electricity generation on an average day—also led to significantly higher wholesale prices. The member for Cabramatta should

note—and this is interesting—that prices have increased in Victoria since it deregulated its market but prices in New South Wales, under those opposite, increased at a higher rate over the same period. That is despite New South Wales having a regulated market. It once again debunks the myth that regulation leads to lower prices.

I address now the comment that deregulation in Victoria has led to a concentration of market share among the big three retailers—AGL Energy, Origin Energy and Energy Australia. Unfortunately for the member for Cabramatta, the facts say otherwise. In New South Wales, with its regulated market, the big three retailers enjoy a market share of more than 90 per cent. By comparison, in Victoria, where deregulation was embraced by the then Labor Government in 2009, the big three have less than 75 per cent of the market share. Again, Labor's lack of understanding is laid bare. Lastly, the member for Cabramatta should be aware that options exist for customers to find a better deal. I suggest that those opposite log on to the Australian Energy Regulator's independent comparison website www.energymadeeasy.gov.au and see for themselves how much can be saved in a competitive marketplace.

I am sure those opposite will actively promote that site to their constituents. I look forward to reading their various newsletters promoting this proposal after they visit the site, realise the savings to be made and become switching converts just like the member for Heffron. The member for Macquarie Fields raised the issue of network costs. I will not dwell on this issue other than to say that once again the facts speak for themselves. Those opposite let network costs spiral out of control. In contrast, under this Government network costs have been reined in. Under the latest pricing determination by the Australian Energy Regulator, network charges will decrease by up to 2.3 per cent in 2014-15. Under Labor prices skyrocketed, while under this Government they are on the way down. I thank sincerely the members representing the electorates of Heffron, Davidson, Cabramatta, Cronulla, Macquarie Fields, Smithfield, Fairfield, Port Stephens, Mount Druitt, Cessnock and Myall Lakes for their valuable contributions to this important debate.

I thank also my dedicated staff at the Division of Resources and Energy for their tremendous effort to develop this historic reform. This reform is the outcome of relentless hours of hard work, and I acknowledge each and every one of my staff for their fantastic contribution. I make special mention of the following individuals from the Resources and Energy policy team: my Executive Director of Energy, Andrew Lewis; Manager of National Energy Policy Jacqueline Crawshaw; Senior Policy Officers Shelley Ashe and Ellen Kelly; and Principal Legal Officer Emma Solomon. Indeed, I am delighted to be joined by both Jacqueline and Emma in the Chamber tonight. It is important that we pay tribute to our fantastic and hardworking public servants in this State. Some people might go through their lives without acknowledging their hard work and the great debt we owe them, but not on our side. We acknowledge and pay tribute to them. Lastly, I make special mention of the contribution made by Ms Jessie Foran, who was instrumental in driving the development of this reform. I commend the bill to the House.

Question—That this bill be now read a second time—put.

The House divided.

Ayes, 53

Mr Anderson	Mr Gee	Mr Provest
Mr Aplin	Ms Goward	Mr Roberts
Mr Ayres	Mr Gulaptis	Mr Rohan
Mr Barilaro	Mr Hazzard	Mr Rowell
Mr Bassett	Ms Hodgkinson	Mrs Sage
Mr Baumann	Mr Holstein	Mr Sidoti
Ms Berejiklian	Mr Humphries	Mrs Skinner
Mr Bromhead	Mr Kean	Mr Souris
Mr Casuscelli	Dr Lee	Mr Speakman
Mr Conolly	Mr Marshall	Mr Stokes
Mr Constance	Mr Notley-Smith	Mr Stoner
Mr Coure	Mr O'Dea	Mr Toole
Mrs Davies	Mr Owen	Ms Upton
Mr Dominello	Mr Page	Mr R. C. Williams
Mr Doyle	Ms Parker	Mrs Williams
Mr Edwards	Mr Patterson	<i>Tellers,</i>
Mr Evans	Mr Perrottet	Mr Cornwell
Mr Flowers	Mr Piccoli	Mr Ward

Noes, 23

Mr Barr	Mr Hoenig	Mr Rees
Ms Burney	Ms Hornery	Mr Robertson
Ms Burton	Mr Lynch	Ms Tebbutt
Mr Collier	Dr McDonald	Ms Watson
Mr Daley	Ms Mihailuk	Mr Zangari
Mr Furolo	Mr Park	<i>Tellers,</i>
Mr Greenwich	Mr Parker	Mr Amery
Ms Hay	Mr Piper	Mr Lalich

Pair

Mr George

Mrs Perry

Question resolved in the affirmative.**Motion agreed to.****Bill read a second time.****Third Reading****Motion by Mr Anthony Roberts agreed to:**

That this bill be now read a third time.

Bill read a third time and transmitted to the Legislative Council with a message seeking its concurrence in the bill.**LAW ENFORCEMENT (POWERS AND RESPONSIBILITIES) AMENDMENT BILL 2014****Second Reading****Debate resumed from 15 May 2014.**

Mr PAUL LYNCH (Liverpool) [6.20 p.m.]: I lead for the Opposition on the Law Enforcement (Powers and Responsibilities) Amendment Bill 2014. The Opposition does not oppose the bill. The object of the bill is to amend the Law Enforcement (Powers and Responsibilities) Act [LEPRA], following a number of reviews and reports. Those include a statutory review of the principal Act by the department of Attorney General and the Ministry for Police and Emergency Services, dated 2013, and tabled recently. That statutory review flowed from section 243 of the principal Act, which is known as LEPRA. The review said that it took into account two reports prepared by the NSW Ombudsman. These reports were the 2006 review of the Police Powers (Drug Detection Dogs) Act, known as the drug dog review, and the February 2009 review of certain functions conferred on police under the Law Enforcement (Powers and Responsibilities) Act 2002. That report, in turn, stemmed from section 242 of LEPRA and dealt with personal searches, crime scenes and notices to produce.

The statutory review was stated to be the Government's response to the Ombudsman's LEPRA report. The principal Act, in the words of the 2009 Ombudsman's report, "represents the most extensive codification and consolidation of the criminal law enforcement powers most commonly used by police in New South Wales". The bill was assented to in 2002. It came into force in stages, the first of which was in 2004. The development of the bill arose from the Wood royal commission, which envisaged consolidation and codification of police powers. For anyone who supports a society governed by the rule of law, such a development was welcome. The other relevant report was the Tink-Whelan review, commissioned in October last year by the former Premier. That was not pursuant to specific statutory review provisions. They prepared one report dealing with section 99 of LEPRA within two weeks of the referral. That resulted in legislation in this place in November last year.

The second Tink-Whelan report, dated 12 December, took a little longer to complete but was still done within two months and dealt with part 9 and part 15 of LEPRA, which respectively concerned investigation and

questioning and safeguards relating to police powers. The recommendations in that review on those parts of the Act have given rise to a large part of the bill now before the House. I found the process of the Tink-Whelan review quite unsatisfactory. They make it clear in the review—and granted the time frame gave them little option—that their consultation was remarkably restricted for legislation of this type. Their consultations were restricted to the police and the department and the ministry.

There is reference to them reading submissions made to the statutory review. The overwhelming impression is a lop-sided approach to the task. As I said during the November 2013 debate, this process was highly unorthodox and innocent of the usual public consultation that such a process should involve. The most substantial change introduced by the bill to part 9 of the Act relates to the establishment of a new category of protected suspects. A definition is provided. It means a person in the company of a police officer who is participating in an investigative procedure concerning an offence has been informed that they can leave if they want to and the police officer believes there is sufficient evidence that the person has committed the offence.

This category is distinguished from suspects who have been detained—that is, people who have been arrested. This part of the Act is aimed *inter alia* at providing for the rights of a person detained. Tink and Whelan quote criticism of part 10A of the Crimes Act in 2001 to establish that there are problems with the interpretation of current provisions. Part 10A of that Act became part 9 of LEPR. They say that much of this stems from the confusion over whom it applies to. Their solution is to ostensibly simplify the current position by creating the two categories of a detained person and a protected suspected. There are precedents in other jurisdictions for this approach. Whether creating extra categories as a simplification is an interesting philosophical question, and whether it leads to a simplification in practice is not altogether clear either. The inadequate public consultation over this proposal does not fill one with confidence about the ultimate practical outcome.

Another change made by schedule 1 of the bill to part 9 of the principal Act relates to the time limit for which a suspected offender can be detained for the purpose of investigation. Currently an offender can be detained for a period of four hours. This can be increased for a further eight hours by a detention warrant. I note in passing that in the December 2013 Tink-Whelan report this is incorrectly described at page 9 as an extension warrant rather than a detention warrant. This bill, on the basis of the Tink-Whelan report, proposes an increase of four hours to six hours but retains the overall limit of 12 hours, reducing the second period from eight hours to six hours. When determining the application for a detention warrant, the decision-maker must take into account any time for which the person concerned was a protected suspect. The bill also adopts the Tink-Whelan recommendations about the applicability of part 9 outside a police station. It will apply to the execution of search warrants in the field but not otherwise in the field. The major policy basis offered for this in either the Tink-Whelan review or the second reading speech is police convenience.

New section 112A (2) reduces the current threshold at which the presumed custody manager is able to not comply with the statutory obligations relating to communication. The other change in the bill to part 9 also recommended by the Tink-Whelan review relates to providing details of their rights to protected suspects or people under arrest. This can be done by way of providing a summary of the provisions in a form prescribed by regulation. The Tink-Whelan review seemed to suggest that Crown Solicitor's advice allows this to occur already, but police will not do it unless it is made as explicit as the new provision provides. The other focus of the Tink-Whelan review was part 15. Schedule 2 to the bill deletes part 15 and replaces it with an altogether new part 15. The redrafting stems from the apparent fact that many police seem unable to correctly state their name and place of duty when exercising their powers.

These issues have been the subject of debate over time and the Tink-Whelan review has come down on the side of the police. I would have preferred a more considered discussion of the issue with a range of perspectives being considered. The new provisions are presented as a simplification. I regard the argument, that the regime presented in the new part 15 is simple, as wrong. The bill purports to remove the need in many cases for a two-stage warning under the current section 201 (2C). The requirement under section 201 (2) for an officer to provide details of his or her identity and reasons for the exercise of specified powers is reduced so it only has to be done as soon as reasonably practicable unless it is to a single person. Setting up different regimes for a single person as opposed to more than one person does not seem to me to make the provision simpler. Likewise, there is an exception if the police officer is asked for information.

Probably the most significant change in this part of the law is section 204A, which means that failure by the police to comply with obligations imposed on them in the exercise of their powers under this part, by law, no longer renders that exercise of powers unlawful. The law is in force but one concludes from this that the

police do not have to obey. People not adhering to the law are normally behaving unlawfully, although not now in these situations in relation to police. The Ombudsman will scrutinise compliance for 12 months. That scrutiny is certainly welcome and hopefully will provide some clarity about how it is working.

Schedule 3 to the bill deals with amendments other than those from the Tink-Whelan review. These seem largely to stem from the statutory review and a much more comprehensive consultative approach. Some amendments seem sensible and uncontroversial. A search under the Act can include the search of a person's mouth, protections that apply to searches are clarified in relation to transgender people, and the term "request" is replaced with the term "requirement", when in fact it is a requirement. Associated with the Deputy State Coroner's recommendations in the matter of Jason Plum, a search of a person in lawful custody can be carried out immediately before or during the transportation to or from a place of detention. Jason Lee Plum died from a self-inflicted gunshot wound while in police custody. That power to search includes before they are put into a police car and when custody is transferred from one group of officers to another. The statutory review points to situations referred to by the Ombudsman where Corrective Services staff will not accept someone unless they have been first searched by police—another persuasive and practical reason to support the amendment.

Significant changes have been made in relation to searches. Currently there are three types of searches: ordinary, frisk and strip searches. The review recommended, and the bill implements, the combination of frisk and ordinary searches into one consolidated search. The Ombudsman's LEPR review recommended a simpler two-tiered system of searches, although a three-tiered system might better match the level of invasiveness of the search with the reasons for it. In practical terms the way in which the two tiers of frisk and ordinary search are conducted blurs the line between them, and there is little practical difference in the way they are conducted. Also there is the impact of a possible increase in police power in relation to knife searches. Page 26 of the statutory review states:

However, the Ombudsman's LEPR review notes that while they would not argue for any expansion of police powers in relation to such searches, the practical differences between frisk and ordinary searches were so slight that any increase in powers would be minimal.

Section 32 prohibits questioning for the purposes of investigation during searches. To me that is entirely appropriate for obvious reasons. However, for equally obvious reasons, proposed 32 (8A) is entirely sensible, which allows questions only to be asked that relate to personal safety issues associated with the search. Section 31, which relates to strip searches, is also amended to provide a lower threshold being stipulated for a strip search to be carried out in a police station. The main purpose of strip searches in custody is for the safety of the person being searched but also for safety of the police involved.

The Ombudsman recommended that the seriousness and urgency test for a strip search not apply to searches in custody. This was adopted by the review and in the provisions of the bill. Proposed section 32 (7A) makes it clear that police can delegate a search power to another person of the same gender as the person to be searched. This clarification was recommended by the Ombudsman and the statutory review. One persuasive argument in support of this is that in rural areas police officers request female Corrective Services officers, ambulance officers and nurses to search a female suspect when no female police officer is on duty. In accordance with these recommendations the class of person who can conduct the search will be prescribed by regulation.

Other provisions relating to strip searches include clarifying that a person of the opposite sex can be present with the consent of the person being searched—this clarifies that a guardian, parent or support person can be present—and they restrict the grounds on which a person in the 10 to 18 years range, or who has impaired intellectual functioning, can be strip searched. New section 34A creates a statutory basis for consent searches, which includes a requirement for explicitly seeking consent. This is a sensible provision that was recommended by the statutory review and developed from concerns expressed by the Law Society, Legal Aid and the Shopfront Youth Legal Centre. Provisions relating to issuing notices to produce are clarified and amendments are made concerning police powers at scenes of domestic violence offences. There are further amendments concerning powers at crime scenes.

The review's recommendations aimed to require warrants for more intrusive powers but not necessarily comparatively minor ones. There are minor changes to the time periods in which powers can be exercised. Crime scene warrants may apply to more than one set of premises—more than one premise can, of course, be involved in an incident. A person can seek a review of the grounds in which a warrant was issued. Consent may be given to the exercise of crime scene powers but it must be informed consent. Evidence of conversations

recorded on in-car audio will now be admissible in court proceedings where appropriate and not subject to a complete ban. The Commissioner of Police is given discretion to order the destruction of photographs, fingerprints and palm prints.

Miscellaneous police powers concerning vehicles and traffic are moved to the Road Transport Act. There are other miscellaneous amendments in schedules 4 and 5. A number of recommendations from the statutory review have not been dealt with in this bill. I specifically ask the Attorney General in reply to indicate the Government's response to the statutory review non-legislative recommendations Nos 1, 31, 32, 34 and 35. I also seek the Attorney General's response to legislative recommendation No. 10, especially the last portion of that recommendation, and recommendation No. 16. Further, I draw the attention of the House to an email I received today from the New South Wales Council for Civil Liberties [NSWCCL]. In that email the council has expressed a number of concerns, which I consider it appropriate to place on record. In relation to proposed section 115, extension of maximum investigation time, the council said:

NSWCCL opposes this strongly. No persuasive case is made in the Tink and Whelan Review nor in the Explanatory memo. The police concede that 4 hours is sufficient in most cases. For the minority of cases for which it is not sufficient the Act provides for an application for an extension. Police argue that this process can take longer than the extended time needed. If this is the case, the focus should be on improving the efficiency in this process—not extending by 50% the permitted detention time. NSWCCL opposes the increase in investigative time because it is not necessary for most cases; the loss of liberty is a hugely important right and 6 hours is an onerous period of detention—particularly at night and for the young and vulnerable.

In relation to proposed section 110, which deals with the introduction of a protected suspect category instead of deemed suspect, the council said:

NSWCCL accepts that there is confusion with the current definition of those "deemed arrested" and that a clarification is needed. However, we do not consider the current amendment to be appropriate because it excludes a significant category of persons who should be covered by the relevant protections of part 9. The amendment should be rewritten to incorporate those not formally arrested, not explicitly told they are entitled to leave. These persons may nonetheless consider they are not free to leave and may not understand that they do not have to participate in an interview. There are many vulnerable persons who find themselves in this situation. The amendment should be rewritten so it incorporates the following criterion: "the official has given the person reasonable grounds for believing that the person would not be allowed to leave if he or she wished to do so".

The council made some comments about proposed sections 201 and 202:

It is difficult to see how these are too complex or difficult to understand or apply. NSWCCL does not accept the rationale for the need to simplify these.

The amendment only requires police to comply "as soon as it is reasonably practicable to do so". NSW considers this an unnecessary weakening of an important safeguard and accountability mechanism.

The council also commented on proposed section 204A:

NSWCCL strongly opposes this amendment. It is a major weakening of important safeguards and accountability provisions. Police irritation with the exercise of their powers being declared unlawful in courts should not be addressed by the removal of appropriate and necessary legal provisions—but by police complying with them. This is a dangerous slippage of safeguards and accountabilities. NSWCCL urges the Government and the Parliament to block this amendment.

Having said that, the Opposition does not oppose the bill.

Mr STUART AYRES (Penrith—Minister for Police and Emergency Services, Minister for Sport and Recreation, and Minister Assisting the Premier on Western Sydney) [6.36 p.m.]: I speak in support of the Law Enforcement (Powers and Responsibilities) Amendment Bill 2014. I again thank former shadow Attorney General Andrew Tink and former Minister for Police Paul Whelan for their contribution in completing the statutory review of Law Enforcement (Powers and Responsibilities) Act, commonly referred to as LEPR. As I have said before, even though the statutory review was due in 2009, and it lapsed time and again, the former Labor Government did not complete the review. This has frustrated police who have been concerned about the complexity of the Act since it commenced in 2005.

The former Labor Government ignored pleas for improvements until this Government took the necessary steps to ensure that a statutory review was completed. Police will now have the powers to do their job safely and efficiently, while providing appropriate safeguards for members of the community when dealing with police. The statutory review found that on the whole the policy objectives of LEPR remain valid and the terms of the Act are appropriate to securing its objectives. However, the amendments recommended in both the statutory review and Tink-Whelan report will ensure that those objectives can be more effectively met by an increased level of clarity.

Police will have less red tape with which to contend. This will mean that police will be out on the street where they are needed. Court cases failing as a result of technicalities now will have a better chance of succeeding with powers being simplified. In December last year the Government introduced the first of the amendments from the Tink-Whelan review. Under previous section 99 of the Act the powers of police to arrest had been unclear and complex. Criminals had tried to use this section as a loophole to escape conviction and, in some instances, to sue police for large payouts. Within weeks of the appointment of Mr Tink and Mr Whelan, legislation had been passed to provide clarity and simplicity, and these new laws were drafted in close consultation with senior police. As a result, the Government has drastically simplified the powers of police to arrest an offender without a warrant. The bill gives effect to the remainder of the statutory review, continuing the process of simplification for the remainder of the Act.

The amendments in schedule 1 to the bill will provide a clear distinction for police between an arrested person and someone who is voluntarily assisting them. Once enacted, there will be two categories under the Law Enforcement (Powers and Responsibilities) Act [LEPRA]. Those are, first, detained persons who are not free to leave the company of police—they are under arrest—and, secondly, protected suspects who are voluntarily in the company of a police officer and who have been informed that they are entitled to leave at will. A time-consuming and impractical practice whereby police have to freeze a search warrant and take a suspect back to the police station to have a custody manager administer their rights has been improved. A new section will ensure that this procedure can occur during the execution of a search warrant in the field and allow for this custody record to be recorded as part of a video recording. These are sensible amendments that improve police practice and maintain the rights of suspects.

Schedule 2 to the bill contains reforms to part 15 of LEPRA, as recommended by Mr Whelan and Mr Tink. This includes remaking the section that sets out the information police must provide to a person when exercising police powers. The section has been amended repeatedly over the years and has become complex and difficult for police to apply. The bill restructures and greatly simplifies what police must apply in the field. It will remain a statutory requirement in LEPRA that police must provide their name and place of duty; evidence that they are a police officer, unless they are in uniform; and the reason for the exercise of the power. However, these provisions have been simplified and police will find it easier to comply with this requirement. Failure of a police officer to provide his or her name and/or his or her place of duty when exercising a power will not make the exercise of the power invalid.

The New South Wales Ombudsman will scrutinise police compliance with these obligations for 12 months after commencement of the provisions and report back to the Government. Schedule 3 to the bill implements recommendations made by the remainder of the statutory review. Search powers are also clarified, including in relation to searching a person's mouth, searching transgender people, delegating the search power, and restricting a search on young people or those with impaired intellectual functioning. Uncertainty about whether a person could be searched before he or she is put into a police van has also been clarified. Crime scene preservation is a critical component of policing investigations. Crime scene powers will also be extended in certain circumstances.

The Act will be "tidied up" with vehicle and traffic powers in LEPRA being moved to the Road Transport Act 2013 so that all powers of this type are located in one piece of legislation. The intention of this bill is to clarify, simplify and improve the complex legislation that is LEPRA. The bill enhances processes for police officers and ensures that their powers and responsibilities are appropriate and balanced. I recognise the work done by the office of the Attorney General. I thank a number of senior police officers and members of the Police Association of NSW who have consulted widely and informed the Government of the importance of this reform.

There is strong support in the community for the NSW Police Force. Right around the State there is an incredible amount of support for the men and women who put on those blue uniforms every day and go out to protect the community. They expect this Parliament to continue to enact laws to enable them to do their job and to ensure that our streets are safe. The amendments being made under the Law Enforcement (Powers and Responsibilities) Amendment Bill do exactly that—they allow police to get on with their job of ensuring that our communities are safe, and give them the powers to do so. I commend this bill to the House.

Mr ALEX GREENWICH (Sydney) [6.43 p.m.]: The Law Enforcement (Powers and Responsibilities) Amendment Bill 2014 implements recommendations from two reviews of the Law Enforcement (Powers and Responsibilities) Act to clarify police powers and change their responsibilities in exercising these powers in

order to improve police operations. While many of the changes meet these objectives, I share the community's concern that some are open to misuse and abuse, and could lead to the loss of important rights, lengthen detention without charge and remove police accountability.

Under the current Act, when an officer fails to adhere to the statutory requirement to provide his or her name and/or place of duty when exercising a power, the exercise of these powers becomes invalid. I understand the frustration this could cause officers who inadvertently fail to provide the required information when, as a result, it leads the courts to declare the powers unlawful. However, this does not justify removing the safeguard. The current situation encourages compliance, and I am concerned that, under the bill, police could be less likely to provide the information. The Government should consider ways to help police officers comply, such as through improved education and training.

The bill also simplifies the rules around when police officers must provide information to a person when exercising powers. Currently officers must provide information "as soon as it is reasonably practicable to do so"—except in the case of giving a single person a direction, requirement or request, when officers must provide the information "just before" giving that direction, requirement or request. This bill extends the "as soon as it is reasonably practicable" requirement to apply to all situations including in the case of giving a single person a direction, requirement or request. I agree with the New South Wales Council for Civil Liberties that this weakens an important safeguard and accountability mechanism when police give directions, requirements and requests, and that it is unnecessary because the existing legislation is clear and no evidence has been provided to indicate police confusion.

I am concerned that the bill increases the existing maximum initial investigation period for a detained person from four hours to six hours before an application for an extension is required. While the maximum entire investigation period with an extension remains 12 hours, the existing safeguards that require an extension beyond four hours prevent excessive detention of a person. I understand that four hours is sufficient in most situations so there is no reason to extend the time of an initial investigation for all cases. Six hours is a long time to be detained, particularly for people who are homeless, who have a mental illness, who are disadvantaged or who are vulnerable.

The bill creates two categories of people to whom existing rights apply in situations such as when premises are being searched under a warrant. These are "detained persons", who are arrested persons, and "protected suspects" who are suspects in the company of a police officer for the purposes of an investigation and who have been told they are free to leave. I understand from the New South Wales Council for Civil Liberties that the definition of a protected suspect covers fewer persons than the existing "deemed suspect" definition, which will be replaced by the bill, including persons who have not been formally arrested or told explicitly they are entitled to leave. Often people who fall into this category are vulnerable persons who are being questioned, but who do not understand that they are free to leave or that they do not have to participate in an interview. Existing safeguards should be retained for these persons. The bill enables a police officer to conduct a search, including a strip search, if someone provides consent.

While the individual does not have to give consent, the officer is not required to inform the individual of this right. This could result in people being subjected to unwanted interference of their personal bodily integrity because they wrongly believe that they must consent to it. Strip searches were a major topic of concern at last year's mardi gras parade and parties. A large number of event participants who were searched reported feeling violated and exposed. This year police worked with the community to put in place a very transparent process where everyone knew their rights and responsibilities. This made the events safe and successful, and that is what this bill should be legislating for. Police need the powers to ensure effective and efficient investigations to prevent crime and hold criminals to account. However, I am concerned that this bill goes beyond this to remove vital protections and rights from persons who have been accused, but not proven guilty.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [6.47 p.m.]: The Law Enforcement (Powers and Responsibilities) Amendment Bill 2014 forms part of an important and ongoing process commenced by this Government to look at the Law Enforcement (Powers and Responsibilities) Act [LEPRA], which is very important legislation. Late last year section 99 (3) was amended to cover the power of arrest. A number of other amendments have been made to the Act. It was the subject of the Tink-Whelan review, as it is commonly called, which was conducted by Mr Andrew Tink and the Hon. Paul Whelan. I think this has struck a chord with our police, from the Commissioner of Police, Andrew Scipione, all the way down to our probationary constables on the streets.

Like a number of members of this House, I have had the honour of doing nightshifts with the police in my electorate of Tweed, but it could be in Kings Cross or in other local area commands. This experience gives members the opportunity to speak to officers both young and old; officers with many years of experience and also officers who are fairly junior. Police officers have a strong desire to perform their duties whereas they felt a bit hamstrung by LEPRa, which was introduced a long time ago by the former Labor Government. Police virtually had to go through a spreadsheet to work out what they could and could not do. In many cases I guess they chose not to do some things because it had become far too confusing.

On the other hand, LEPRa reflects the strong push by our community to give the police the correct powers to keep the wider community safe. We have seen some horrific incidents in our local community that we never want to see again. Unfortunately, they keep occurring. I praise the Attorney General and our new Minister for Police and Emergency Services for their strong support of the hardworking men and women in blue who put their lives at risk each time they put on their uniforms and work to keep our community safe. I also acknowledge Scott Weber, the President of the Police Association. He has a role to perform as president as well to look after his membership in discussions with government on various topics. I know discussions have been held with the Police Association. Superintendents, assistant commissioners and sergeants fully support what we have done recently with LEPRa. From discussions I have had with them on this bill I know they fully support it too.

The bill makes amendments that were recommended by the Tink-Whelan review. A few of the most important amendments include those to part 9, which governs detention for investigation. The amendments will create two categories for people under part 9, being "detained persons", who are arrested persons, and "protected suspects", who are suspects in the company of a police officer for the purpose of an investigation who have been told they are free to leave. The amendments will allow part 9 safeguards to apply at premises being searched under a search warrant. These amendments will also allow the independent officer at the scene of the search warrant to act as custody manager for the person. The importance of that provision was particularly reinforced to me by police officers. The amendments will clarify that all of the part 9 safeguards apply to detained persons but only the division 3 of part 9 safeguards apply to "protected suspects".

The amendments will extend the initial period during which police can detain an arrested person for an investigation from four to six hours. The bill also makes amendments to search powers to clarify when a person in lawful custody may be searched, and provide for police to undertake searches with consent and apply certain safeguards. That is also important. The legislation we pass must protect the community and give the police sufficient tools to carry out their duties, but it must also protect them. At times I feel that a lot of the legislation passed in this place puts a greater emphasis on the perpetrator than on the victim. It is unfortunate that at times we focus on the rights of the criminal or the perpetrator and seem to forget about the victim. The victim represents the wider community.

The bill makes amendments to crime scene powers to provide police with power to remain in a dwelling in which a domestic violence offence has been committed and preserve the scene. The amendments also expand the crime scene investigation powers without warrant to include some investigation powers. The period during which police can exercise these powers will be extended from three to four hours and six hours in prescribed rural areas, which is important. As Chair of the Government's Rural Crime Advisory Committee, the tyranny of distance has become apparent to me during our trips to rural and regional areas. We met recently with local police in Wilcannia, which is 180-odd kilometres from Broken Hill. Crime or forensic officers from Broken Hill spend many hours travelling to Wilcannia.

The bill makes miscellaneous amendments to change references to "request" in LEPRa to "requirement" where a person has to comply with the power the police officer is exercising; allow conversations recorded on in-car video equipment after arrest to be admitted as evidence; and allow the Commissioner of Police to order the destruction of identification particulars. All in all, this is an important step. We have made a number of amendments to the law enforcement powers contained in LEPRa and I believe there will be more to come. The bill is about returning power to the police so they can make our communities safe. I commend the bill to the House.

Mr GUY ZANGARI (Fairfield) [6.55 p.m.]: The aim of the Law Enforcement (Powers and Responsibilities) Amendment Bill 2014 is to amend the Law Enforcement (Powers and Responsibilities) Act 2002, also known as LEPRa, by implementing a number of recommendations made in a statutory review that was submitted to the Government by Mr Andrew Tink and the Hon. Paul Whelan. A number of recommendations set out within the review will make amendments to investigations and questioning, and a number of safeguards relating to police powers. Proposed changes in the legislation will introduce new safeguards relating to investigation and questioning.

Any person who is classified as "detained" after being arrested will now be clearly defined in order to break down any ambiguity, while separate safeguards will be in place that will differentiate that person from a person who has been told he or she is free to leave, who is also known as a protected suspect. Further amendments have been made to ensure that at the start of an investigation any detained person may be held for up to six hours, which is a two-hour increase on the current legislation. The maximum duration and investigation period will remain at 12 hours. Additionally, it will be a requirement that the period before detention is taken into account when an application for detention has been made after the expiry of six hours. Furthermore, the same protections will now also apply to individuals who are at any premises where a search warrant is being executed.

Clarification has been made to the provisions within this legislation to use plain language to ensure New South Wales police officers can do their job effectively and to ensure communication to members of the public is made easier. At a time when a police officer who is not in uniform is required to exercise his or her power a police officer is required to state his or her name, place of duty and provide a reason as to why that officer is exercising his or her power. The officer must announce this prior to exercising his or her power or as soon as practicably possible when giving a direction.

Additionally, officers are required to consolidate their warnings when giving them to a person who is subject to a direction, warning or request. Should an officer fail to provide his or her name or a place of duty the exercise of that officer's power is not considered unlawful except in the case of a direction, requirement or request to a single person. The Ombudsman will be responsible for monitoring these changes to operations and will subsequently provide a report for tabling in Parliament. Under the proposed changes the existing provisions relating to frisk searches will be amalgamated and changes have been made to the rules behind strip searches.

The proposed changes have reduced the seriousness or urgency required to justify the need to conduct a strip search within the confines of a police station in accordance with the Ombudsman's recommendations. The legislation will, however, retain the limited circumstances in which a strip search can be carried out on minors and individuals with impaired intellectual functioning without the supervision of a parent, guardian or support person. Additionally, individuals who are being searched will have the right to ask questions related to their personal safety associated with the search. Members on this side of the House understand the need to support the hardworking men and women of the NSW Police Force, who tirelessly strive to keep our community safe. I do not oppose the bill.

Mr STEPHEN BROMHEAD (Myall Lakes) [6.59 p.m.]: I support the Law Enforcement (Powers and Responsibilities) Amendment Bill 2014. As a former police officer and lawyer I understand the need for these amendments. This bill gives effect to the recommendations of the statutory review of the Law Enforcement (Powers and Responsibilities) Act 2002 [LEPRA]. These recommendations were included in two reports into the operation of LEPRA. The first report prepared by former Minister for Police the Hon. Paul Whelan and the former shadow Attorney General Mr Andrew Tink dealt with parts 9 and 15 of the Act. These parts deal respectively with investigations and questioning, and safeguards relating to powers under the Act. The second report dealt with the balance of LEPRA based on a statutory review completed by the former Department of Attorney General and Justice, and the Ministry for Police and Emergency Services.

In particular, the bill amends LEPRA to clarify and revise the safeguards under part 9 relating to investigations and questioning, and in particular, first, to provide separate safeguards for persons detained after arrest and for suspects who are in the company of a police officer for the purpose of an investigation but who have been told they are free to leave, and to remove references to persons deemed to be under arrest. Second, the bill provides that the safeguards under division 2 of part 9 apply only to detained persons and not to protected suspects—for example, time limits on the investigation period—and to provide that the safeguards under division 3 of part 9 apply to both detained persons and protected suspects, for example, the giving of a caution that they do not have to say anything; their right to contact a friend, relative, guardian or independent person; their right to medical attention; and their right to reasonable refreshment and facilities.

Third, the bill extends the initial investigation period for a detained person from four hours to six hours, but retains the overall maximum investigation period of 12 hours by limiting the additional period of investigation under a detention warrant issued by an authorised officer to six hours instead of eight hours. Fourth, the bill requires an authorised officer to whom an application is made for a detention warrant to take into account the period before detention during which the person was a protected suspect in the company of a police officer.

Fifth, the bill applies part 9 to a detained person or a protected suspect who remains at premises being searched under a search warrant, including the provision of an independent police officer to exercise the functions of a custody manager; and the provision to dispense with requirements relating to contact with friends, relatives, guardians or independent persons if there is a reasonable suspicion that it may result in bodily injury to any other person and provision to enable the custody record to be included in a video recording of the execution of the search warrant. Sixth, the bill enables information required to be given to detained persons and protected suspects to be given in summary form prescribed by the regulations.

The amendments clarify and simplify the provisions of part 15, relating to safeguards applying to the exercise of police powers by recasting the provisions in plain language, and in particular, first, clarify the time at which police officers exercising a relevant police power must provide evidence that he or she is a police officer, if not in uniform, provide his or her name and place of duty and provide the reason for exercising the power, so that it is to be provided as soon as reasonably practicable or, in the case of direction, requirement or request to a single person, before exercising the power.

Second, consolidate the warnings to a person to whom a direction, requirement or request is given to a single warning that the person must by law comply with the direction, requirement or request, instead of a warning that the person must comply and a warning that failure to comply is an offence. Third, retain the requirement that a police officer provide his or her name and place of duty, but to provide that a failure to do so does not render the exercise of the power unlawful, except in the case of a direction, requirement or request to a single person. Fourth, provide that the Ombudsman is to monitor the operation of the part relating to the provision of the name and place of duty of a police officer and provide a report for tabling in Parliament.

Miscellaneous amendments include, first, to amalgamate existing provisions relating to ordinary and frisk searches. Second, to remove the requirement that a strip search may be carried out at a police station or other place of detention only if the seriousness or urgency of the circumstances requires the search to be carried out but to provide that such a requirement will continue to apply to strip searches carried out in any other place. Third, to limit the circumstances in which a strip search of a child or person with impaired intellectual functioning can be carried out in the absence of a parent, guardian or support person. Fourth, to allow persons while they are being searched to be asked questions that relate to issues of personal safety associated with the search. Fifth, to expand the powers that may be exercised at a crime scene before a crime scene warrant is obtained, including extending the period during which such powers may be exercised before obtaining a warrant. Sixth, to provide that a crime scene warrant may relate to more than one set of premises.

I turn to specific amendments. Schedule 3 [14] makes it clear that, in conducting a personal search, any requirement by a police officer that the person open his or her mouth is to enable the mouth to be searched. Schedule 3 [1] is a consequential amendment that provides that a person's body cavities, which are not authorised to be searched under LEPR, do not include the person's mouth. Schedules 3 [15] and [16] make it clear that the power to search a person who is in lawful custody of the police is a power that may be exercised following the person's arrest and that the power may be exercised immediately before or during the transportation of the person after being arrested to or from a police station or other place of detention.

Schedule 3 [20] provides that the provisions of LEPR applying to personal searches extend to searches carried out by a police officer after obtaining the person's consent to carry out the search. In such a case, the purpose for carrying out the search will be the purpose for which the police officer obtained consent to search. Schedule 3 [29] provides that a consensual search may be carried out only if the police officer has sought the person's consent before carrying out the search and the officer provides the person with evidence that the officer is a police officer and with the officer's name and place of duty. The bill makes a number of amendments, all of which are common sense and very important to enabling the police to carry out their duties safely. I commend the bill to the House.

Mr NICK LALICH (Cabramatta) [7.07 p.m.]: I will make a brief contribution to this debate on the Law Enforcement (Powers and Responsibilities) Amendment Bill 2014. As this bill will help our police men and women carry out their job protecting the community, I will support it. Amendments in this bill are the result of a statutory and Government-commissioned review conducted by the former Minister for Police, the Hon. Paul Whelan and the former shadow Attorney General, Andrew Tink. The review also took into account two reports by the Ombudsman—the 2009 Law Enforcement (Powers and Responsibilities) Act Review and the Drug Dog Review. This bill aims to clarify and revise safeguards relating to the investigating and questioning of suspects brought in by police. It introduces a clear distinction between people who have been arrested, known as detained persons, and those who are free to leave, known as protected suspects. A protected suspect is someone who is voluntarily in the company of police.

The bill also proposes to extend time limits from four hours to six hours for detaining someone who has been arrested. However, it will maintain the maximum time limit of 12 hours. The bill seeks to put in place a requirement that the period before detention is taken into account when an application for detention is made after six hours has expired. In addition these safeguards will now apply to people at premises where a search warrant is being executed. The bill also seeks to make clearer and simplify the safeguards relating to the exercise of police powers and communication with the community. When a police officer is undercover or is not in uniform and needs to exercise their power they must identify themselves by stating their name, their place of duty and the reason for the exercise of the power. They must also show evidence that they are a police officer and they must do so before they exercise their power or as soon as possible.

The bill also consolidates warnings issued by police officers so that a single warning will now be given. However, if officers fail to state their name and place of duty before exercising their power it will not make the exercise of their powers unlawful. This bill will allow the Ombudsman to monitor the operation of these measures for 12 months after the commencement of these provisions. As part of these amendments, provisions for ordinary and frisk searches will be combined and the seriousness or urgency required to justify a strip search in a police station will be reduced.

The bill will limit the circumstances in which a strip search can be carried out on children and young people aged 10 to 18 years and people with an intellectual disability in the absence of a parent or guardian. It will also allow police to ask questions about personal safety during strip searches. The bill will also expand the powers that officers may exercise at a crime scene before a crime scene warrant is obtained. I am happy to see both sides of this Chamber support any measures that will help our police men and women—our men and women in blue—to carry out their duties to the best of their ability, having always in mind the safety of the community. I support the bill.

Mr JAMIE PARKER (Balmain) [7.11 p.m.]: I commence by acknowledging and congratulating the former Minister for Planning and Infrastructure on his new role as Attorney General. I am going to discuss the issue of civil liberties in New South Wales as it pertains to this bill, the Law Enforcement (Powers and Responsibilities) Amendment Bill 2014 [LEPRA]. The test that we apply to these amendments is to question what they do to improve civil liberties in New South Wales. Unfortunately, this bill seems to be eroding safeguards in relation to civil liberties and it contains issues that I would like to address.

Changes to the section 201 safeguards that currently require police officers to provide their name and duty station before exercising a power seem designed to excuse officers from providing this basic information. The idea that we cannot expect police officers to comply with such a minor requirement when exercising their powers over members of the community is concerning, particularly in the context of ever-expanding police powers under this Government. It is claimed that new section 204A is "only intended to act as a safety net for inadvertent breaches of this requirement". It is likely, however, that, because there will no longer be penalties in the courtroom for failing to comply with the section 201 safeguards, a culture will develop where these are no longer provided routinely by officers in their interactions. That is not something that we should be encouraging.

We do note that under schedule 1 [15] there will be monitoring of this change by the Ombudsman for 12 months after the commencement of the section. This is not considered sufficient to ensure that there is not a cultural change for the worse within the NSW Police Force relating to these safeguards. It is surprising that, when considering amending safeguards that are intended to provide some basic protections for the general public from police powers, Mr Whelan and Mr Tink thought it was appropriate to consult with the police but not with the public. The Ombudsman's previous review of LEPRA considered the impact of the legislation on all relevant parties—the police, the courts and the public. Including consideration of the impact on all those stakeholders is a far preferable way of considering such law reform.

One of the reasons for this lack of consultation was the incredibly short time frame of only two weeks in which they were required to provide their report. I am sure that the former Minister for Planning and Infrastructure, and now the Attorney General, knows that two weeks is insufficient time to carry out broadscale consultation. With this Government's graffiti laws and tattoo parlour laws we have already seen its preference for rushing legal changes through the Parliament, often to the beat of the *Daily Telegraph's* drum. With its reviews of the Workers Compensation Scheme and the Police Act we saw the Government picking reviewers who would give it the outcome it wanted. In both those cases the rushed reviews could not take into account the complexity of law and practice, and the hand-picked reviewers may not necessarily have produced the right outcome.

In the context of the recent removal of the right to silence by this Government, the creation of a "protected suspect" would seem to allow police another way of keeping people in their custody in order to pressure them to provide information. Though the person is required to be told that they can leave, it is certainly possible to imagine the substantial pressures they would be under from police to stay in police custody. We note that a number of groups have raised concerns about this legislation. The Law Society of NSW raised concerns about the extension of the initial investigation period and the NSW Council for Civil Liberties raised a number of concerns about the proposed powers to search and the safeguards under sections 201 and 204. I will address briefly some of the issues raised by the NSW Council for Civil Liberties.

The NSW Council for Civil Liberties is a fantastic organisation which provides a watching brief to protect civil liberties in this State—something which, unfortunately, has been weakened over time. The NSW Council for Civil Liberties has raised concerns about section 115 relating to the extension of maximum investigation time. The council strongly opposes the section, stating that no persuasive case has been made in the Tink and Whelan review or in the explanatory memo. The council states that the police concede that four hours is sufficient time in most cases and that, for the minority of cases for which it is not sufficient, the Act provides for an application for an extension. Police argue that this process can take longer than the length of extended time needed. If that is the case, the focus should be on improving the efficiency of the process and not extending by 50 per cent the permitted detention time. The NSW Council for Civil Liberties opposes the increase in investigative time because it believes it is not necessary for most cases. The council stresses that the loss of liberty is the loss of a hugely important right and that six hours is an onerous period of detention, particularly at night and for the young and vulnerable.

With regard to section 110 relating to the replacement of the term "deemed suspect" with "protected suspect", the NSW Council for Civil Liberties accepts that there is confusion with the current definition of those people "deemed arrested" and that a clarification is needed. However, the council does not consider the current amendment to be appropriate because it excludes a significant category of persons who should be covered by the relevant protections of part 9. The council believes the amendment should be rewritten to incorporate those who are not formally arrested and who are not explicitly told they are entitled to leave, because those persons may nonetheless consider they are not free to leave and may not understand that they do not have to participate in an interview. There are many vulnerable persons who find themselves in that situation. The council states that the amendment should be rewritten so it incorporates the following criterion: "The official has given the person reasonable grounds for believing that the person would not be allowed to leave if he or she wished to do so".

The NSW Council for Civil Liberties also addresses issues in regard to sections 201 and 202 and it is important that those issues are addressed. In relation to section 204A, which deals with the validity of exercise of powers, the NSW Council for Civil Liberties states that, currently, failure to comply with the provisions of section 201 renders the exercise of the powers unlawful and is a powerful incentive for compliance. The bill proposes to explicitly remove this provision and the council believes that that would be a major weakening of important safeguards and accountability provisions. Police irritation at the exercise of their powers being declared unlawful in courts should not be addressed by the removal of appropriate and necessary safeguards. We all know the hard work that the police do and we all know that we should respect their work, but it is important to balance that against the right to civil liberties in our community. We believe that many of the matters raised by the NSW Council for Civil Liberties and the Law Society should be addressed by the Government.

Mr BRAD HAZZARD (Wakehurst—Attorney General, and Minister for Justice) [7.17 p.m.], in reply: I thank members for their contributions to debate on the Law Enforcement (Powers and Responsibilities) Amendment Bill 2014: the member for Liverpool, the member for Penrith, the member for Sydney, the member for Tweed, the member for Fairfield, the member for Myall Lakes, the member for Cabramatta and the member for Balmain. A number of matters have been raised by various members, particularly by the member for Liverpool.

This bill makes significant amendments to the Law Enforcement (Powers and Responsibilities) Act 2002, including to the provisions governing the investigation and questioning of suspects and search powers and safeguards relating to the exercise of police powers. The amendments give effect to recommendations made by the statutory review of the Act as well as a review by Mr Andrew Tink and the Hon. Paul Whelan. I emphasise that the recommendations were made as a result of not just the statutory review of the Act and not just the review by Andrew Tink but a combination of both.

The member for Liverpool raised concerns about the implementation of recommendations Nos 1, 10, 16, 31, 32 and 35. In relation to recommendation No. 10, the amendments only allow a strip search of a vulnerable

person in the absence of a support person if the officer reasonably suspects that delay will result in evidence being concealed or destroyed, or where it needs to take place immediately for safety reasons. Given that a strip search can be conducted without a support person only where those circumstances exist, the Government's view is that there is no necessity to include a requirement in the legislation to record steps taken to locate one.

In relation to recommendation No. 16 of the review, the relevant recommended amendments to section 54 of the Act are implemented by item [30] of the bill. No amendment to section 53 was needed to reflect the terms of the recommendation. Recommendations Nos 1, 31, 32 and 35 of the statutory review propose operational measures for the NSW Police Force. The statutory review was conducted in consultation with the Ministry for Police and Emergency Services and the NSW Police Force. They are aware of and were consulted on these operational recommendations. The implementation of these recommendations is a matter for the Minister for Police and Emergency Services to advise on following advice from his department.

It is anticipated that the implementation of some of the operational measures in these recommendations is dependent on the legislative reforms contained in the bill as they affect the safeguards and warnings provided by police. Recommendation 34 of the review relates to prescribing a code of practice in relation to police powers under part 4 in the regulations. The implementation of these recommendations will be progressed following finalisation of the reforms. Accordingly, the amendments in this bill will ensure that police have clear and appropriate powers to get on with the job of protecting the community in New South Wales. I commend the bill to the House.

Question—That this bill be now read a second time—put and resolved in the affirmative.

Motion agreed to.

Bill read a second time.

Third Reading

Motion by Mr Brad Hazzard agreed to:

That this bill be now read a third time.

Bill read a third time and transmitted to the Legislative Council with a message seeking its concurrence in the bill.

ADVOCATE FOR CHILDREN AND YOUNG PEOPLE BILL 2014

Second Reading

Debate resumed from 13 May 2014.

Ms TANIA MIHAILUK (Bankstown) [7.20 p.m.]: I lead for the Opposition in debate on the Advocate for Children and Young People Bill 2014, which will repeal the Commission for Children and Young People Act 1998 and the Youth Advisory Council Act 1989. The bill creates and provides for the functions of a statutory office of the Advocate for Children and Young People. While I note at the outset that the NSW Opposition will not oppose the bill, I ask the Minister to clarify in his reply that the new position of advocate will be properly staffed and resourced, and to provide a guarantee that there will not be a cut in the number of staff employed by the new office, nor in the annual budget allocation. In November 2013 the New South Wales Commission for Children and Young People released a report on public consultations on strengthening advocacy for children and young people in New South Wales. The report concluded:

Community consultations confirmed the need for an advocate.

Children and young people have a strong desire to speak up for themselves.

An advocate for children and young people should be free to offer advice on what are seen to be children's best interests.

Advocacy should be underpinned by comprehensive research and policy analysis.

Advocacy should take a coordinated approach to action with various relevant government and non-government organisations to address issues affecting children and young people.

The Opposition acknowledges the recommendations presented in the report. Children and young people face unique challenges, and they require a platform from which their voices can be heard. It was a recognition of the need for the interests of children to be represented that led the former Carr Labor Government to introduce the Commission for Children and Young People Act 1998, which established and defined the functions of the Commissioner for Children. The Minister, in his second reading speech, said that he:

... authorised the most extensive community consultations on advocacy for children and young people—

and that—

responses were received from more than 900 children and young people.

It should be noted that, while the consultations were widely welcomed, the report did not involve the participation of young people aged between 18 and 25 years. These are the same young people who will be most affected by the bill. The Advocate for Children and Young People Bill 2014 primarily combines the functions from the two existing Acts. The key functions of the existing role of the commissioner will be retained by the advocate. Part 3, sections 14 and 15, will extend the remit of the advocate to include all persons aged zero to 25 years by changing the term "children" to "children and young people" in all instances. The Opposition acknowledges the need for continual assessment and improvement of the way that children and young people have their interests represented. Of course, this was previously reflected by the former Labor Government introducing specific reporting standards for the Commission for Children and Young People under the previous Act.

I note that a previous function of the Commission for Children and Young People was to oversee Working With Children checks. This function was transferred to the Office of the Children's Guardian through the Child Protection (Working with Children) Act 2012. Following Justice Wood's 2008 inquiry into child protection services in New South Wales, responsibility for children's deaths was moved from the children's commissioner to the NSW Ombudsman. The commissioner retained a position as one of the three statutorily appointed members of the Child Death Review Team, along with the convenor, the NSW Ombudsman, and the Community and Disability Services Commissioner. I ask the Minister to clarify in his reply whether the Advocate for Children and Young People will assume the commissioner's role as one of the three statutory members of the Child Death Review Team. I understand that with those two principle changes over the past three or four years the role of the commissioner has, for some time, been purely focused on advocacy and policy. In many respects, that is a natural progression and the role is now purely an advocate position.

I will now address specific proposed sections of the bill. Part 6, section 32, provides that the reporting requirements and mandatory reporting inclusion functions of the commissioner are maintained for the new advocate. Within four months of 30 June each year, the advocate will be required to prepare and furnish to the Presiding Officer of this House and the other place a report of the advocate's operations for the year. Under proposed section 32 (2), the report must specify a range of evaluations and descriptions of activities that took place in that year, various recommendations for changes to the law and a description of any request made by the advocate to conduct a special inquiry that may not have been approved by the Minister.

I note that the advocate may also furnish a special report on any particular issue or general function relating to the advocate's functions. Part 7 of the bill continues to enable the formation of the parliamentary joint Committee on Children and Young People as it functioned previously under the Commission for Children and Young People Act 1998. As per section 38 (1), membership of the joint committee will continue to comprise three members of the Legislative Council and four members of the Legislative Assembly. Under part 3, section 15 (1) (h), the advocate will be required to draft a three-year strategic plan for children and young people in New South Wales. That is one of the specific changes to the role, and I understand it is welcomed by the industry. Part 4 will govern the membership and functions of the Youth Advisory Council.

I note that the provisions for membership of the Youth Advisory Council in the bill and in the Act are identical, although the bill proposes that the council reflect the diversity of young people in New South Wales—a welcome provision. The functions of the Youth Advisory Council are also virtually identical to the previous Act, although the Youth Advisory Council will have the power to advise both the Minister and the advocate as per proposed section 22 (1) (a). I note for the record that there are two additional functions to the council. Proposed section 22 (3) of the bill states:

The Council must work cooperatively with the Advocate in exercising its functions.

Proposed section 23 will enable the advocate to establish and disband advisory committees as he or she considers appropriate. I said at the outset that the New South Wales Opposition will not oppose this bill. The Advocate for Children and Young People will be empowered to consult on behalf of children and young people up to the age of 25 years. Largely, the existing functions of the commissioner and the Youth Advisory Council have been retained. However, some of the feedback I have received is that there is some discontent among 18- to 25-year-old representatives who appear not to have been consulted for their input into the report on strengthening advocacy for children and young people in New South Wales. The Police Citizens Youth Club previously raised concerns, including the fact that there are already many advocates for young people in the 18- to 25-year age bracket and that the position of the advocate should not "be a parliamentary play thing". The Chief Executive Officer, Chris Gardener, stated in an opinion piece in the *Sydney Morning Herald* in January that the advocate:

... should be appointed to visit, listen to and strengthen kids and communities trying to tackle intractable problems, to influence Ministers and department heads behind the scene, and to report to a parliamentary committee on service improvements, international best practice and, most importantly, his or her own performance and effectiveness.

I note also that the Youth Action and Policy Association NSW [YAPA] is broadly supportive of the provisions of this bill. I would like to thank Mr Eamon Flanagan, Director of Policy and Advocacy, for his consultation on this bill. I reiterate the Opposition's concerns that, now that the advocate's functions have been expanded, the department will be well resourced and well staffed. Currently, the commission has at least 10 policy staff. I hope and expect that no-one will lose their position as a result of the passing of this legislation and the repeal of two Acts. If anything, this provides the Minister with an opportunity to increase the number of positions that the advocate will have, given that the functions have been expanded to encompass a larger and much broader age group. As indicated by the PCYC and many other youth organisations, many advocates across the State work closely with government and the not-for-profit sector as well in supporting young people. It is important that the advocate is able to work closely with those organisations in the interests of young people.

As I have mentioned previously as shadow Minister for Youth, the commissioner's role has been carried out by a person acting in that position for about 13 months. I appreciate that part of the reason for that may be the report released by the commission last year on how to move forward with the role of the commission. We will support the new advocate role, but I hope the Minister will quickly advertise for, seek out and interview appropriate candidates for the position, and ensure that that position is established as soon as is practicably possible. I commend the bill to the House.

Mr MARK COURE (Oatley) [7.32 p.m.]: As chair of the Committee on Children and Young People, and someone who became a dad only eight weeks ago, to James Anthony Coure, another St George supporter, it is a privilege and a great honour to speak in support of the Advocate for Children and Young People Bill 2014. The main purpose of the bill is to strengthen advocacy for children and young people in New South Wales by creating a new statutory office of the Advocate for Children and Young People that will report to the New South Wales Parliament. This legislation, as the member for Bankstown said, results from the regulation of the Working With Children Check being transferred from the Commission for Children and Young People to the Office of the Children's Guardian NSW in June 2013; as well as the first review of legislation in the 14 years of operation of the Commission for Children and Young People Act.

I understand that consultations with stakeholders last year revealed that the new advocacy model for children and young people should still be accountable to the Parliament and play a more strategic and important role in public policy. Therefore the advocate will be accountable to the parliamentary joint Committee on Children and Young People, which I chair; and there will be a new requirement for the advocate to prepare, in consultation with the Minister and the wider community, a three-year strategic plan for children and young people in New South Wales. This bill establishes a new statutory office of the Advocate for Children and Young People, which will report to the Parliament. I believe there is a strong need for an advocate. An advocate will help ensure that decisions that are made will have a lasting and positive impact on the lives of children and young people. This is in recognition of the fact that children may be vulnerable in the environments in which they live because they are still developing into adults and may lack the capacity to advocate for their concerns.

An advocate will act as an important bridge between the work that government and committees are doing and the lives of children and young people across New South Wales. The advocacy system being introduced will be accountable to the New South Wales Parliament and will play a strategic role in public policy. This will mean that the advocate will be not only accountable to the parliamentary Committee on Children and Young People but, further to this, required to create a three-year strategic plan for children and

young people in New South Wales. This legislation is important because it will bring together the office of the advocate and the NSW Youth Advisory Council. This will allow issues raised by the Youth Advisory Council to be addressed more efficiently and in a proper manner.

This bill will ensure that the new advocate is responsible for advocating for and promoting the overall safety, welfare and wellbeing of children and young people in New South Wales. The advocate will be required to engage with a wide range of children and young people across New South Wales from birth to 24 years. The advocate will be required to work with other organisations that provide services to, or represent the interests of, children and young people. I have many in my electorate. The Pole Depot Community Centre, which is merging with Menai Community Services and Keystone Community Solutions in Carss Park, has a youth outreach in Treacy Street, Hurstville. These are the types of the centres that the advocate will speak to and consult with. That will give those centres a voice at government on some of the issues that affect them.

The bill also retains key features and functions of the Commission for Children and Young People, including: conducting special inquiries; making recommendations to government and non-government agencies on policies and services affecting children; conducting and monitoring research into issues affecting children and young people; and, very importantly, giving priority to the interests and needs of disadvantaged children and young people in the multicultural, Aboriginal and Torres Strait Islander communities throughout Sydney and across New South Wales. This bill represents a significant win for young people as it will allow the New South Wales Government to better provide assistance to children and young people across the State by conducting, promoting and monitoring research into issues affecting children and young people.

Just a moment ago I spoke about the outreach centre at Hurstville conducted by the Pole Depot Community Centre, a youth outreach zone in Treacy Street. On becoming committee chair only two or three months ago, one of my first visits was to that outreach centre. Of course, I had been there previously as the member for Oatley, but this was as the chair of the committee. It has been operating successfully, I think, for people in my community in the St George area. I note the member for Rockdale is listening to this speech. The outreach serves people in the St George area with a number of programs to ensure that young people are not falling behind in homework or studies, and that they are still attending school and are not on the streets creating problems.

The centre gives them a place to hang out with some of their mates. The youth zone has a number of young people attending primary and high school. Last time I was there it had about 30 young individuals that it was looking after. No-one wants to see a young child skipping school. No-one wants to see a young person leaving school early, or not turning up to school for whatever reason. This Hurstville centre gives them an outreach centre where they are monitored, in what I think is a really good environment, by young social workers who are only a little older than they are.

As chair of the Joint Parliamentary Committee on Children and Young People I consider the bill to be a significant win because it will allow the New South Wales Government to provide assistance to children and young people across the State through monitoring, promoting and conducting the necessary research into issues affecting children and young people. The Advocate for Children and Young People Bill 2014 promotes cooperation with non-government organisations that are concerned with the rights and wellbeing of children and young people in New South Wales. I mentioned earlier some of those organisations in my electorate. The advocate will work towards ensuring that there is coordinated action between government and those organisations to tackle the issues affecting children and young people.

Through its inquiry yesterday, the Committee on Children and Young People was able to talk to the Acting Commissioner, Ms Kerry Boland, about some of the many issues affecting young people in New South Wales, such as bullying and mental health. The advocate will be able to tackle those issues and bring them back to members of Parliament so that they can be addressed. As chair of the Committee on Children and Young People, I commend the bill to the House. It will significantly empower young people across the State. It expressly deals with the issues that affect them, whether it be employment, mental health, education, welfare or law and order. I support the Advocate for Children and Young People Bill 2014.

Ms PRU GOWARD (Goulburn—Minister for Planning, and Minister for Women) [7.40 p.m.]: I take pride in speaking this evening in support of the Advocate for Children and Young People Bill 2014. This bill will strengthen advocacy for children and young people in New South Wales by creating a new statutory office of the Advocate for Children and Young people, which reports to the New South Wales Parliament. I commend Minister Dominello for championing our State's children and young people and for giving them what will become a stronger voice through the new advocate.

The bill is the result of the regulation of the Working With Children Check being transferred, necessarily, from the Commissioner for Children and Young People to the New South Wales Children's Guardian in June 2013. It is also the first review in 14 years of the Commission for Children and Young People Act 1998. Last year, after much consultation with stakeholders, it became clear that a new advocacy model for children and young people was needed—one that could play a more strategic role in public policy. Therefore, the advocate will be accountable to the Parliamentary Joint Committee on Children and Young People and there will be a requirement for the advocate, in consultation with the Minister and the wider community, to prepare a three-year strategic plan for children and young people in New South Wales.

The bill provides the overarching function that will see the advocate "advocating and promoting the safety, welfare and wellbeing of children and young people" throughout New South Wales. This is good news for the young people and children in my electorate of Goulburn. We might not be as big a community as some of those closer to Sydney, but our community spirit is just as strong and just as bright as that in any community in this State. Children and young people are the future of our community. The hopes and dreams of our community rest in what seem to be the limitless and excited minds of Goulburn's young people. We live in a world where the limitless and excited minds of young people everywhere are making changes.

Last week I joined Geoff Lee, the member for Parramatta, for the Parramatta Future Female Leaders' Forum where I spoke and listened to a room of young year 9 girls who were excited about having their voices heard and their questions answered and about the prospect that one day they would be the leaders of our great nation. They raised with me not only their hopes for the future but also the things that worry them. They spoke of concerns similar to that of the 14-year-old who said during the Speak Up! consultation:

It is a lot harder for a young person's voice to be heard, particularly in a society which cannot decide whether or not they actually want young people to speak their minds or stay silent and in the shadows.

We want young people to speak their minds and we need young people to speak their minds. Of course, it should be done with respect and young people need to be good listeners as well as good speakers. We live in a world where young people are shaping the way we communicate, the way we catch cabs, the way we teach in our schools through technology and innovation, and the way we all see the future. Young people imagine the way the world could be and ask: Why not? It is obvious that only by allowing children and young people to speak their minds and to share their experiences can we know how to tailor policies, laws and programs to meet their needs and to identify needs we had not understood existed in today's rapidly evolving world.

The key to this work is in ensuring that young people can have meaningful input into decisions that affect them and in understanding that their voices have the potential to shape practical improvements in the lives of children and young people. We need to build the capacity of young people to be involved in decision-making and in developing their ideas and opinions, as well as building the capacity of organisations to know when and how to involve young people in decision-making in order to harness their strengths.

My experiences over the years have shown me that young people are certainly capable of thinking outside the box, of thinking of ways and means to solve problems that for some of us, as adults, may never have even crossed our minds. This, I believe, is because the changes we have seen over the past decade have put power in the hands of young people. They have mastered how to use new technology in order to build businesses, or to solve problems by raising funds to build clean water wells in distant communities that do not have the capacity to do so. Young people also understand the best way to change our education system so that it is adaptive to their learning styles. By giving young people a voice we not only empower them, we also empower everyone else in New South Wales and Australia and enable us to build a greater future for all.

One of the challenges in promoting the participation of children and young people in the decisions that affect their lives is the difficulty of ensuring a fair representation in the decision-making process from the diversity of children and young people, in terms of age, background, where they live and the circumstances of their lives. This is especially difficult when consulting children and young people on broader issues because the impact of decisions on one group of children and young people will not necessarily be the same for another group. To deal with the issue of diversity, the advocate will need to partner with non-government organisations to draw on their expertise in working with specific groups of children and young people and their connection with children and young people in diverse communities. The advocate will also need to use proven and innovative ways to communicate with and to consult a wide range of children and young people, including through online and social media channels.

This bill brings together the Youth Advisory Council [YAC] and the advocate, which will enhance the advocate's access to advice from committed young people who speak not only on their own behalf but also for their peers and communities. The YAC will still have direct access to the Minister for Citizenship and Communities but will also work with the advocate and have access to the advocate's networks. I am confident that the bringing together of an established and effective YAC with the advocate will strengthen the participation and advocacy function and broaden the reach of the advocate and the YAC, all to the good of children and young people in this State and to the future of New South Wales. I commend the Advocate for Children and Young People Bill 2014 to the House.

Ms CARMEL TEBBUTT (Marrickville) [7.48 p.m.]: I speak on the Advocate for Children and Young People Bill 2014. The Opposition does not oppose the bill. The bill creates the statutory office of the Advocate for Children and Young People and provides for the functions and role of the advocate. The bill also allows for the abolition of the Commission for Children and Young People and the Youth Advisory Council, replacing them with the advocate and a new Youth Advisory Council. One key distinction between the existing commissioner and the new advocate lies in raising the upper age limit of young people who will be represented by the advocate. Previously, the commissioner's duties were directed at all children under the age of 18.

This bill separates the definition of children and young people by defining a child as a person under the age of 12 years and a young person as someone between the ages of 12 and 25 years. The advocate is given responsibility for both groups and the bill increases the highest age represented from 17 years to 24 years. The commissioner's stated role to improve the safety, welfare and wellbeing of all children and young people in New South Wales remains as important as ever. I am pleased to see these principles are retained as paramount considerations in the new bill.

The Minister has advised that children and young people were consulted prior to the introduction of the bill. I note the absence of consultation with young people between the ages of 18 and 25 years. This is regrettable, especially considering that this age bracket will be represented by such an authority for the first time. I note also that some youth organisations raised the fact that a number of organisations already act as advocates for young people, especially in the 18 to 25 years age range. It will be important to ensure there is coordination and consultation between the new advocate and these organisations. I hope that the experience and expertise of all youth advocacy organisations will be utilised as much as possible by the new advocate.

Government decisions can have a profound effect on children and young people, yet, as we know, many children and young people cannot vote or express their views through the mechanisms available to adults. Therefore, it is important that governments establish ways to consult children and young people and to ensure their participation in the decision-making process. In 1998 the Labor Government established the Commission for Children and Young People with the inaugural commissioner, Gillian Calvert. I worked closely with Ms Calvert and take this opportunity to pay tribute to her energy, enthusiasm and passion for improving the lives of children and young people.

The commission was created as an independent body to promote respect and understanding for the interests and needs of children and young people in our community. It was given a broad mandate to consider wide-ranging issues that affected children and young people while also allowing children and young people an effective avenue to have their voices heard. Firmly entrenched in Labor's commission were high levels of participation and the engagement of young people in decisions affecting them. These principles should be strongly retained in the functions of the new advocate and its office. Similarly, the functions of the Youth Advisory Council are grounded in consultation with and the participation of young people in decisions that affect their lives. It makes sense that both bodies now will be linked under the one Act. It is vital that the views of children and young people are heard and taken seriously.

As a former Minister for Youth, I met regularly with the Youth Advisory Council. I remember always being impressed with its level of engagement and enthusiasm for the issues it dealt with. Unfortunately, the Coalition Government has done away with the stand-alone portfolio held by a Minister for youth when government advocacy for the needs of children and young people is more important than ever. So many changes occurring now will have lifelong impacts on young people, not the least being increases in TAFE fees, the proposed deregulation of university fees and the abolition of skills and training programs, such as Youth Connections. However, the recent changes to Newstart concern me most. Young people under 30 years of age and out of work will be denied access to support for six months. I do not understand how the Government can expect young people—

Mr Kevin Conolly: Point of order: The member is straying well and truly away from the leave of the bill.

Ms CARMEL TEBBUTT: We are talking about young people, are we not?

Mr Kevin Conolly: We are not talking about the changes in this legislation. I ask that the member be brought back to the leave of the bill.

ACTING-SPEAKER (Mr Garry Edwards): Order! The member will contain her remarks to the leave of the bill.

Ms CARMEL TEBBUTT: I will. The point I am making is that if we are to have an advocate on behalf of children and young people, that person must advocate the needs of children and young people. I am sure that young people not being able to access support for six out of 12 months when they are unemployed or getting access to training programs because the Federal Government has increased fees and abolished support programs will be a very real issue for the advocate as it will affect young people across New South Wales.

I believe that the advocate will have their work cut out for them when dealing with these sorts of issues, if they are to be genuine about representing and advocating on behalf of young people. Children and young people face many challenges and opportunities in the world in which we now live. Many have access to technology about which we could only have dreamed. We know that the potential educational opportunities are immense and social connections often provide much support and happiness. But we know also that technology poses huge challenges, including cyberbullying and poor physical fitness. Too many children and young people are overweight or obese. New South Wales has the highest rate of poverty for children and young people under the age of 25 years, and young people often feel disconnected from the world.

The new advocate for children and young people will have to deal with all these issues. It is important that the processes are established to enable children and young people to be consulted. However, it is important also that that consultation is meaningful, that the views of children and young people are listened to and acted upon, and that children and young people have real opportunities to participate in the decisions that impact on their day-to-day lives. The Government will need to properly resource the advocate and the Youth Advisory Council, and take their reports and recommendations seriously if this legislation is to have any real effect. The New South Wales Opposition will hold the Government to account to ensure it does just that regarding the advocate and the Youth Advisory Council. I commend the bill to the House.

Mr KEVIN CONOLLY (Riverstone) [7.55 p.m.]: I contribute to the debate on the Advocate for Children and Young People Bill 2014. As we have been told, this bill arises from the transfer in the middle of 2013 of the Working With Children Check function from the Commission for Children and Young People to the New South Wales Children's Guardian. As a result, the Commission for Children and Young People Act 1998 was reviewed to determine the best way to achieve the goals that were established all those years ago. Some extensive changes are proposed to achieve that result.

In 1998 I was working in the Catholic Education Office in the Parramatta Diocese. Like many educational authorities and other organisations whose employees worked with children, we were adjusting to the revelations from the royal commission the year before. Government responses were finding their way into legislation as a reaction to the emerging reality that child protection concerns were greater, more prevalent and more ingrained than perhaps anybody had realised. Real and systemic issues were embedded in government and non-government institutions that dealt with children across New South Wales. A significant government response was required to address those concerns and to ensure the welfare of children.

For a brief while as I worked in the administration of that diocese I had some responsibility for educating principals and other school leaders about the changes and initiatives that emerged from government in the late nineties and the way an organisation such as the Catholic Education Office in that diocese had to react and respond. We all have come a long way since then. The sophistication, understanding and structures put in place are light years ahead of what we worked with 15 to 20 years ago. Perhaps it is a tragedy that it took some of those horror stories to emerge to make us all react in the way we did. I believe governments and organisations, institutions, churches and all the rest are responding in a significant and sustained manner.

This bill is part of that story and journey. As a result of the extensive consultation undertaken in reviewing the Commission for Children and Young People Act, the decision was taken to refocus the role of the

remaining organisation on advocacy. Once the Working With Children Check was transferred to another place, it was determined that the remaining role should be one of strategic advocacy—a strategic role across government to inform the actions of all departments on all aspects of government, but strictly one of advocacy for the needs of children and young people.

The role of the advocate is to be established not as a public servant but as an independent appointee with autonomous responsibility in a number of areas as provided by the legislation. The Youth Advisory Council is to be reconstituted so that it works with the newly created role of advocate in a way that will further the goal of advocating for children and young people, thus giving a voice to young people during that process. In setting up these structures, the bill proposes that there be a clear demarcation between the role of the advocate and the role of the Ombudsman. In particular, the responsibility for monitoring trends in complaints about the welfare of children will stay with the Ombudsman. There is a need for an advocate to help ensure that the decisions that are made have a lasting impact on the lives of children and young people now as they become adults and on future generations of children.

Children and young people are uniquely vulnerable to the environments they live in because they are still developing physically, intellectually, emotionally and socially. They stand to gain the most from wise decisions and, conversely, to lose the most from poor decisions, which may have repercussions for the whole community. Many government laws, policies and programs intimately affect children and young people. They range from urban and regional planning and transport to early childhood services, schools and further education, and from hospitals and community health services to child protection, juvenile justice and policing. In fact, much of government spending is devoted to supporting children and young people. It is, therefore, important to bridge the work of the Government with the lives of children and young people to ensure policies and programs are as responsive to children and young people as they can be.

Despite the commitment of many in the community to the wellbeing of children and young people, not all children and young people in New South Wales do well. There are signs that, on some measures, the health and wellbeing of children and young people are in need of improvement, for example, issues such as obesity and mental health. There are dedicated efforts within the government and non-government sectors to address these issues, but there is a need for better articulation of what is being done and what needs to be done across disparate portfolios to improve the wellbeing of children. The voices of children and young people still need to be better heard and embedded in the decision-making processes of many government and non-government organisations.

The bill ensures that the new advocate is well placed to respond to these needs. The advocate will be responsible for advocating for and promoting the overall safety, welfare and wellbeing of children and young people; promoting the participation of children and young people in the making of decisions that affect their lives; encouraging government and non-government agencies to seek the participation of children and young people appropriate to their age and maturity; making recommendations to government and non-government agencies on legislation, reports, policy, practices, procedures and services affecting children and young people; conducting, promoting and monitoring research into issues affecting children and young people; and promoting the provision of information and advice to assist children and young people.

In exercising these functions, the advocate will be required to consult with children and young people throughout the State from a broad range of backgrounds and age groups. It will be required to focus on systemic issues affecting children and young people and to give priority to the interests and needs of vulnerable and disadvantaged children and young people. The Baird Government is committed to building on the work of its predecessors to provide the strongest supports for children in New South Wales. Members on both sides agree that this task is too important to be subject to politics and it is one that we must take enormously seriously. The bill is a deliberate step towards a more strategic approach to furthering the best interests of children and young people. I commend the bill to the House.

Mr JAMIE PARKER (Balmain) [8.03 p.m.]: On behalf of The Greens, I speak to the Advocate for Children and Young People Bill 2014. The Greens believe in providing opportunities for children and young people to participate in and to be able to influence the issues that affect them. In particular, we support the Commission for Children and Young People as a strong advocate for young people to ensure that their issues are reflected well in the community and they are taken seriously at all levels of government. I raise some issues, to which I ask the Minister to provide a response. The bill establishes the Advocate for Children and Young People and retains the Youth Advisory Council while abolishing the Commission for Children and Young People.

The advocate has the general function of being an advocate for children and young people and promoting their safety, welfare and wellbeing. They are laudable causes and are well supported. The advocate is required to consider systemic issues that affect children and young people while giving priority to the needs of vulnerable and disadvantaged children and young people. The advocate is given a number of specific functions. The advocate is required to provide annual reports to the Parliament on its operations. These reports are to be provided to the Presiding Officers of Parliament and must include details of the advocate's activities and an evaluation of responses. The advocate is required, in consultation with the Minister, to prepare a three-year strategic plan for children and young people. Following government approval, that plan will be part of the advocate's duties. The advocate has a range of other functions.

The Youth Advisory Council will consist of 12 members, six of whom are to be persons under the age of 25. These members will be appointed by the Minister and, as stipulated, the council will reflect the diversity of young people in the State. The function of the council is to advise the advocate and the Minister on the planning, development, integration and implementation of government policies and programs pertaining to young people. The parliamentary joint committee, known as the Committee on Children and Young People, remains and will monitor the advocate's functions and examine each annual report of the advocate. The committee consists of seven members, three from the Legislative Council and four from the Legislative Assembly. The Legislative Assembly is represented in greater numbers for obvious reasons.

I raise some issues with the Minister and ask him to provide a response. The Commission for Children and Young People, which has been in place for 14 years, is to be replaced by the advocate. I note the comments of Opposition members who spoke about the former Government's role in the establishment of the commission. Last year the Working With Children Check function was transferred from the commission to the Office of the Children's Guardian. The main purpose of this bill is the establishment of the advocate. I ask the Minister about the selection process of young people for membership of the Young Advisory Council. The bill stipulates that the council must reflect the diversity of young people within the State.

Will the membership be inclusive? Will the Minister explain the selection criteria so that we, as local members, understand the process and are better able to nominate young people for council membership? On what basis will the Minister appoint young people to the council? For example, will the criteria include young Indigenous people? It is a laudable aim of the legislation that the council reflects the diversity of young people within the State. I ask the Minister to provide a response in that regard. The new role is essentially meant to mirror many of the functions currently performed by the commission. The 2013 annual report of the commission states that it employed 76 staff, or the full-time equivalent of 72.10 staff as at 30 June 2013. I ask the Minister to provide information about the status of those staff.

How many, if any, will be allocated to the advocate? What does the Government propose for those staff? What should they expect? Will the resources of the Commission for Children and Young People transfer to the new role of advocate, which is being created by this legislation? I seek clarification on those issues, in particular, resourcing and whether the council membership is inclusive and reflects the diversity of young people within the State. I thank the Minister for bringing the bill before the House and the staff who have been involved in the drafting of the bill. I look forward to the Minister's responses to my questions as the bill progresses through the Parliament.

Ms MELANIE GIBBONS (Menai) [8.10 p.m.]: I commence my contribution by noting that this is the first opportunity I have had of congratulating the Acting-Speaker on his appointment to the Speaker's panel.

ACTING-SPEAKER (Mr Garry Edwards): Thank you.

Ms MELANIE GIBBONS: I speak in support of the Advocate for Children and Young People Bill 2014. The bill aims to strengthen advocacy for children and young people in New South Wales by creating a statutory office of the Advocate for Children and Young People to report to Parliament. Children and young people, or those aged from birth to 24, are uniquely vulnerable to the environments they live in. They are still developing emotionally, socially, physically and mentally. They also stand to gain the most from wise decisions and, conversely, to lose the most from poor decisions, with repercussions that can affect the whole community. It is vitally important that there is a bridge between the Government's work and the impact it has on the lives of children. Much of what the Government enacts or legislates has an impact on children and young people, including but not limited to laws, policies and programs.

There are dedicated efforts within the government and non-government sectors to address areas which show that not all children and young people in New South Wales are doing well—some of the more obvious

signs include obesity and mental health. The Advocate for Children and Young People Bill will ensure that the new advocate is well placed to respond to the needs of children and young people. The advocate will be responsible for advocating for and promoting the overall safety, welfare and wellbeing of children and young people. The advocate will also make recommendations to government and non-government agencies on legislation, reports, policies, practices, procedures and services affecting children and young people. It will also promote the provision of information and advice to assist children and young people in their lives.

The advocate will need to consult with children and young people from a broad range of backgrounds, age groups and regions with a focus on the systemic issues affecting children and young people, while giving priority to the interests and needs of the vulnerable and disadvantaged. It will be one of the main roles of the advocate to put a loudspeaker on the sometimes soft voices of children and young people. One of the more challenging parts of promoting the participation of children and young people in decision-making is ensuring a fair representation of diversity amongst those consulted, including age, background, where they live, religion and financial difference. This is especially difficult with broader issues as the impact a decision has on one group of children may not necessarily be the same as for another group.

The people the advocate will be looking to help may not always want to participate in decision-making and may in fact hope that others will take over and look out for their best interests. To be effective in listening, hearing and strengthening the voice of children and young people, the advocate will need to partner with organisations to draw on their expertise in working with specific groups of children and young people in their communities. They will have to use proven and innovative ways to communicate and consult with a wide range of children and young people, including online and social media platforms, which the advocate may not be used to, and supplementing the voices of children and young people with other evidence about their interests and needs.

The bill will bring together the Youth Advisory Council and the Advocate for Children and Young People. This will enhance the advocate's access to advice from committed young people who will speak on their own behalf as well as advocating for their peers and communities. The bill continues the important oversight functions of the Committee on Children and Young People, of which I am the deputy chair. I note that the member for Macquarie Fields is in the Chamber. He was a longstanding member of that committee and I take this opportunity to thank him for his work on that committee. The Committee on Children and Young People reports to both Houses of Parliament on any changes the committee thinks necessary relating to trends and issues affecting children and young people.

Past inquiries into the middle years of childhood and children, and young people and the built environment, have led to heightened community awareness about issues and have helped shape the commission's work program. Those inquiries were the catalyst for well-attended seminars and roundtable discussions. I was pleased to attend a couple of those seminars. They brought together experts and practitioners who provided insights and understandings that the committee was able to use. Pleasingly, some of that information was shared with local councils, in particular information about building parks and asking children what they wanted—it is important that we build parks that children will use.

The committee's current inquiry into volunteering and unpaid work placements among children and young people is another example of the committee examining practical ways to promote the wellbeing of children and young people in our society. The committee is inquiring into the existing policies relating to children and young people volunteering or entering into unpaid work placements, measures to encourage volunteering and foster opportunities for volunteering, and best practice in supporting and promoting safe volunteering opportunities as well as providing advice to the New South Wales Government on how it can better engage with and support children and young people in volunteering and unpaid work placements. It is important that we set this up both as a habit for their future development and for the benefit of the rest community in the years to come. We want to make them good citizens.

For the majority of children and young people their parents, carers or other family members are their most important source of support and their most articulate advocates. Outside the family other supporters can include friends, teachers, health and welfare professionals, coaches, mentors and tutors. All these people can have a profound impact on a young person's life. The bill recognises these supports by ensuring that the work of the advocate continues to be governed by the principle that a cooperative relationship between children and young people, their families and communities is important for the safety, welfare and wellbeing of children and young people. Many of our government agencies work directly to protect children's rights, to help to ensure that children have their basic needs met, and to help to expand the opportunities for children to reach their full

potential. In fact, half the New South Wales Government budget is devoted to services for children and young people, including preschool and school education, health, family and community services, child protection, juvenile justice, policing and community safety.

It takes more than just what the New South Wales Government can do to ensure that children and young people have a high quality of life. It takes a village to raise a child. The role of parents and family in raising a child is paramount but so too is the role of government and non-government agencies, such as charity and youth-led organisations—for example, the police citizens youth clubs at Sutherland and Miller, and the Young Adult Disabled Association. I am a big fan of Shire Wise Youth Services. Our Liverpool and Sutherland youth services provide councils with a great deal of knowledge so they can work in the best interests of our children and young people.

I know that the member for Macquarie Fields is also a big fan of the Autism Advisory and Support Service at Liverpool. It is Miracle Month so it is a good time to mention the Miracle Babies Foundation at Chipping Norton in my electorate. They do some wonderful work. The advocate needs to ensure that there is coordinated action to tackle issues affecting children and young people as many go beyond the local area and are out of scope of government and non-government agencies. I thank the Ministers involved for their hard work on this bill. I commend the bill to the House.

Mrs ROZA SAGE (Blue Mountains) [8.18 p.m.]: Families have traditionally been the protectors and advocates for the next generation: their children. Children are the future of our community, country and world. Therefore we have a responsibility to teach them to cope with the wider world and become our next generation of adults. It is incumbent upon us to enable children to achieve their potential and be the best they can be so they will be able to run the world responsibly. As children are born and develop and become young adults they are vulnerable to the environment they live in as they develop physically, intellectually, emotionally and socially. Not every child and young person lives in a loving, caring and responsible home environment so it is important to have an advocate for those young people. In the wider community children have teachers, healthcare workers, coaches of all descriptions, mentors and tutors, welfare professionals, politicians and organisations such as Girl Guides Australia, Scouts Australia, the Girls and Boys Brigade and many others to advocate for them as well.

The Advocate for Children and Young People Bill 2014 will strengthen advocacy for children and young people in New South Wales by creating a new statutory office of the Advocate for Children and Young People, which will report to the New South Wales Parliament. The work of the advocate continues to be governed by the principle that a cooperative relationship between children and young people and their families and communities is important for the safety, welfare and wellbeing of children and young people. Much of the work of the New South Wales Government is devoted to improving the lives of children and young people. When you stop to think about the services provided, there is preschool and school education; family and community services; child protection; health, including baby health centres; and juvenile justice and policing.

This legislation brings the functions of the New South Wales Commission for Children and Young People and the New South Wales Youth Advisory Council together into one agency. The responsibilities of the advocate extend from birth to 24 years of age. Importantly, the advocate has responsibility for bringing these groups together, as the need arises, so there is a coordinated approach to tackle the issues affecting children and young people. These issues traverse many areas and many organisations. As an example, in the Blue Mountains we have the Mountains Youth Services Team [MYST]. It provides support services to disadvantaged youth in Katoomba and the wider area. It is based at Katoomba and Winmalee but partners with other organisations to provide wider services. During the royal visit by the Duke and Duchess of Cambridge, MYST showcased one of its programs for those youths who are disengaged from school. The program tries to build up their confidence and purpose. These are some of the great partnerships already present in the community and advocating for youth.

The advocate will be entrusted to facilitate and bring together groups and individuals to focus on strategies and coordinated efforts to improve the wellbeing of children and young people. This ensures a more connected and overarching approach to the many diverse issues. As with any area, there will be issues specific to each area. The advocate will have the flexibility to address each of these unique issues. The legislation will allow the advocate to appoint such advisory committees as he or she considers appropriate to assist in the exercise of the function of the advocate or Youth Advisory Council.

The bill also requires the advocate to prepare, in consultation with the Minister, a three-year draft strategic plan for children and young people in New South Wales. It will, importantly, require the advocate to engage with a wide range of children and young people across New South Wales. It was clear from the "Speak

Up!" consultations that there are many articulate young people in our communities who would like their views to be known on issues that affect them. As a mother and grandmother it is equally apparent to me that there are children who want and need other responsible adults to speak on their behalf. It will be the responsibility of the advocate to promote the participation of children and young people in the decisions that affect their lives. It is not an easy task but it is important.

This bill will require the advocate to work cooperatively with other organisations that provide services to, or represent the interests of, children and young people. It will retain the existing functions of the New South Wales Youth Advisory Council, which will continue to provide direct advice to the Minister on matters of concern to young people as well as the advocate. The bill will retain key features and functions of the Commission for Children and Young People, including conducting special inquiries, making recommendations to government and non-government agencies on policies and services affecting children, conducting and monitoring research into issues affecting children and young people, and giving priority to the interests and needs of disadvantaged children and young people.

A number of specific functions of the Commission for Children and Young People will be incorporated into the broad function of advocating for and promoting the safety, welfare and wellbeing of children and young people—including monitoring trends in complaints made by or on behalf of children; conducting, promoting and monitoring training on issues affecting children; and conducting, promoting and monitoring public awareness activities affecting children. Lastly, the bill will remove the requirement for an expert advisory committee to be appointed to advise the advocate across the range of his or her functions and enable the advocate to establish dedicated, project-specific advisory committees as required. This is a very sensible move as it allows those best placed to advise on specific issues. Specialists in certain areas, rather than generalists who may or may not be familiar with certain issues, can be seconded to those committees.

This bill has been written with children and young people in mind. In today's complicated world children are being bombarded with so much choice, which they are required to navigate through as they grow up. Not all of these choices are healthy or good for their development. They face everything from inappropriate advertising to huge peer pressure to behave in inappropriate ways. There are the pressures to experiment with drugs and alcohol. All of these are important issues for children today. I am hopeful that a specific advocate for children and young people as outlined in this bill will be the voice on behalf of children to address these difficult issues, especially for those who have no other advocate. I congratulate Minister Dominello on bringing forward this legislation. I know he is passionate about promoting children and youth. I will share a quote from Frederick Douglass that I think is very pertinent to this debate: "It is easier to build strong children than to repair broken men." How true that is. I commend the bill to the House.

Mr GUY ZANGARI (Fairfield) [8.27 p.m.]: The main objective of the Advocate for Children and Young People Bill 2014 is to create a statutory office of the Advocate for Children and Young People and to provide for the functions of that office and to repeal the Commission for Children and Young People Act 1998 and the Youth Advisory Council Act 1989. The proposed legislation will introduce a new statutory office of the Advocate for Children and Young People and a new Youth Advisory Council, and it will abolish the New South Wales Commission for Children and Young People. The abolition of the current legislation and overseeing bodies is primarily due to the nature of this legislation.

Primarily this bill combines the functions of the two existing Acts. However, there are a few differences and new inclusions within this legislation. This legislation will now extend the scope of the advocate for all persons aged from zero to 24 years of age. The advocate will be required to draft a three-year strategic plan for children and young people in New South Wales. Additionally, the advocate will be required to work with other organisations which provide services to children and young people and/or their representatives. The new New South Wales Youth Advisory Council will be required to work cooperatively with the advocate in exercising its functions. The advocate has also been granted the ability to establish and disband advisory committees as considered appropriate.

Labor has a proud legacy in this area. We established the New South Wales Commission for Children and Young People. We are always working to ensure we are listening attentively to and tackling any problems faced by the young people of this State. Although there was community consultation concerning this legislation and strengthening the advocacy for children and young people in New South Wales, unfortunately the 18- to 24-year-old age group was overlooked. Their thoughts and concerns were not taken on board. This is a shame. There are many advocates for young people in the 18- to 24-year-old age bracket and their contributions to this report would have given a degree of valuable insight.

The key difference in the roles of the existing commissioner and the newly installed advocate will be that the advocate has expanded its primary roles to include the advocacy and promotion of the safety, welfare and wellbeing of children and young people aged zero to 24 years. I am sure members on both sides of the House agree that when it comes to youth in New South Wales we must do everything we can to ensure that they receive the best possible services to meet their ever-changing needs. This means regularly updating services and enhancing provisions within government departments to ensure we evolve and change as their needs do. I do not oppose the bill.

Mr JOHN FLOWERS (Rockdale) [8.30 p.m.]: The Advocate for Children and Young People Bill 2014 proposes: to establish the statutory office of the Advocate for Children and Young People, known as the advocate, and to provide for its functions; to establish a new Youth Advisory Council, known as the council, and to provide for its functions; and abolish the Commission for Children and Young People [CCYP]. In 2013 the Working With Children Check function was transferred from the Commission for Children and Young People to the Children's Guardian. Following this, the Minister for Citizenship and Communities commenced extensive community consultation on advocacy for children and young people.

The consultation process included: the appointment of two youth ambassadors to guide and oversee the consultation process; release of a discussion paper; community roundtables for children and young people; a non-government organisation roundtable; and classroom consultations. Responses were received from more than 900 children and young people. Some of the key messages from the consultation included that children and young people should have a say on matters that affect their lives; children and young people from all walks of life should be encouraged and assisted to speak for themselves in ways that suit them; and an advocate should promote the voices of children and young people and stand up for their interests.

The bill reflects the key messages from the consultation process. These include the ones I have just mentioned and also that children and young people want respect from adults and see a strong role for adults and experts in helping make their lives better. Further key messages included that an advocate should have a strong focus on enhancing the lives of all children and young people independent of other agendas and which is underpinned by an understanding of the role of government. The legislation provides an overarching function that the advocate must "advocate for and promote the safety, welfare and well-being of children and young people".

The legislation also gives the advocate the critically important role of promoting the participation of children and young people in the making of decisions that affect their lives. This strengthened advocacy role will be supported by clearer requirements for the advocate to engage with a wide range of children and young people across New South Wales and to work collaboratively with the many agencies inside and outside government that are also committed to improving the lives of children and young people in New South Wales. The legislation retains many of the features and functions of the Commission for Children and Young People including the conduct of special inquiries; making recommendations to government and non-government agencies on policies and services affecting children; conducting and monitoring research into issues affecting children and young people; and giving priority to the interests and needs of disadvantaged children and young people.

The stakeholder consultations undertaken last year identified that a key role for the advocate should be working to ensure better coordination of policies and programs at the systemic, cross-government level to deliver the best possible outcomes for children and young people in New South Wales. The legislation therefore requires the advocate to prepare in consultation with the Minister and the wider community a three-year strategic plan for children and young people in the State. Following government approval of the plan the advocate will be responsible for monitoring its implementation.

Clause 32 requires the advocate to prepare annual reports to Parliament of its operations and to furnish those reports to the Presiding Officer of each House of Parliament within four months after 30 June each year. Those reports must include a description of the advocate's activities during that year, an evaluation of the response of relevant authorities to the advocate's recommendations and any recommendations for changes in the laws of the State or for administrative action that the advocate considers should be made or taken.

The legislation enables the advocate to establish dedicated, project-specific advisory committees as required and includes strengthened provisions requiring the advocate, in exercising his or her functions, to consult with children and young people from diverse backgrounds, relevant experts, government agencies and non-government organisations. This is a strong model for advocacy for children and young people in contemporary New South Wales. The Government will work collaboratively with the wider community.

The new advocate will have a clearer advocacy role than the CCYP. The legislation brings together the Office of the Advocate and the NSW Youth Advisory Council [YAC]. The advocate will act as a facilitator for the YAC by liaising with agencies across government to raise and potentially implement YAC recommendations. This will enable issues raised by YAC to be addressed more efficiently. The bill creates a new statutory office of the Advocate for Children and Young People oversighted by the Joint Parliamentary Committee on Children and Young People. It brings together the functions of the NSW Commission for Children and Young People and the NSW Youth Advisory Council in the one entity with a remit covering children and young people aged nought to 24 years. The bill provides that the Governor can remove the advocate from office, but only for incompetence, incapacity or misbehaviour. The bill also requires the advocate to prepare, in consultation with the Minister, a three-year draft strategic plan for children and young people in New South Wales.

The bill requires the advocate to engage with a wide range of children and young people across New South Wales and requires the advocate to work cooperatively with other organisations that provide services to or represent the interests of children and young people. The bill retains the existing functions of the NSW Youth Advisory Council, which will continue to provide direct advice to the Minister on matters of concern to young people as well as to the advocate. The bill retains key features and functions of the Commission for Children and Young People, including the conduct of special inquiries, making recommendations to government and non-government agencies on policies and services affecting children, conducting and monitoring research into issues affecting children and young people, and giving priority to the interests and needs of disadvantaged children and young people.

The legislation subsumes a number of specific functions of the Commission for Children and Young People into the broad function of advocating for and promoting the safety, welfare and wellbeing of children and young people, including monitoring trends in complaints made by or on behalf of children; conducting, promoting and monitoring training on issues affecting children; and conducting, promoting and monitoring public awareness activities affecting children. It removes the requirement for an Expert Advisory Committee to be appointed to advise the advocate across the range of his or her functions and enables the advocate to establish dedicated, project-specific advisory committees as required. I commend the bill to the House.

Mr CHRIS PATTERSON (Camden) [8.40 p.m.]: I speak on the Advocate for Children and Young People Bill 2014. The main purpose of the bill is to strengthen advocacy for children and young people in New South Wales by creating a new statutory office of the Advocate for Children and Young People that reports to the New South Wales Parliament. This legislation is a result of the regulation of the Working with Children Check being transferred from the Commission for Children and Young People to the NSW Children's Guardian in June 2013. This bill is also the first review in 14 years of the Commission for Children and Young People Act. A children's advocate represents an individual or group who feel their concerns are not being heard or a party who feels a child or young person is at risk of some harm. To obtain justice, a child or young person who may be in a vulnerable situation needs to have a voice.

Many situations may arise leading to a need for someone to speak out for young persons who may not have the means to speak for themselves. Sometimes in our lives we all need to be heard, but this is especially so for children and young people. This could be someone who is very young or someone who lives with a disability. We all need to look out for the welfare of our young. Consultations with stakeholders last year revealed that the new advocacy model for children and young people should still provide for accountability to the New South Wales Parliament and play a more strategic role in public policy. Therefore, the advocate will be accountable to the Parliamentary Joint Committee on Children and Young People and there will be a new requirement for the advocate to prepare, in consultation with the Minister and the wider community, a three-year strategic plan for children and young people in New South Wales.

There are many very good agencies that take on the role of advocacy for our young. This new bill will ensure there is a clearer advocacy role. The legislation provides an overarching function that the advocate must advocate for and promote the safety, welfare and wellbeing of children and young people. The bill also brings together the Office of the Advocate and the NSW Youth Advisory Council. If incompetence, incapacity or misbehaviour is proven, the Governor can then remove the advocate from office. Further, a three-year draft strategic plan must be prepared in consultation with the Minister. Engaging with a wide range of children and young people across New South Wales and working cooperatively with other organisations will ensure the advocate is working in the best interest of our children and young people. Existing functions of the NSW Youth Advisory Council will continue to provide direct advice to the Minister on matters of concern to young people as well as to the advocate. The key features and functions of the Commission for Children and Young People will remain.

In this modern age we need to protect our young people more and more. Our young disabled people need someone who can speak on their behalf, at the same time as making sure their needs and aspirations are heard. Sadly, we also have families who are not coping with their situation and at times the children are the ones who are neglected. They too need an advocate. I am sure we have all had a phone call from someone in our electorate reaching out to us to speak up for them. We automatically become an advocate for that person, seeking answers and assistance from a government department. Our children and young people need to be assured also that the advocate can be trusted and will act in their best interest. I commend this bill to the House.

Mr ANDREW CORNWELL (Charlestown) [8.45 p.m.]: I support the Advocate for Children and Young People Bill 2014. The bill continues the important oversight functions of the joint parliamentary committee to ensure independent oversight and accountability of the advocate.

ACTING-SPEAKER (Mr Lee Evans): Order! Members will resume their seats. I remind members that it is unparliamentary and disruptive to be moving around the Chamber.

Mr ANDREW CORNWELL: Under the bill, the committee will have the following functions: to monitor and review the exercise by the advocate of the advocate's functions; to report to both Houses of Parliament, with such comments as it thinks fit, on any matter relating to the advocate or connected with the exercise of the advocate's functions, or on any matter relating to the exercise of the Children's Guardian's functions under the Child Protection (Working with Children) Act 2012, to which, in the opinion of the joint committee, the attention of Parliament should be directed; to examine each annual or other report of the advocate and report to both Houses of Parliament on any matter appearing in, or arising out of, any such report; to examine trends and changes in services and issues affecting children and young people, and to report to both Houses of Parliament any changes that the joint committee thinks desirable to the functions and procedures of the advocate; and to inquire into any question in connection with the advocate's functions which is referred to it by both Houses of Parliament, and to report to both Houses on that question.

The role of the parliamentary joint committee in examining trends in services and issues affecting children and young people and reporting to both Houses of Parliament on any changes the committee thinks necessary is particularly noteworthy and provides a powerful complement to the advocate's work. Past inquiries into the middle years of childhood and children, young people and the built environment led to heightened community awareness about those issues and shaped the commission's work program. I digress to note the presence in the Chamber of some committee members who served with me when I was chair of the committee. I thank them for all of their hard work on these issues.

The inquiry into the middle years of childhood was an unusual piece of work, but one that examined an often neglected part of a child's life—yet one often referred to as the wonder years that are incredibly formative in the lives of children and young people. I certainly commend past committees for choosing that particular inquiry topic. The inquiry of the committee into young people and the built environment also produced a report that has been widely distributed. I believe it will help shape planning laws and provide advice to organisations, such as local government, on how to ensure that best practice in design takes young people and children into account. On that note, I decry the loss of the humble footpath in many new estates. Footpaths are important for young people and old people, yet we see fewer and fewer of them in planning. I think footpaths should be part of quality urban design.

These inquiries were the catalyst for well-attended seminars and round tables, bringing together experts and practitioners in both government and non-government organisations. The joint parliamentary committee inquiry into volunteering and unpaid work placements among children and young people in New South Wales is another excellent example of where the committee is examining practical ways to promote the wellbeing of children and young people. Volunteering provides many benefits to both young people and the community at large. These include the development of self-discipline, compassion, empathy, commitment to civic responsibility and a greater likelihood of pro-social behaviour later in life.

To ensure that as many young people as possible can enjoy the benefits of volunteering, the committee is inquiring into the policies relating to volunteering and unpaid work placements among children and young people in New South Wales; investigating measures to ensure volunteering and to foster opportunities for volunteering among young people and children in New South Wales, including possible incentives to volunteer; studying best practice in supporting and promoting safe opportunities for volunteering and unpaid work placements among children and young people in other jurisdictions, both in Australia and overseas; looking at the role of the Commission for Children and Young People and the Office of the Children's Guardian in

supporting and promoting safe volunteering and unpaid work placement opportunities among children and young people in New South Wales; and lastly, providing the New South Wales Government with advice on how it can better engage and support children and young people in volunteering and unpaid work placements.

I note the presence in the Chamber of Minister Victor Dominello, who has played an integral role in promoting this inquiry. His record on volunteering is second to none. Some of the time, banking initiatives that have come out of the Minister's office are world's best practice and something that other jurisdictions around the world will look at as a model they should adopt. I commend the Minister and his staff for their strong advocacy in volunteering. The inquiry will look at the fantastic benefits that volunteering can bring to young people, but will also look into the potential pitfalls. Generating quality Government policy means that one needs to look at both the bouquets and the brickbats; the inquiry will do that. I thank my former committee members on that committee. I wish the new chair, Mark Coure, well in this inquiry. I am sure he will lead a fantastic committee that will come up with some terrific recommendations for the Government.

This bill is part of the Government's long-term reform agenda, to ensure that we are improving the customer experience and delivering for young people. I commend the work of people such as Kerry Boland, the Children's Guardian, who has made an enormous contribution not only in advising the Government on formulating this policy but also in her role as the peak individual in the protection of children and young people in New South Wales. I thank the House for its indulgence. I commend the Minister for the hard work that his office has put into this bill, which will be another milestone for the Government in delivering the customer experience and in putting children first. The Advocate for Children and Young People Bill 2014 will be a great legacy for the Minister and I take pleasure in supporting it.

Mr VICTOR DOMINELLO (Ryde—Minister for Citizenship and Communities, Minister for Aboriginal Affairs, Minister for Veterans Affairs, and Assistant Minister for Education) [8.53 p.m.], in reply: I thank members for their contribution to debate on the Advocate for Children and Young People Bill 2014, including the members for Bankstown; Oatley; Marrickville; Goulburn, who is also the Minister for Planning; Riverstone; Blue Mountains; Menai; Fairfield; Rockdale; Camden; and Charlestown, about whom I will speak later. I will reply to some of the points raised during the course of debate. One of the matters raised was resourcing. I assure the House that there has been no change to the level of resourcing for the commission's policy research and engagement functions since the transfer of the Working with Children Check and related functions to the Children's Guardian. In fact, there has been a small increase in the funds dedicated to the commission's policy research, advocacy and engagement functions.

The advocate will have an equivalent staffing component to that of the existing commission for its policy research, and engagement and advocacy functions. The advocate will also have a similar or superior level of staffing to equivalent commissions in other states and territories with similar roles and functions. In relation to consulting with young people aged 18 to 25 years throughout the course of the preparation of this bill, I inform the House that numerous stakeholder groups were consulted, including the NSW Youth Advisory Council [YAC] whose membership includes young people aged 18 to 25 years, and peak bodies that advocate for and engage with people aged 18 to 25 years, such as Youth Action, Council of Social Service of New South Wales, Youth Justice Coalition and the Police Citizens Youth Clubs [PCYC]. Those peak bodies and indeed the young people in YAC, being within that age bracket and part of a diverse cohort, can speak for their peers.

In relation to the position of the Child Death Review Team, I assure the House that the advocate will continue as a member of the Child Death Review Team. The member for Balmain asked questions about the selection process for NSW Youth Advisory Council members. I inform the House that the NSW Youth Advisory Council is representative of our State's diverse character, both geographically and demographically. Similar to the current selection process for council membership, the advocate will call for nominations at a suitable time. They will then be assessed and subsequently recommended to the Minister for appointment. That process will ensure membership is reflective of our State's diversity. That system has been in place since I have been a Minister and it was in place for many years before that; it will continue under this bill.

I thank the following people and organisations for their advice and participation in what has been probably the most comprehensive consultation process in this area for the past 14 years. In particular I thank the member for Charlestown, Andrew Cornwell, and the member for Oatley, Mark Coure, as former chair and chair respectively of the Committee on Children and Young People. I also thank Kerry Boland, the Children's Guardian and the Acting Commissioner for Children and Young People. I thank Gregor Macfie, the Director, Policy and Research at the Commission for Children and Young People. He has done outstanding work in preparing this bill and I commend him for that work. I also thank Lucas Hejtmánek and Lubna Sherieff, who were the youth ambassadors during the exhaustive consultation phase.

There are a number of non-government organisations that I need to thank, including Youth Action; the Association of Children's Welfare Agencies; the Catholic Education Office; the Association of Independent Schools; the PCYC; the Council of Social Service of New South Wales; the Inspire Foundation; UnitingCare, Children, Young People and Families; the Youth Justice Coalition; the Network of Community Activities; Family Planning NSW; the NSW Youth Advisory Council; the NSW Ombudsman; the Mental Health Commission of New South Wales; the Community Relations Commission; and those who participated in the workshops and round tables for the communities at Cabramatta and Wollongong.

This is an important bill. It comes on the back of the bill that we brought to the House previously under the framework of the Working with Children Check and it dovetails cleverly with the Working with Children Check. We now have arguably one of the strongest mechanisms for the protection of children and young people, not just in this State but in Australia. This bill provides a strong voice for young people, a voice that will continue well beyond the term of this Government and that will leave a legacy for young people this Government can be proud of. I commend the Advocate for Children and Young People Bill 2014 to the House.

Question—That this bill be now read a second time—put and resolved in the affirmative.

Motion agreed to.

Bill read a second time.

Third Reading

Motion by Mr Victor Dominello agreed to:

That this bill be now read a third time.

Bill read a third time and transmitted to the Legislative Council with a message seeking its concurrence in the bill.

RACING ADMINISTRATION AMENDMENT (SPORTS BETTING NATIONAL OPERATIONAL MODEL) BILL 2014

Second Reading

Debate resumed from 19 March 2014.

Mr PAUL LYNCH (Liverpool) [9.00 p.m.]: I lead for the Opposition in this place on the Racing Administration Amendment (Sports Betting National Operational Model) Bill 2014. The shadow Minister with carriage of this matter is the Hon. Steve Whan in the other place who, no doubt, will speak at greater length on this bill than will I. However, I indicate that the Opposition does not oppose the bill in this place. The object of the bill states:

The object of this Bill is to regulate betting on sporting events in line with the *National Policy on Match-Fixing in Sport* by:

- (a) recognising sports controlling bodies in relation to sporting events, and
- (b) requiring that a person who seeks to have a sporting event prescribed as a declared betting event (or who seeks a new type of bet in relation to such an event):
 - (i) must enter into an integrity agreement with the sports controlling body for the sporting event, or
 - (ii) if there is no sports controlling body, must consult with the key persons or bodies involved in the administration of the sporting event, and
- (c) requiring betting service providers to be licensed and to enter into integrity agreements with the sports controlling body for a sporting event before being permitted to offer betting services in relation to the sporting event, and
- (d) specifying the matters that must be addressed in integrity agreements, and
- (e) permitting the sports controlling body for a sporting event:
 - (i) to prevent the sporting event being prescribed as a declared betting event, and
 - (ii) to prevent new types of bets being permitted, and to apply to have existing types of bets prohibited, in respect of a sporting event that has been prescribed as a declared betting event.

The national policy adhered to by all governments is perhaps well expressed in short form in a quote from its foreword:

This National Policy on Match-Fixing in Sport represents a commitment by the Commonwealth and state and territory governments to work together to address the issue of inappropriate and fraudulent sports betting and match-fixing activities with the aim of protecting the integrity of sport.

This Policy provides the platform for collaboration, and will be underpinned by legislation, regulation, codes of conduct and industry standards. It is recognised that Australia will best deal with the threat of match-fixing only if there is co-operation and goodwill between governments, sports organisations and the betting industry.

New section 17B authorises the Minister for Sport and Recreation to prescribe, by order published in the *Government Gazette*, a person or body as a sports controlling body for a sporting event. A regulation-making power is included to allow an approval process to be prescribed, including but not limited to the making of applications, the providing of information and the prescribing of fees. New section 18 restates the existing provisions of the Racing Administration Act in relation to the power of the Minister to prescribe an event or class of events as a declared betting event. The last exclusion provides betting service providers with a six-month transition period within which to reach an integrity agreement with a newly approved sports controlling body.

The maximum penalty for the offence is a fine of \$11,000 for a corporation or \$5,500 or 12 months imprisonment, or both, for an individual. The penalty is consistent with those prescribed for similar offences in the Racing Administration Act 1998 and the Unlawful Gambling Act 2009. The offence provision provides further impetus to bring betting service providers and sports controlling bodies to the negotiating table to discuss and agree on integrity issues. New section 19 essentially restates the existing provisions of the Act allowing the Minister to authorise licensed bookmakers to take bets on declared betting events. An offence provision is included to prevent a bookmaker from accepting or making a bet on a declared betting event unless that person is licensed and holds a declared betting event authority. As I indicated, the Opposition does not oppose the bill.

Mr STUART AYRES (Penrith—Minister for Police and Emergency Services, Minister for Sport and Recreation, and Minister Assisting the Premier on Western Sydney) [9.03 p.m.]: I support the Racing Administration Amendment (Sports Betting National Operational Model) Bill 2014. The integrity of sport, especially professional sport, has no bigger threat than match-fixing and illegal betting. This bill illustrates the New South Wales Government's commitment to promoting integrity in sport and the regulation of associated sports betting. Sport has long been regarded as an integral part of the Australian way of life. Unfortunately, there is concern over the rising prevalence of exotic betting or betting on negative aspects of sport, which can give room to organised crime. Australians are entitled to expect that the sports they watch or participate in are played honestly and that the ideas of fair play and good sportsmanship reign. Any sport with a question mark over its integrity will not enjoy public confidence and over time will become nothing more than a side show lacking the type of credibility that actually defines sport.

Most recently, former New Zealand batsman Lou Vincent confessed to the International Cricket Council's [ICC] anti-corruption unit giving detailed evidence about matches in at least five countries that were targeted for fixing. Fortunately, the ICC has advised Cricket Australia that no Australian players have been named and none of the matches was played in Australia. London's *Telegraph* revealed that Vincent admitted that parts of the matches were fixed while he played English county cricket for Lancashire and Sussex, for the Auckland Aces in the New Zealand Twenty20 competition and the Twenty20 Champions League, and in the Hong Kong Sixes competition. The Racing Administration Amendment (Sports Betting National Operational Model) Bill is designed to give the public an increased level of confidence so that we can avoid such issues as those I have outlined involving the New Zealand cricketer.

On 10 June 2011 the Federal, State and Territory sport and recreation Ministers approved the National Policy on Match-Fixing in Sport. At the 30 September 2011 meeting the sport and recreation Ministers endorsed a proposed model to give effect to the national policy and agreed to refer the model to their respective governments for consideration and implementation. The New South Wales Government continues to be a leader regarding match-fixing legislation. It was the first Australian jurisdiction to pass such laws as the Crimes Amendment (Cheating at Gambling) Act 2012, which created an offence for match-fixing behaviours. A maximum penalty of 10 years imprisonment applies for anyone found to have engaged in or facilitated conduct that corrupts the outcome of an event. This bill will regulate betting on sporting events in line with the National Policy on Match-Fixing in Sport and implements the national operational model for sports betting agreed to by all Australian sports Ministers in 2011.

Consistent with the national model, in the New South Wales operational model sports controlling bodies will have a veto right on the type of betting in respect of their sport or whether any betting occurs at all. Based on the Victorian regulatory model administered by the Victorian Commission for Gambling and Liquor Regulation, the New South Wales operational model provides a framework for betting service providers to enter into integrity agreements with sports and controlling bodies. Specifically, the bill will recognise sports controlling bodies in relation to sporting events, require betting service providers to enter into integrity agreements with sports controlling bodies, specify the matters that must be addressed in integrity agreements and empower sports controlling bodies to prevent sports events being prescribed as declared events to prevent new bet types being permitted and to apply to have existing types of bet types prohibited.

As noted in the second reading speech, new section 17B authorises the Minister for Sport and Recreation to prescribe a person or body as a sports controlling body for a sporting event. A regulation-making power is included to allow the approval process to be prescribed, including but not limited to the making of applications, the provision of information and the prescription of fees. It is proposed that the process for mutual recognition of interstate sports controlling bodies will be included in the regulation. As the Minister for Sport and Recreation, I will have the administrative responsibility in this area. Like the operational model and the Victorian regime, a key feature of this bill is that it details the integrity agreement, including financial arrangements determined by the parties to the agreement, not by government. While the bill contains measures that actively bring parties to the negotiating table, the outcome of the negotiations is left to the parties. The parties are considered to be in the best position to reach agreement on these commercial matters at arms-length to Government.

An offence provision is included in proposed new section 18C of the bill, which will prohibit betting service providers, whether in New South Wales or elsewhere, from offering a betting service in relation to a sporting event unless an integrity agreement is in place with the sports controlling body for the event. The proposed New South Wales offence has an extraterritorial application and does not apply where there is no sport controlling body for the sporting event, or to sporting events held wholly outside the State, or during a six-month period following the approval process of a new sports controlling body for an event.

The last exclusion provides betting service providers with a six-month transition period to reach an integrity agreement within a newly approved sports controlling body. The bill also enables sporting bodies to receive a share of revenues that accrue from the approved betting, recognising the value of the sporting product and the integrity-related costs incurred by sporting bodies as a direct result of being involved in sports betting markets. The bill establishes a workable and appropriate framework to strengthen the capacity of sporting bodies to recognise and manage the integrity risks associated with betting that takes place on their sporting events. In doing so, it will help to strengthen public confidence in the integrity of sporting contests as well as the associated betting that occurs on these events.

It would be remiss of me if I did not acknowledge my predecessors in the sports ministry, former Minister Graham Annesley and Minister Upton, who have played an important role in the development of this bill. Minister Upton has carried the bill through its most recent iterations. It is also fitting that the member for Upper Hunter, the former racing Minister, is in the Chamber. He played an important role in the establishment of the bill prior to the portfolio moving to the member for Dubbo. The member for Upper Hunter did exceptional work for racing in his role as the Minister for Tourism, Major Events, Hospitality and Racing. The racing industry is in great shape due to his stewardship. The race fields legislation, which is applicable to the racing industry, would not have taken place without the strong support and leadership of people such as the member for Upper Hunter. It has underpinned the financial revenue of an important industry that employs more than 50,000 people in this State and is critical to communities not only in metropolitan Sydney but throughout New South Wales.

Sports and sporting organisations such as the racing industry can only exist when they have champions. The member for Upper Hunter is recognised as a strong champion of the racing industry. I am sure that the carnivals in metropolitan Sydney, and Scone, will continue to flourish, but they will only do so because of the decisions of people such as the member for Upper Hunter. The members of this House and the other place commend those who have worked in the sports arena for their dedication and leadership. We recognise their many years of dedication to this Chamber and their passion in promoting and assisting the sports and racing industries.

Mr CHRIS PATTERSON (Camden) [9.13 p.m.]: I am pleased to support the Racing Administration Amendment (Sports Betting National Operational Model) Bill 2014. Sport is very much an integral part of the

Australian culture and is enjoyed by people of all ages. Most people are involved with sport as a spectator, player, supporter, sponsor, contributor, volunteer or administrator. Sport is easily accessible and can be seen live at a game or event or streamed live on television or the internet. While I am happy to be a spectator at my children's weekend sport and a proud supporter of the mighty Parramatta Eels, it is a growing trend to bet on professional sport. This has become a popular pastime for many people. Obviously one cannot bet on my children's sports games, and nor should one be able to. However, if the House indulges me, I will give a brief rundown on their efforts last weekend.

My twins, Tom and Sophie, who play for the mighty Camden Tigers under 11s, had a great game and came away with a hard-fought 7-nil victory. More important than the result was the spirit in which they played. Matthew, my youngest, plays for the Camden Tiger under 6s. As a proud parent and coach, the boys hit double figures. Matt scored an absolute pearler from his own 25 metre line. It was wonderful to observe eight under 6s watch the ball trickle over the goal line.

Mr John Sidoti: He takes after his old man.

Mr CHRIS PATTERSON: He has a lot more skills than his old man. Betting on sports is widely accessible through technology. People can bet on their favourite sports and events online from the comfort of their living room. When watching and playing sport, we expect there to be a level playing field and a fair environment where referees and umpires regulate the field of play to ensure the game is played according to the rules. The same is to be said for punters betting on sports and sporting events. They should be entitled to expect that the sporting events they wager money on will be openly contested and free of manipulation. The bill proposes to provide the public with enhanced confidence that these expectations will be met.

A key objective of the National Policy on Match-Fixing in Sport, upon which the bill is based, is to maximise public confidence in the integrity of sport and to ensure a level playing field. The bill regulates the interaction between sporting organisations and the betting service providers. It delivers a framework for integrity agreements and underlines baseline requirements for betting or sporting agencies. The purpose of the bill is to regulate betting on sporting events in line with the National Policy on Match-Fixing in Sport. The bill implements the national operational model for sports betting, which is a key feature of the aforementioned policy. The model augments new match-fixing penalties and offences that were introduced by the Government in August 2012. A maximum penalty of 10 years imprisonment applies to anyone found to be have engaged in or facilitated conduct that corrupts the outcome of an event.

The operational model regulates the interaction between sporting organisations, betting service providers and relevant State and Territory regulators in relation to integrity agreements and baseline requirements for betting on sports events. Furthermore, the bill establishes a workable and appropriate framework to strengthen the capacity of sporting bodies to recognise and manage integrity risks associated with the betting that takes place on their sport. It also enables sporting bodies to receive a share of the revenues that accrue from approved betting, recognising the value of the sporting product and the integrity-related costs incurred by sporting bodies as a direct result of evolving sports betting markets. These mechanisms will assist to fortify public confidence in the integrity of sporting contests as well as the associated betting that occurs on these events. The bill exemplifies the Government's commitment to promote integrity and sustainable development in sport and regulation of associated sporting bets.

It would be remiss of me when talking to a bill on sport not to mention my beloved Parramatta Eels, who are having a fantastic season. One of my fondest memories as a 10-year-old is driving down from my home in Port Macquarie to watch Parramatta win their first grand final in 1981 against the Newtown Jets. Tommy Raudonikis led the Jets to a 20-11 victory. Although the Premier is not in the Chamber, he would be more than aware of the Eels winning streak in the early 1980s when they went on to win consecutive grand finals in 1982 and 1983, proving to be a formidable force against the hapless Manly-Warringah Sea Eagles. For my sons, Tom and Matthew, following the Eels has been character building. However, as my father said to me, "You never change your team." I hope this year my sons will be rewarded for their loyalty and long suffering. I commend the bill to the House.

Mr GEORGE SOURIS (Upper Hunter) [9.20 p.m.], by leave: I speak in support of the Racing Administration Amendment (Sports Betting National Operational Model) Bill 2014. The importance of this bill is in the very fine hands of the Minister in the chair, the Minister for Hospitality, Gaming and Racing, and the Minister for Sport and Recreation. This bill began some years ago in the hands of Graham Annesley, a former Minister for Sport and Recreation, who participated in the national conference. Since that time it has

progressed through one set of hands to the current Minister for Sport and Recreation, and I look forward to it finally coming to fruition. The other collaboration, of course, was with the Minister for Hospitality, Gaming and Racing.

The measures in the bill are based on a national operational model for sports betting as agreed by all Australian sports Ministers in September 2011. The model is part of the National Policy on Match-Fixing in Sport, which was agreed to by the same Ministers in June 2011. Specifically, the bill provides for the following matters: recognising sports controlling bodies in relation to sporting events; requiring betting service providers to enter into integrity agreements with sports controlling bodies; specifying the matters that must be addressed in integrity agreements; and empowering sports controlling bodies to prevent sporting events being prescribed as declared betting events, to prevent new bet types being permitted, and to apply to have existing types of bet types prohibited. This is a really important feature. The bill effectively gives the power of controlling a sport to the sport's controlling body—a power that had gone out of their hands over the many years leading up to the present.

The bill also includes an offence, which is based on a similar offence in Victoria, of prohibiting sports betting providers whether in New South Wales or elsewhere from offering a betting service on a sporting event unless an integrity agreement is in place with the sports controlling body for the event. As I said, that is the essence of the bill. As has been mentioned in the second reading speech to the bill, sport has long been regarded as integral to the Australian way of life. Everyone involved in sport, whether as a participant, administrator, club official or spectator, is entitled to expect that the sporting contest is played honestly and to the ideals of fair play and good sportsmanship. Similarly, those who wager money on the outcome of a sporting event are entitled to expect that the match is openly contested and free of manipulation. This follows the most important principle in racing, namely, that a horse must race to its best and everything is done to ensure that that is part of the strong integrity arrangements that surround the code of racing. That principle is now enshrined in this bill in relation to other sports.

The bill is designed to give the public an increased level of confidence that these expectations will be met. It does this by providing a framework for betting service providers to enter into integrity agreements with sports controlling bodies. Integrity agreements under the bill comprise the following key features: integrity measures used to prevent, investigate and assist in the prosecution of match fixing or corrupt behaviour; financial return to the sport; and information-sharing arrangements. The Minister for Sport and Recreation, who preceded me in this debate, referred to the financial return to the sport. Hitherto, betting providers and other corporations were able to enjoy a revenue stream based on a product they did not own, which perhaps arguably they had no right to offer as a product of their own. Importantly, sports controlling bodies will have a veto right on the type of betting that occurs or whether any betting occurs in respect of the particular sport.

As noted in the second reading speech, details of the integrity agreement, including financial arrangements, are determined not by government but by the parties to the agreement. While the bill contains measures that actively bring the parties to the negotiating table, the outcome of the negotiations will be left to the parties themselves. It is considered that the parties themselves are in the best position to reach agreement on these commercial matters at arms-length from government. It is expected that arrangements for the provision of financial return to sports from betting service providers will assist in meeting the integrity-related costs incurred by sports controlling bodies.

The requirements in the bill are not intended to override any existing agreements in place between sports controlling bodies and betting service providers. However, it is recognised that the parties may seek to amend or enter into fresh agreements to ensure the bill's essential requirements are addressed. Equally, the measures in the bill are designed to complement existing processes and procedures relating to ministerial approval of bet types under the Act, now renamed the Racing and Betting Act by this bill. The Minister also retains the ultimate discretion to not approve certain bet types consistent with the current position under the Act. Again I refer to the comments of the Minister for Sport and Recreation that bet types that encourage the potential negative outcome of an event as being a successful bet are really bet types that potentially open the sport to corruption. This bill not only provides for the codes themselves to make that assessment but also, in the event that has failed, the responsible Minister will have a final say to ensure that the potential for corruption and loss of integrity of the code in question has been respected.

In summary, the bill demonstrates the New South Wales Government's commitment to promoting integrity in sport and to helping ensure that sports controlling bodies have a greater say in the betting activities that occur in respect of their sport. This will assist sports controlling bodies to better manage integrity risks

associated with their sport and promote the sustainable development of sport across New South Wales. The bill does not represent a panacea for sports bodies to gain avenues of funding hitherto unimagined and that they need not continue the hard work associated with funding, particularly of mounting junior sport. The sports controlling bodies must appreciate that their efforts to gain sponsorship, participation and contributions from participants remain in place. The measures in this bill are principally to ensure the integrity of the sport rather than the largesse of the sport. I commend the bill to the House.

Ms MELANIE GIBBONS (Menai) [9.28 p.m.]: I support the Racing Administration Amendment (Sports Betting National Operational Model) Bill 2014. The bill is designed to regulate betting on sporting events in line with the National Policy on Match-Fixing in Sport, which was agreed to by all Australian sports Ministers in 2011. The bill implements the national operational model for sports betting, which expands upon new match-fixing penalties and offences that were introduced by the New South Wales Government in August 2012. Anyone found to have engaged in or facilitated conduct that corrupts the outcome of an event faces a maximum penalty of 10 years in jail. Under the model, sports controlling bodies have the right to veto the type of betting that occurs and whether any betting occurs at all in relation to their sport. Importantly, the bill also establishes a workable and appropriate framework to strengthen the capacity of sporting bodies to recognise and manage integrity risks associated with the betting that takes place in their sport.

The bill also enables sporting bodies to receive a share of the revenues that accrue from approved betting, recognising both the value of the sporting product and the integrity-related costs incurred by sporting bodies as a direct result of evolving sports betting markets. These mechanisms will help to strengthen public confidence in the integrity of the sporting contests themselves, as well as the associated betting that occurs on these events. It is proposed that the Minister for Sport and Recreation will have the administrative responsibility for approving and prescribing a person or body as the sports controlling body for a sporting event. While the regulations will outline the relevant data that must be satisfied, it is envisaged that a sports controlling body will be the body that has control over a particular sporting event and the body that organises or administers the event. This bill will bring New South Wales into line with Victoria and its Gambling Regulations Act 2003. This bill includes a process for the mutual recognition of sports controlling bodies approved in other Australian jurisdictions.

One of the amendments to the bill is the requirement by betting service providers to enter into integrity agreements with sports controlling bodies. The integrity agreement will need to include the following: an outline of the measures used to prevent, investigate and assist in the prosecution of any match-fixing or corrupt behaviour; the provision of financial returns to the sport; information-sharing arrangements; and a consultation process for applications for new sporting events and bet types. The offence provision proposed in this bill prohibits betting service providers in New South Wales or elsewhere from offering a betting service in relation to a sporting event unless an integrity agreement is in place with the sports controlling body for the event. This offence is based on a similar offence applying in Victoria under its Gambling Regulation Act 2003. The proposed New South Wales offence has extraterritorial application and does not apply where there is no controlling body for the sporting event or to sporting events held wholly outside the State or during the six-month period following the approval of a new sports controlling body for an event.

The last exclusion provides betting service providers with a six-month transition period within which to reach an integrity agreement with a newly approved sports controlling body. The maximum penalty for an offence is a fine of \$11,000 for a corporation or \$5,500 for an individual, imprisonment or both. The penalty is consistent with those prescribed for similar offences in the Racing Administration Act and the Unlawful Gambling Act. These offence provisions provide further reason for betting service providers and sports controlling bodies to meet at the negotiating table to discuss and agree on integrity issues. This bill is important for the State of New South Wales in promoting the sustainable development and integrity of sport. The bill also demonstrates the commitment of the New South Wales Government to ensuring that the public can have every confidence in the authenticity of the sporting event they have paid to attend and that any betting they choose to engage in on the event is controlled and as fair as possible.

Sport, any kind of sport, has long been regarded as an integral part of Australian life. This being the case, Australians are entitled to expect that the sports they watch or participate in are played honestly and in accordance with the ideals of fair play and good sportsmanship. On the other side of the coin, those who bet on sporting events also are entitled to wager their money on a contest that is fair and free from manipulation. This bill is designed to give the public an increased level of confidence that these expectations will be met and that the sporting event that they are betting on, playing or watching is being contested on a level playing field. The national operational model upon which the bill is based was developed in consultation with State and Territory gambling regulators, a number of the major betting service providers and major sporting organisations.

The bill establishes a workable and appropriate framework to strengthen the capacity of sporting bodies to recognise and manage integrity risks associated with the betting that takes place on their sport. Further consultation with betting service providers and major professional and participation sports will be pursued during the drafting of supporting regulations and in the period between legislation passing Parliament and its commencement. The Government has already proven its commitment to promoting a sustainable and successful racing industry through its successful race fields legislation. The principle that betting service providers should pay for the privilege of using racing information as a platform for their business applies equally to sport. The measures in this bill uphold that principle and demonstrate a similar commitment to promoting the integrity and sustainable development of sport in this State. I thank the Ministers involved in preparing this bill. I know that Minister Grant and Minister Ayres have both had a close involvement with this bill. I commend the bill to the House.

Mr JOHN SIDOTI (Drummoyne) [9.34 p.m.]: I speak in support of the Racing Administration Amendment (Sports Betting National Operational Model) Bill. It has often been said that Australians would bet on two flies crawling up a wall, and that is probably true. The underlying sentiment behind this of course is the universal love of sport in this country. But Australians also demand a fair go, and in recent times it has been demonstrated that sport in Australia, and particularly sports betting, was getting anything but a fair go.

In June 2011 sport and recreation Ministers from around the country met to develop a national strategy on match fixing in sport. It had become obvious that a serious threat was posed to the integrity of Australian sport by the fixing of matches, races and other sporting events. Sports fans had become disillusioned with the system following a number of incidents of match fixing reported by the media. Technological advances in recent years had increased the potential for Australian sports to attract betting interest and potential criminal involvement from around the world.

Given the fact that sport in New South Wales is a vital contributor to the economy of the State, it is important to ensure that the integrity of sporting events is maintained and that public confidence is not further eroded. The fixing of matches and other sporting events is a pernicious activity. It not only defrauds honest punters, who are in the majority, but also undermines the confidence of fans and the broader community in the players and the sport. The strategy represented a commitment not only to clean up corrupt practices but also to protect the integrity of sport. It was recognition that these practices were rife and that it was time to do something about it.

At the meeting on developing a national model to tackle match fixing, all Australian governments agreed they had a major obligation to address the threat of match fixing and the corruption that flows from it. The legislation being debated here tonight will bring into law the agreement signed off by the New South Wales Government at the conclusion of that meeting. The bill regulates the interaction between sporting organisations and betting service providers, provides a framework for integrity agreements, and outlines baseline requirements for betting on sporting events. Similar legislation has also been introduced in other States and Territories.

The overriding aim of this legislation is to combat match fixing. It further provides a framework for betting agencies to enter into integrity agreements with sports controlling bodies and will allow the Government to determine which sporting bodies are eligible for wagering activities. Approved controlling bodies will be given the power to choose the types of bets that are available for their sport. Harsh penalties will apply if it is found that the law is being flouted. When the national model was adopted by the New South Wales Government in 2012 it applied new match-fixing penalties. A maximum sentence of 10 years imprisonment applies to any person found to have engaged in or facilitated conduct that corrupts the outcome of an event. Above all, it will support the national model and ensure clarity and the continuation of the implementation of this law throughout the country.

I now turn to the major details of the bill. The current Racing Administration Act 1998 will undergo a name change under amendments in this legislation. To better reflect the issues involved in the legislation, it will be known as the Betting and Racing Act 1998. The change was suggested by Parliamentary Counsel on this basis. Proposed section 17B provides that a person or sports body may be prescribed by the Minister as the sports controlling body for a sporting event. This proposed section will refer to the Minister for Sport and Recreation as having the authority in this area. Currently, the provisions of the Racing Administration Act allow for the Minister to prescribe an event or class of events as being a betting event. This means that the Government will be able to determine which sporting bodies are appropriate for wagering activity and in turn will allow for stronger scrutiny of betting on sports that may not be considered professional.

Under the provisions in new section 18 an application must be made to the Minister prior to making a declaration by a licensed bookmaker who holds a declared betting event authority under the Act or by a licensee under the TAB. The legislation further gives the Minister the right to deny an application if it is felt that such an application is not in the public interest. In this context the Minister must be satisfied that there is an integrity agreement in place between the applicant and the sports controlling body. The integrity agreement must include an outline of the measures used to prevent, investigate and assist in the prosecution of any match fixing or corrupt behaviour. It must also highlight the provision of financial returns to the sport, information-sharing arrangements and a consultation process for applications for new sporting events and betting types.

The legislation introduces tougher penalties. In 2012, acting on recommendations contained in the National Policy on Match-Fixing in Sport, the New South Wales Government took steps to apply penalties under the Crimes Act. Under that Act a person is guilty of having committed an offence where they knowingly or recklessly corrupt the betting outcome of an event with the intention of obtaining a financial advantage in relation to any betting or an event, or engage in conduct that corrupts a betting outcome of an event. Under that Act those guilty of match fixing were liable to a 10-year jail sentence.

They were tough penalties and now, as a demonstration of its commitment to clean up match fixing in sport, the Government is getting even tougher. Under this legislation a betting agency breaching the law will receive a maximum fine of up to \$11,000. An individual breaching the legislation will receive a \$5,500 fine or 12 months imprisonment or both. That is consistent with prescribed penalties for similar offences under the Racing Administration Act 1998 and the Unlawful Gambling Act 2009. It provides another incentive for betting service providers and sports controlling bodies to come to the negotiating table to discuss and reach an agreement on integrity issues. Further, in an effort to support the national policy that underpins this legislation sports controlling bodies will have a right to veto betting on their sport if it is deemed to be in the public interest.

The Government accepts that eliminating all forms of match fixing is a tremendous challenge. However, I believe this bill will strengthen the capacity of sporting bodies to recognise and manage integrity risks associated with the betting that takes place on their sport. The new section 19 allows the Minister to authorise licensed bookmakers to take bets on declared betting events. The Government has demonstrated its commitment to promoting a viable racing industry through the legislation I have mentioned. The bill before the House is an extension of that because it applies the principle that betting service providers should pay for the privilege of using racing information as a platform for their business. That principle applies equally to sport. Sport has a big role to play in this State. This legislation gives those participating in sport and those betting on their favourite team a fair go. I commend the bill to the House.

Mr JOHN FLOWERS (Rockdale) [9.43 p.m.]: I support the Government's proposal to regulate betting on sporting events. The Racing Administration Amendment (Sports Betting National Operational Model) Bill 2014 proposes to regulate betting on sporting events in line with the National Policy on Match-Fixing in Sport by recognising sports controlling bodies in relation to sporting events and requiring that a person who seeks to have a sporting event prescribed as a declared betting event or who seeks a new type of bet in relation to such an event must enter into an integrity agreement with the sports controlling body for the sporting event or, if there is no sports controlling body, must consult with the key persons or bodies involved in the administration of the sporting event.

The bill also requires betting service providers to be licensed and to enter into integrity agreements with the sports controlling body for a sporting event before being permitted to offer betting services in relation to the sporting event. The bill specifies the matters that must be addressed in integrity agreements. The bill also permits the sports controlling body for a sporting event to prevent the sporting event being prescribed as a declared betting event, to prevent new types of bets being permitted and to apply to have existing types of bets prohibited in respect of a sporting event that has been prescribed as a declared betting event.

The bill regulates betting on sporting events in line with the National Policy on Match-Fixing in Sport, which was agreed to by all Australian sports Ministers in June 2011. As part of the national policy the Ministers agreed to a national operational model for sports betting in September 2011 and the bill implements this operational model. The operational model provides for a framework for betting service providers to enter integrity agreements with sports controlling bodies and contains integrity measures to prevent, investigate and assist in the prosecution of match fixing or corrupt behaviour.

The Racing Administration Amendment (Sports Betting National Operational Model) Bill 2014 augments new match-fixing penalties and offences introduced by the New South Wales Government in August

2012. A maximum penalty of 10 years imprisonment applies for anyone found to have engaged in or facilitated conduct that corrupts the outcome of an event. The offences are based on a list of match-fixing behaviours endorsed nationally by the Standing Council on Law and Justice.

The operational model regulates the interaction between sporting organisations, betting service providers and relevant State and Territory regulators in relation to integrity agreements and baseline requirements for betting on sporting events. The model was developed in consultation with State and Territory gambling regulators, a number of major betting service providers and major sporting organisations. The model is based on the Victorian regulatory model administered by the Victorian Commission for Gambling and Liquor Regulation.

This bill is an illustration of the Government's commitment to promoting integrity in sport and the regulation of associated sports betting. Sport has long been regarded as an integral part of Australian life. Australians are entitled to expect that the sports they watch or participate in are played honestly and in accordance with the ideals of fair play and good sportsmanship. Similarly, punters are entitled to expect that the sporting events upon which they wager money are openly contested and free of manipulation. The bill is designed to give the public an increased level of confidence that these expectations will be met.

A key aim of the National Policy on Match-Fixing in Sport, upon which this bill is based, is to maximise public confidence in the integrity of sport and to ensure a level playing field. The Government has already demonstrated its commitment to promoting a viable and successful racing industry through its successful race fields legislation. The principle that betting service providers should pay for the privilege of using racing information as a platform for their business applies equally to sport. The measures in the bill uphold that principle and demonstrate a similar commitment to promoting the integrity and sustainable development of sport in this State. The bill is an important step to this end.

While the regulations will outline the relevant criteria to be satisfied, it is envisaged that the sports controlling body will be the body that has control over a particular sporting event and which organises or administers the event. Those who wager money on the outcome of a sporting event are entitled to expect that the match is free of manipulation. The bill is designed to give the public an increased level of confidence that these expectations will be met.

While the bill contains measures that actively bring the parties to the negotiating table, the outcome of the negotiations is left with the parties themselves. It is considered that the parties are in the best position to reach agreement on these commercial matters at arm's length from government. The requirements in the bill are not intended to override any existing agreements in place between sports controlling bodies and betting service providers. However, it is recognised that the parties may seek to amend or enter into fresh agreements to ensure the bill's essential requirements are addressed.

The measures in the bill are designed to complement existing processes and procedures relating to ministerial approval of bet types under the Act—now renamed the Racing and Betting Act by this bill. The Minister also retains the ultimate discretion to not approve certain bet types, consistent with the current position under the Act. In summary, the bill demonstrates the New South Wales Government's commitment to promoting integrity in sport and to helping ensure that sports controlling bodies have a greater say in the betting activities that occur in respect of their sport. This will assist sports controlling bodies to better manage integrity risks associated with their sport and promote the sustainable development of sport across New South Wales. I commend the bill to the House.

Mr TROY GRANT (Dubbo—Minister for Hospitality, Gaming and Racing, and Minister for the Arts) [9.51 p.m.], on behalf of Mr George Souris, in reply: I will provide an address in reply to the debate on the Racing Administration Amendment (Sports Betting National Operational Model) Bill 2014. I thank honourable members for their contributions to the debate on this bill. I inherited this bill, which was started by the Hon George Souris in cooperation with the then Minister for Sport, the Hon. Gabrielle Upton. I thank those Ministers, and particularly their officers responsible for bringing this important legislation to this House. I am indeed honoured to have carriage of the matter through the remainder of this process.

The issue that the bill addresses is current, very real and has a very serious scope and challenge for us as governments but also for us as a community. As has been stated, the bill underscores the New South Wales Government's commitment to promoting integrity in sport and the regulation of associated sports betting. I thank the member for Liverpool, who led for the Opposition and offered bipartisan support for this bill. He did so on

behalf of the Hon. Steve Whan in the other place. I thank also the members for Camden, Menai, Drummoyne and Rockdale. I specifically thank the Minister for Sport and Recreation, the Hon. Stuart Ayres, member for Penrith, who, with the introduction of this bill, is charged with the operational model and the framework. I have every confidence in the Minister fulfilling that role admirably. He is, like I am, is a sports nut.

The bill's object is to regulate betting on sporting events in line with the National Policy on Match-Fixing in Sport which, we have heard, was agreed to by all Australian sports Ministers in June 2011. I place on record my thanks to the former Minister, Graeme Annesley, for his efforts at that time. As part of the national policy, the same Ministers agreed to a national operational model for sports betting in September 2011. This bill implements that operational model. Sport is important to every Australian; and whether we watch or participate in sport, we are entitled to expect that sport is played to the ideals of fair play and sportsmanship. These sentiments were clearly articulated by the members who spoke in the debate, including the member for the Upper Hunter, the former Minister, to whom I pay tribute for his leadership in introducing this bill, and also the member for Camden, who told the House of some experiences of his own children in sport.

This bill really goes to the heart of protecting the integrity of sport. As we heard, sport is fundamental to the culture of this nation. It is a pastime and endeavour—which this country rallies behind in support—that is so fundamental in our lives. At a time when many of our institutions and things on which the community relies are in question, this is an important measure by this Government—and, as I understand from the comments of the Opposition, by this Parliament—to ensure through this bill that the integrity of sports is upheld. The bill implements the National Policy on Match-Fixing in Sport, which aims to maximise public confidence in the integrity of sport and ensure the level playing field that we seek. It does this through establishing a workable and appropriate framework to strengthen the capacity of sporting bodies to recognise and manage integrity risks associated with the betting that takes place on their sport. These measures are integral to promoting the sustainable development of sport in this State. As this is the first bill in my name, I am honoured to commend the bill to the House.

Question—That this bill be now read a second time—put and resolved in the affirmative.

Motion agreed to.

Bill read a second time.

Third Reading

Motion by Mr Troy Grant, on behalf of Mr George Souris, agreed to:

That this bill be now read a third time.

Bill read a third time and transmitted to the Legislative Council with a message seeking its concurrence in the bill.

TEACHING SERVICE AMENDMENT (TRANSFERS) BILL 2014

Message received from the Legislative Council returning the bill without amendment.

PRIVATE MEMBERS' STATEMENTS

EARLWOOD UNITING CHURCH PRESCHOOL

Ms LINDA BURNEY (Canterbury) [9.57 p.m.]: I recently had the pleasure of attending an afternoon tea at Earlwood Uniting Church Preschool to celebrate 140 years of combined community service to the preschool by Mrs Jo Lee and Mrs Neta Yallop, each for 40 years, Mrs Miriam Stanford for 36 years and Mrs Audrey Tolhurst for 24 years. Those women have served on the board for all of those years. The preschool celebrated the extraordinary contribution of time, energy, commitment and passion of four of the church members on the committee. During the years the preschool has seen the many changes that have occurred in early childhood education, the introduction of trained early childhood teachers to teach the children being a major change.

Thousands of children have attended Earlwood Uniting Church Preschool over the past 40 years and each of these children has received the care, good governance and commitment of these four extraordinary women. Mrs Yallop, Mrs Stanford and Mrs Tolhurst have held positions of vice-chair, treasurer and chairperson for many years. Their outstanding, ongoing commitment, as well as Mrs Jo Lee, has assisted the preschool greatly. It was originally established by Earlwood Congregational Church as a child care service to assist families after World War II. Forty years ago the preschool received one of the first grants from the New South Wales Government and established a volunteer management committee to assist with the financial and management decisions for the preschool. Over that time there have been a number of volunteers from parents and the church community. The preschool now has 13 trained early childhood educators. Director Lynn Marshall is in charge of the day-to-day running of the preschool, which caters for 3- to 6-year-olds and has 118 children attend each week.

The school is a not-for-profit locally managed service of UnitingCare Children's Services. Parents, church members and staff past and present joined together to celebrate this milestone in honour of these wonderful, generous women. Mrs Miriam Stanford and Mrs Jo Lee have recently resigned from the management committee but Mrs Audrey Tolhurst and Mrs Neta Yallop continue to assist on the committee. I heartily congratulate Jo, Neta, Miriam and Audrey for their dedication to the community. The school celebrated with a morning tea. All the teachers were present, together with past board members. I have known Mrs Audrey Tolhurst and Mrs Neta Yallop for a number of years, having come into contact with them through other endeavours in my electorate.

The four women have 140 years of voluntary service between them—an extraordinary effort. They have served not only in this preschool but in many other voluntary capacities, and are an outstanding example of decency and generosity. This evening I record my deep appreciation, respect and admiration for their work. I also wish to record the excellent work of the preschool staff and in particular that of Lynne Marshall, the preschool director. Lynn is an inspirational and extraordinary educator and does a wonderful job of running the preschool. I put on record my appreciation for all the staff and volunteers I have mentioned who are involved in the Earlwood Uniting Church preschool.

KENDALL COMMUNITY EVENTS

Mrs LESLIE WILLIAMS (Port Macquarie-Parliamentary Secretary) [10.02 p.m.]: I speak this evening about a wonderful community in my electorate—the picturesque and delightful village of Kendall. It is one of seven villages that make up the Camden Haven and the local initiatives that have been developed in this vibrant, enthusiastic and dynamic community never cease to amaze me. Kendall is situated about half way between Taree and Port Macquarie and is about three kilometres west of Kew and the Pacific Highway. In the last few months, Kendall has been a hive of activity and it has been great to have the opportunity to join the community in a number of exciting events. I have no doubt that, at the conclusion of my statement, members will know that community spirit is alive and well in Kendall.

On Thursday 10 April I joined a packed auditorium at the Kendall Services and Citizens Club for the presentation of the Kendall Community Op Shop Grants for 2014. The Op Shop fronts the Kendall Pool and is a popular shopping destination for people from across the Hastings and afar. The contribution the shop makes to the community is outstanding. Its fundraising efforts are amazing. I was privileged to have the role of presenting almost \$115,000 in grants to community organisations which, in turn, enables those organisations to continue their great work. The grants to community group representatives included a few hundred dollars for minor projects, \$10,000 to connect electricity to the Camden Haven Boxing Team's shed, \$10,417 to buy equipment for the Bells of Haven Handbell Group and \$11,000 to buy a piano for the Kendall Reserve Trust.

The team of young boxers from the Camden Haven Boxing Team were particularly excited about their grant and demonstrated their gratitude to the Op Shop by interrupting their training to jog over to the Kendall Services and Citizens Club to collect their cheque. The team has only been formed in recent years and is strongly supported by the local community. I look forward to the opening of their new training facility—a project that I was pleased to support through a Community Building Partnership grant of over \$25,000. Other grant recipients included the Camden Haven Historical Society, the Pony Club, the local preschool, Meals on Wheels, Riding for the Disabled, the Camden Haven Surf Lifesaving Club and the Kendall Community Boat Shed. To add to the evening's proceedings, we were entertained by the Kendall Men's Shed group who performed a skit chronicling, in Biblical style, their concreting project.

On Sunday 13 April, at the commencement of Heritage Week, the day began with the Poet's Breakfast at the Kendall Services and Citizens Club organised by the Good Life in Kendall. The event celebrates the town's namesake, poet Henry Kendall, and was a showcase of a variety of readings and recitals of classic Australian poems and original pieces by local residents and visitors. For me the standout presentation was by Mitch Oxborough, the author of the children's book *Fatty the Rat Rod*, an intriguing story about the transformation of an old truck brought back to life by a family. It was very entertaining and certainly captivated the audience's imagination. The excitement, for both young and old, was the opportunity to meet Fatty on the streets of Kendall after the breakfast.

The Heritage Festival events then moved to the Town Green for the unveiling of a life-sized metal sculpture of a bullock team, accompanied by the sounds of a Scottish pipe band and the smell of sizzling sausages on the barbecue, courtesy of the Kendall Men's Shed. Next stop was the Kendall Railway Station where a crowd gathered to welcome the XPT from Sydney. On arriving at the station to the applause of the community and responsive blasts from the train's horn, the driver was presented with a certificate to commemorate 100 years since the first passenger train arrived in Kendall on 6 April 1914 and the first mail from Taree on 10 April 1914. The enthusiastic crowd came as a bit of a surprise to the passengers, particularly for those leaving the service at Kendall, but hopefully they enjoyed the unprecedented welcome to the village. I congratulate all of those involved in the organisation of the day and in particular Warren Parkinson and Betty and Bill Boyd for their ongoing contribution to the Kendall Community.

On Anzac Day I attended the commemoration at Kendall which was very well attended, despite the potential of inclement weather. The service was conducted by the Kendall RSL under the leadership of sub branch President, Lance Gainey. I was honoured to address the gathering and to join with Camden Haven High School students, Chloe Lockhart and Paige Savage, to highlight the significance of the day and to acknowledge those who had served from the local community, including the eleven who were killed in the line of duty. I also recognised the four Kendall residents who received military medals for their bravery: Sergeant John James Chapman, R. Bake, E. Dunn and J McLeod. The crowd enjoyed a rendition of "Abide with Me", beautifully delivered by Betty Boyd. The service concluded with the leader of the Kendall Pony Club, whose members joined in the parade, being presented with a large bag of carrots for the ponies that were so well behaved during the ceremony.

On Sunday 4 May I attended the Kendall Global Food Garden at the Community Centre for a garden party to celebrate the second anniversary of the establishment of the garden. The centre was a hive of activity. I was fortunate to be one of only a dozen people who had the pleasure of enjoying the sumptuous delights prepared by local resident Tin Hta Nu. Tin is a keen volunteer in the garden and clearly enjoys the opportunity to share her culinary expertise with others. There was an array of local produce to swap or purchase, live music, raffles and face painting for the children.

On 10 May I attended the school fete at Kendall Public School and I am sure the principal, Jodie Paterson, would have been very pleased with this inaugural event. The crowds of people and the many stalls and activities on offer were a clear indication that the fete was going to be an outstanding success. I congratulate the school's Parents and Citizens Association and thank the local businesses and organisations that supported the event. This is just a brief overview of local events in Kendall in the past few months but it gives an insight into the wonderful community of Kendall—one that I am extremely proud to represent in this Parliament. [*Time expired.*]

ACTING-SPEAKER (Mr Adam Marshall): I welcome to the Gallery Di Clayton and Harry Bolton from Tenterfield Shire Council, together with Heather Ranclaud from Willow Tree. They are guests of the member for Northern Tablelands and have been in attendance tonight at the Local Government NSW Cultural Awards Evening, which was also attended by the member for Wollongong. I welcome you to the Legislative Assembly. The House is dealing with private members' statements, which gives members an opportunity to speak to the House about the issues, people and events in their electorate.

HUMAN RIGHTS IN NORTH KOREA

Mr CHARLES CASUSCELLI (Strathfield) [10.08 p.m.]: This evening I inform the House that the Minister for Foreign Affairs, the Hon. Julie Bishop MP, was a special guest at an extraordinary meeting convened at the offices of Strathfield Council on the morning of 22 May last week. On that day the Minister was introduced to two North Korean defectors who shared their astonishing stories of persecution and escape from

the government of a country that attracts much loathing from the international community. Its human rights abuses regularly offend the sensibilities of the international community and are contrary to the most basic understanding of common decency.

I was privileged to have had an opportunity to assist in organising the meeting which formed part of a series of events hosted by the National Unification Advisory Council focussing on the lack of human rights in North Korea. I was on hand to personally welcome Ms Bishop to the electorate. The Federal Member for Reid, Mr Craig Laundy MP, a good friend of the Korean community in Sydney, had secured Ms Bishop's surprise attendance at the meeting held over a morning tea. I was motivated to help organise this meeting through my close connection to the Korean community in Strathfield and also through my role as the chairperson of the Korean Ministerial Consultative Committee. I understand how deeply human rights injustices are felt in the Korean community. The member for Hornsby is the co-chair of the Korean Ministerial Consultative Committee and I acknowledge his wonderful efforts on that committee.

Craig and I were joined by local dignitaries including Ms Susan Lee, Chairperson of the National Unification Advisory Council; Mr Whie Jin Lee, Consul General of the Republic of Korea; Councillor Tony Doueihy, Deputy Mayor of Burwood Council; Councillor Sang Ok, Deputy Mayor of Strathfield Council; and others in welcoming the Hon. Julie Bishop to Strathfield. During the meeting North Korean defectors Mr Myung Chul Ahn and Ms Young Soon Kim shared their astonishing tales of life in Pyongyang and their eventual escape to the south. Mr Ahn worked as a guard watching over political prisoners before realising the harsh truth of his role. Many of his prisoners did not know the reasons for their incarceration.

The plight of children born into captivity and destined to live out their lives in work camps eventually swayed Mr Ahn's decision to flee. By way of contrast, Ms Kim was targeted for her friendship with deceased former leader Kim Jong-il's former wife. Ms Kim conveyed the sorrow of having to bury her husband with her bare hands after being interned by North Korean authorities. The stories of Mr Ahn and Ms Kim were moving and compelling; the Minister listened intently, as we all did, to these incredibly personal accounts of tragedy and final escape. Mr Laundy said the horrific experiences conveyed by Mr Ahn and Ms Kim should remind us all of how fortunate we are to live in a free and democratic society.

At the conclusion of the meeting, the Chairperson of the National Unification Advisory Council, Ms Susan Lee, presented Ms Bishop with a copy of the "Report of the Commission of inquiry on human rights in the Democratic People's Republic of Korea." The meeting at Strathfield Council capped off a series of important events through the week that included the showing of the *Apostle*, a feature film based on a reconstruction of the experiences of a small community in North Korea. The *Apostle* is one of the most powerful and moving films that I have seen. I was moved to tears as I saw what others have told me in words, that persecution, atrocities and the most horrible violations of human rights occur daily in North Korea. On the evening of 20 May I also attended a speech by the Hon. Michael Kirby, the Chair of the Inquiry on Human Rights in North Korea. He made it absolutely clear that systemic, widespread and gross human rights violations have been and are being committed by North Korean institutions and officials.

The purpose of Human Rights in North Korea Week is to better inform people of the current political situation in North Korea, and in particular to draw attention to the plight of its citizens where the notion of freedom of thought, expression and religion has been compromised. The important role played by the Australian chapter of the National Unification Advisory Council in raising awareness of the plight of the North Korean people this week deserves special recognition. Mention should be made also of the significant contribution made by the North Korea Missionary Committee, the Oceania Korean community, the Sydney Korean Church Association and the Korean-Australian Veterans Association towards its success. Like many other people of goodwill, I pray for the day when Korea will once again be a single nation, living under the ideals of a true democracy, free from oppression and the ravages of a corrupt and uncaring Government. It will happen, of this I am sure, not without more grief and tragedy, but it will happen. Of this I am convinced. The Korean community in Sydney has my support and, I am sure, that of my co-chair of the Korean Ministerial Consultative Committee.

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [10.13 p.m.]: I commend the work and comments of the member for Strathfield. I take this opportunity to thank the Korean community in Sydney for its remarkable work. Its contribution to modern Australia is extraordinary. I too commend the work of Michael Kirby in his inquiry into human rights abuses, which concluded that the North Korean security chiefs, and possibly even Kim Jong-un, should face international justice for ordering systemic torture, starvation and killing comparable to Nazi-era atrocities. One thing we know is that for the first time in its history the Security Council finally has been confronted with the abhorrent crimes committed by the North Korean Government against its

people. Given the extraordinarily severe repression, it would be unconscionable for the council to continue limiting its work on North Korea's nuclear issues. I thank the Korean community in Sydney for bringing this issue to light through the speech of Michael Kirby.

BUNDALEER ESTATE

Ms NOREEN HAY (Wollongong) [10.14 p.m.]: This evening I inform my colleagues of a great initiative currently being undertaken at Bundaleer estate located in Berkeley in my electorate of Wollongong. For quite some time I had been receiving letters, emails and visits to my office from distressed tenants from the Bundaleer estate. I organised a community meeting of residents, non-government organisations [NGOs], including Barnardos which works on the estate, and the Lake Illawarra Area Command. One look at the estate and anyone can see why its people were not happy and why crime and vandalism were rife. Buildings were boarded up, residents complained of kids roaming the streets intimidating elderly residents, basic maintenance issues were left unattended and many houses were boarded up and left empty thus enticing break-ins and graffiti. One resident told me that they were unable to order home delivery, such as Pizza Hut, because the drivers refused to enter the estate.

One young mother told me that Housing NSW would not replace a screen door that had been broken and had to be removed. This meant that on hot days in summer she had to keep the front door shut for fear of her children running onto the road and/or getting injured because there was no front fence. Another resident stated that she was too scared to leave the house without having someone in the house for fear of being robbed when she was out doing shopping or errands. The word "holiday" was almost foreign to her. There was no shortage of stories of living conditions that are unacceptable in this day and age. When this Government is selling off stock left, right and centre without replacing it with any new dwellings, there is no excuse for properties sitting boarded up waiting for months on end for maintenance. With the support of the Bundaleer community, Barnardos and the police I am not ashamed to say that I swung into action and bombarded the then Liberal Minister with ongoing representations and demands that this estate be looked at.

Following extensive meetings with Lake Illawarra Local Area Commander Wayne Starling, a Bundaleer Community Connect program was established. With Acting Assistant Andrew Koutsoufis and Detective Inspector Glen Broadhead appointed as project managers, and Gerry Orkin, the Southern Region Region Domestic Violence Coordinator, appointed as the project consultant, a number of measures were discussed and put in place. The aim of the project was to provide an enhanced personal support and educational awareness approach for victims of domestic violence and antisocial behaviour in their neighbourhood, and to provide residents with assistance in gaining support from networks, agencies and community groups to give them the confidence to report incidents and seek advice. Early intervention has demonstrated that a shift in focus from reactive responses to one of prevention, and disruption to the domestic violence cycle and antisocial behaviour will improve reporting levels from victims.

I am pleased to report that I recently successfully lobbied the Social, Public and Affordable Housing upper House Committee to come to Wollongong to take a firsthand look at not only Bundaleer but also a number of other estates needing attention and to undertake a stakeholders forum to listen to NGOs and Housing NSW tenants on the day-to-day issues they experience. The committee toured through Bundaleer and, although work still needs to be done, there was an obvious marked improvement on the estate: rubbish had been removed, lawns were mowed and many houses had the boards removed and were clearly occupied. A number of residents came out of their homes to thank me for my assistance, which is always a humbling experience. I congratulate the police and all those involved on helping to make Bundaleer a nicer, safer and better place to live. I look forward to continuing my work with the residents into the future.

This is just one example of what can be done when people work together. This estate had very bad national media coverage and a bad reputation—people were living in fear. When we spoke to those same people recently, almost every response to the improvements that had been made through Housing NSW, and the improvements to safety through the activities of police, community projects and the community centre on the estate was positive. The matter was a completely new experience. As I said at the outset, this shows what can be achieved with a bit of investment in time and committed resources if we all just work together.

BLUE MOUNTAINS ELECTORATE COMMUNITY EVENTS

Mrs ROZA SAGE (Blue Mountains) [10.19 p.m.]: During this past week I have had the honour of attending two distinct events that have recognised the achievements and contributions of some of the members

of the Blue Mountains community. The Student Excellence Awards of TAFE NSW, Western Sydney Institute, or WSI, which was held at the Penrith Panthers Rugby League club, showcased the high-achieving students, some of whom have overcome great adversity. I was thrilled to attend this important event in the WSI calendar, along with my parliamentary colleagues the Minister for Police and Emergency Services and member for Penrith, and the member for Londonderry. The Western Sydney Institute has two campuses in the Blue Mountains, one at Katoomba and the main campus at Wentworth Falls. The signature areas of these facilities are hospitality and tourism, beauty and massage, community services, and outdoor recreation. I was pleased to see that the Blue Mountains campuses were represented by student award winners.

I congratulate Terese Simone, who was nominated by her teacher Samarah Galea. Terese won the Hairdressing and Beauty Student of the Year award. Jessie-Anne El-Tannoury, who was nominated by head teacher Greg Bull, was awarded the Health and Community Student of the Year award. They are amazing women. Terese owns a successful business and Jessie is continuing her studies and hopes to study psychology at university in the future. I was also proud to see that Aiden Hole was nominated for Apprentice of the Year and also the Logistics and Transport Student of the Year. I have known Aiden and his family for many years and was pleased to see him doing so well as an apprentice motor mechanic, which he loves.

Another Blue Mountains student, Catherine Goldzieher, gave a passionate vote of thanks on behalf of the students. She has been working in the Blue Mountains libraries and I am told by head librarian, Vicki Edmonds, of the Blue Mountains City Council that she is an exceptional worker. It was a great night and I congratulate WSI and director Susan Hartigan on the high standard and great reputation that WSI has in the Western Sydney community. Susan is soon to retire and I wish her all the best in her retirement.

I also attended the Upper Blue Mountains Rotary Club's Pride of Workmanship awards. These prestigious awards celebrate vocational excellence in the local community and each club nominated members. We had a great crowd of Rotarians from clubs such as Blackheath, Katoomba, Sunrise and Central Blue Mountains, which is my club, as well as recipients, nominees, families and friends. Judy Finch, the Manager of Blackheath Area Neighbourhood Centre, who was one of the recipients, does a fantastic job of servicing the Blackheath area. Annette Barron from Blue Mountains Cancer Help was nominated by Robyn Yates, the Manager of Blue Mountains Cancer Help.

Jackie Colquhoun from the Wentworth Falls Country Club was a recipient of the Central Blue Mountains awards, where the event was held. Tom Hickey, who is a member of the Central Blue Mountains club, nominated her for her attention to detail, professional approach, hospitality and excellent customer service as restaurant supervisor at Wentworth Falls Country Club over the past 3½ years and for making guests feel welcome and comfortable. Jackie has worked in the club and hotel industry for the past seven years. Her personality and extensive knowledge of this industry makes her a valued employee.

Jed Martin, who was nominated by another member, Tom Colless, is an employee of Colless Foods. Jed is a young man who has proven to be a reliable and efficient employee of Colless Foods, Katoomba, having overcome adverse circumstances in the past few years. In the past 18 months he has shown enthusiasm and willingness to carry out his duties as a store manager and driver. He is obliging and self-confident and is certainly a worthy recipient of this award. Robert Vinzenz works with the Rural Fire Service as an operations officer. He has fulfilled numerous positions, working in the organisation's headquarters through to the Blue Mountains. He has a role in State operations on the major incident control desk and assists when the need arises. It was a wonderful evening that celebrated the wonderful achievements of our local heroes.

Private members' statements concluded.

NATIONAL RECONCILIATION WEEK

Matter of Public Importance

Mr KEVIN ANDERSON (Tamworth) [10.25 p.m.]: I update the House on National Reconciliation Week. I acknowledge and show my respect to the traditional owners of the land we are meeting on today, the Gadigal people of the Eora nation, to elders past and present, and to the Kamillaroi people, the lands they represent in the Tamworth electorate, and their elders past and present, as well as the young people coming through who will carry those traditions and cultures forward. National Reconciliation Week is celebrated each year from 27 May to 3 June. The dates commemorate two significant milestones in the reconciliation journey—the anniversaries of the successful 1967 referendum and the Mabo decision.

The theme of Reconciliation Week 2014 is "Let's walk the talk". This year the organisers of National Reconciliation Week are urging all Australians to get behind the campaign to amend the Constitution of Australia to recognise Aboriginal and Torres Strait islander people. I am proud to remind members that the New South Wales Constitution recognises Aboriginal people as the First Peoples in the State and their contribution to the State's identity. This Government is walking the talk and making real changes to improve the lives of Aboriginal people through OCHRE, which is the Government's plan for Aboriginal affairs. OCHRE, which stands for Opportunity, Choice, Healing, Responsibility and Empowerment, was informed by the feedback of some 2,700 people across New South Wales who participated in the consultation that was run by the most significant ministerial task force of Aboriginal people in the history New South Wales.

OCHRE was established by this Government and consisted of New South Wales Ministers, Sydney bureaucrats and Aboriginal community leaders. OCHRE is committed to working with Aboriginal people to drive change through education and employment, and to support strong Aboriginal communities in which Aboriginal people actively influence and fully participate in social, economic and cultural life. Key recommendations of the task force include revitalising language and culture to restore pride and identity to communities, and handing back local decision-making to the community to determine how and which services are delivered. These are key initiatives that promote reconciliation through genuine partnership with Aboriginal communities.

An important announcement for this year's Reconciliation Week is the provision of a \$10,000 grant to the Kinchela Boys Home Aboriginal Corporation [KBHAC] to commemorate the ninetieth anniversary of the Kinchela Boys Home site in October this year. The event will provide an opportunity for the men to share their stories with friends, family and the broader community at the original Kinchela site. The sharing of their stories and recognition of what happened at the site are a fundamental part of the healing and a significant act towards reconciliation. Last year a grant of \$25,000 was provided to KBHAC to enable 25 of the Kinchela Boys Home men to record their stories, which eventually will be accessible via the website and will enable those who lived at Kinchela to share their stories. Information on how to get involved or what activities are happening in the local communities is available on the Reconciliation Australia website.

New South Wales is leading the way for reconciliation. I urge communities and individuals to consider what part they can play to walk the talk and to support reconciliation. Whether someone is of Australian or British descent, a Chinese Australian or an Indian Australian, we can all play a role to help change the narrative of Australia's first people to one of advantage and opportunity. This could involve inviting an Aboriginal Elder to speak about the history of Australia's first people at a school, university or local organisation. It could involve hosting a movie night to screen one of the many brilliant Aboriginal films such as *The Sapphires*, *Bran Nu Dae* or *Rabbit-Proof Fence*. It is about starting a conversation and opening up communication about what reconciliation truly means. As the Reconciliation Australia website states, whenever people come together and share conversations, reconciliation takes another step forward.

Ms LINDA BURNEY (Canterbury) [10.30 p.m.]: I join the member for Tamworth in this matter of public importance to recognise National Reconciliation Week, which begins on 27 May and continues until 3 June 2014. I also join the member for Tamworth in recognising the Gadigal people of the Eora nation. A ministerial statement was made at the beginning of question time today about National Reconciliation Week. The dates chosen for the recognition of National Reconciliation Week are historically significant. National Reconciliation Week was initiated in 1996 by Reconciliation Australia to celebrate Indigenous history and culture in Australia and foster reconciliation discussion and activities.

The commencement date of 27 May marks the anniversary of the 1967 referendum, which began the process of recognising Aboriginal people as Australian citizens. It gave the Commonwealth the power to include Aboriginal people in the census for the very first time. The finishing date of 3 June marks the anniversary of the 1992 major High Court of Australia judgement in *Mabo v Queensland*. That decision officially overturned the notion of terra nullius, which meant empty land, at the time of British settlement. Reconciliation Week is preceded by National Sorry Day, which was yesterday. National Sorry Day recognises those horrid practices of forced removal of Aboriginal children under various government and church institutions throughout Australia for more than 90 years. We are at least aware of that now, but it is something that Australia will forever be ashamed about.

The theme of this year's National Reconciliation Week is Let's Walk the Talk. National Reconciliation Week is about all Australians. It is also very much about Australia coming to terms with its history, the fundamental principle of truth-telling and the notion of social justice for first Australians—sadly, that is lacking

in all areas of social justice for Indigenous Australians, including life expectancy and incarceration rates, living conditions, health and educational outcomes. There are many things to do in Reconciliation Week—for example, holding events and schools usually do this. It is also a time for us to reflect and inform ourselves more about the history of this country. It is about our individual actions as much as the collective actions that can be undertaken by parliaments, schools, parents and citizen associations, unions and many workplaces.

Tomorrow night the Minister for Aboriginal Affairs, the Hon. Victor Dominello, and I will be co-hosting an event with the Australians for Native Title and Reconciliation and the NSW Reconciliation Council to recognise reconciliation. We will be looking at the notion of justice reinvestment, which is a fairly new and important concept for Australia. This is particularly relevant because so many of the young people incarcerated in Australia, and particularly in New South Wales, are Aboriginal children—more than 50 per cent for boys and upwards of 80 per cent for girls. Justice reinvestment is a very important concept that we need to understand a little more.

As I said in the House earlier today, reconciliation is not just a destination; it is more of a journey. Reconciliation is an international concept that many countries are undertaking as we speak. The history of this nation should be shared and understood by everyone. The member for Tamworth mentioned the important constitutional discussions and the decision we will make in a few years about recognising Aboriginal people in the Australian Constitution. Finally, I make a contribution to Kinchela boys, Cootamundra girls and all those children who were taken away under those dreadful policies of forced removal. They are the people we should remember most of all during National Reconciliation Week.

Mr ANDREW CORNWELL (Charlestown) [10.35 p.m.]: I support my colleagues the member for Tamworth and the member for Bankstown in acknowledging the importance of National Reconciliation Week. It is my strong view that National Reconciliation Week and NAIDOC Week will become more integral in the Australian calendar and the Australian psyche in the coming decades. The eighteenth century was one in which nationally and internationally lands were conquered by imperial powers. If one puts oneself in the shoes of those people, the fear, bewilderment and, ultimately, the heartbreak and displacement that those people suffered is something that has left us with a 300-year legacy that we are now struggling to try to make up.

In the nineteenth century the policies pursued by governments still meant that the people who had been invaded were then oppressed. In the second half of the twentieth century there was recognition and acknowledgement that those actions and policies had caused a miserable heartache for those communities and families. It is my belief that in the twenty-first century we will see both nationally and internationally some of those wrongs righted to a degree. We are now seeing policies in Australia where the importance of the Aboriginal culture is recognised. It is now part of our school curriculum. It is now widely acknowledged that the contribution that Aboriginal Australians make is very much at the heart of our country and our psyche. I say that as someone who represents a region with a large Aboriginal population.

We often forget, like the rest of Australia, that most Aboriginals live in cities and they face the same challenges as we do every day. This is a great opportunity for us to right some of those wrongs in the coming decades. I also pay tribute to Uncle Jim Ridgeway, a great local Aboriginal man, who passed away recently. Uncle Jim was a husband, father, artist, sculptor, musician, keen sportsman and a valuable cultural knowledge holder. I last saw Uncle Jim when he did his last Welcome to Country for the International Children's Games at Awaba House. It is people like Uncle Jim who have carried the flame for their community and their people. I pay great tribute to Uncle Jim and all Aboriginal elders in my community and across New South Wales.

Mr KEVIN ANDERSON (Tamworth) [10.38 p.m.], in reply: I thank my colleagues the member for Canterbury and the member for Charlestown for joining me and colleagues from across the Parliament to celebrate the start of National Reconciliation Week. I note the pertinent line of the member for Canterbury: it is not just a destination; it is more of a journey. That journey continues, and I certainly echo her sentiments. I also pay tribute to the Minister for Aboriginal Affairs, the Hon. Victor Dominello, who is doing amazing things and getting out and about as much as he possibly can to listen, learn and understand. He tries to work consistently towards reconciliation.

He works with opportunity hubs such as the Department of Education and Communities and many other organisations, including Opportunity, Choice, Healing, Responsibility, Empowerment [OCHRE] and Aboriginal Language and Culture nests where Aboriginal people have a fundamental right to revitalise and maintain traditional languages as an integral part of their culture and identity, not only via the written word but also through traditional song and dance. When we see dances and participate in smoking ceremonies we are

touched and moved. We are made to feel welcome. We also appreciate the power of song in traditional Australian music when we hear songs from way back. I am thinking of songs like *Solid Rock* by Goanna. I remember some of the lines from that song:

Well they were standin' on the shore one day
Saw the white sails in the sun
Wasn't long before they felt the sting
White man, white law, white gun

Those lyrics are etched into Australian music history. They still ring true. When we hear that song today it makes us think again about where we are and who we are. We must ensure we work together and work hard to continue towards reconciliation. The Minister for Aboriginal Affairs, the Hon. Victor Dominello, is very strong on Aboriginal communities having a say on their future. It is in that way, and only in that way, that we will realise, as the member for Canterbury said, that it is not a destination but rather a journey. It is a journey that we share together. We recognise and pay tribute to all those on this journey. We thank them for allowing us to help celebrate what no doubt will be a great Reconciliation Week. I am looking forward to heading back to my electorate of Tamworth on Friday to help celebrate National Reconciliation Week. I know there is to be a big march in Tamworth on Wednesday. I wish everyone a great National Reconciliation Week and I commend the matter of public importance to the House.

ACTING-SPEAKER (Mr Adam Marshall): Order! I thank the member for Tamworth for bringing such an important issue to the attention of the House.

Discussion concluded.

**The House adjourned, pursuant to resolution, at 10.41 p.m. until
Wednesday 28 May 2014 at 10.00 a.m.**
