

LEGISLATIVE ASSEMBLY

Thursday 7 April 2005

Mr Speaker (The Hon. John Joseph Aquilina) took the chair at 10.00 a.m.

Mr Speaker offered the Prayer.

CIVIL LIABILITY AMENDMENT (OFFENDER DAMAGES) BILL

ROAD TRANSPORT (GENERAL) BILL

Messages received from the Legislative Council returning the bills without amendment.

INDEPENDENT COMMISSION AGAINST CORRUPTION AMENDMENT BILL

NOXIOUS WEEDS AMENDMENT BILL

Messages received from the Legislative Council returning the bills with amendments.

Consideration of amendments deferred.

BUSINESS OF THE HOUSE

Order of Business: Suspension of Standing and Sessional Orders

Motion by the Hon. Carl Scully agreed to:

That standing and sessional orders be suspended to allow the consideration forthwith of the Legislative Council amendment to the Independent Commission Against Corruption Amendment Bill.

INDEPENDENT COMMISSION AGAINST CORRUPTION AMENDMENT BILL

In Committee

Consideration of the Legislative Council's amendment.

Schedule of the amendment referred to in message of 6 April

Page 19, Schedule 1 [64], proposed section 116A, lines 9-17. Omit all words on those lines.

Legislative Council's amendment agreed to on motion by Mr Neville Newell.

Resolution reported from Committee and report adopted.

Message sent to the Legislative Council advising it of the resolution.

CONSTITUTION AMENDMENT (PLEDGE OF LOYALTY) BILL

Second Reading

Debate resumed from 12 May 2004.

Mr IAN ARMSTRONG (Lachlan) [10.05 a.m.]: It is with no sense of excitement at all that I participate in this debate today, for one fundamental reason. Out in the streets, on the farms, in the playgrounds and schools, in the workplaces, the homes, the institutions of this State, people are concerned with their own wellbeing, the community wellbeing and the wellbeing of the State of New South Wales and this country. They expect us—and have every right to expect us—their elected representatives, to give primary and preferential

consideration to their wellbeing, singly and collectively, to the betterment of our State and their future. Instead, at a cost of probably—you may help me here, Mr Speaker—nearly half a million dollars a day, we are going to debate the Constitution Amendment (Pledge of Loyalty) Bill. In the explanatory note the overview of the bill states:

The objects of this Bill are:

- (a) to replace the oath of allegiance to the Queen and her successors taken by Members of Parliament with a pledge of loyalty to Australia and to the people of New South Wales, and
- (b) to replace the oath of allegiance, the oath of service to the Queen and the special Executive Councillor's oath taken by Members of Parliament when they become Ministers and members of the Executive Council with a pledge of loyalty and a single Executive Councillor's oath.

I suspect that if every media outlet across New South Wales reported the entire debate tonight, not one family would say, "I feel better for it, it has improved my life".

Mr Anthony Roberts: Has it fixed my life? Not much.

Mr IAN ARMSTRONG: Exactly. Has it fixed my hospitals, my public transport? Has it put more police on the streets? Has it put more teachers in the schools? Has it assisted people in the workplace? Has it made it a safer country? Has it secured title for homes and land and made things easier? It is up to the Government to explain to us how we will be better off. I am quite happy to be convinced of that today, if it is possible. At the end of each parliamentary sitting day or week, the public has a right to know how we have made a difference to the average household. I am blown if I can understand how this will make any difference at all to the betterment of the average household in the State. Many sayings were attributed to the late Sir Winston Churchill. One of those was the definition of democracy. He said democracy is a flawed system of government but is superior to anything else that is available.

Mr Alan Ashton: He said it was the worst form of government.

Mr IAN ARMSTRONG: Yes, indeed, he probably did, but it is superior to anything else. You are quite right, my friend, we agree on one subject only, after years. This is reflected in this place. This is a democratic Parliament and every one of us is elected according to democratic principles by popular vote. No matter how dumb we might be each of us has managed to convince 50 per cent plus one person in our electorate to vote for us. We have a microcosm of the broader society among the 93 members in this Chamber. We have the idiots, the nonconformists, the social misfits, the abusers of privilege, those with no sense of history, those with no pride and those with total and absolute self-interest.

Mr SPEAKER: Order! The honourable member for East Hills will come to order.

Mr IAN ARMSTRONG: The honourable member for Liverpool has taken no polls and has had no discussions. He will not be able to present letters from his constituents today to say that they are interested in what he is doing to further his own quite obscure political beliefs. The bill was introduced by the honourable member for Liverpool, a member who has no future and who is going nowhere at all in politics.

Mr Alan Ashton: He is, here.

Mr IAN ARMSTRONG: Here? I thank the honourable member for East Hills for saying that. The honourable member for Liverpool is getting \$106,000 a year plus other benefits—the best job he is ever likely to get in this country—but only because he has managed to persuade 50 per cent plus one of his constituents to vote for him. The attitude of those opposite is perverse to those who respect the value of history and live in one of the most respected countries in the world today. Modesty does not prevent me from saying that Australia is probably the most sought after country in the world today to live in, which is evidenced by the number of people seeking to migrate to our country and by our population growth. New South Wales is the oldest seat of government and the oldest State in this country, and it has served this nation well.

The honourable member who introduced the bill did not take into account that when we take an oath to Her Majesty, the Queen of Australia, we take that oath to the office, and not necessarily the incumbent. The incumbents will change, as they have throughout history, but we respect the office that has stood us in good stead for the past 200 years, that has allowed this State and this nation to develop from a very ordinary start in the harshest, flattest, driest and lowest continent in the world, a continent that was inhabited originally by

indigenous people and then settled mainly by convicts. Our country had an inglorious start, but we have developed a wonderful country under the current Constitution. Why do those opposite who believe in changing the fabric of our society, our Constitution, not change the Greek names like Orkopoulos, for instance, to Smith?

Mr Alan Ashton: He tried that, but you blokes wouldn't let him.

Mr IAN ARMSTRONG: I heard it was the right wing of the Labor Party that rejected it. I got that on good authority, actually.

Mr SPEAKER: Order! The honourable member for East Hills will come to order. I warn the honourable member for Swansea that I am watching his behaviour.

Mr IAN ARMSTRONG: Let us be serious about this. As politicians, our duties are to provide health care, education, shelter as in homes, safety, a workplace, food, transport, happiness and a future for people singly and collectively. Our responsibility is not to come into this place and attack the fabric of our society by creating a nonsense debate that takes up the time and resources of this Parliament. Later today when the Labor Party passes the bill because it has the numbers, no family or individual in this State will be better off. The socialists are determined to destroy the fabric of our society. They do not like the 200-year history of this nation. They want to put the State in the hands of a group of socialists who have no leadership and no purpose, other than self-interest and a political agenda to destroy the fabric and structure of the system that has brought us to where we are today. Following the recent election every member of this House came into this Chamber pleased to be a member of the mother of Australian State parliaments. Suddenly they were on the payroll. All members looked up to the coat of arms above the Speaker's chair and various other Crown references around the Chamber and throughout the building. They signed the roll and took the money with no worries.

Mr Anthony Roberts: The King's shilling.

Mr IAN ARMSTRONG: Well put. I thank the honourable member for Lane Cove for his comment.

Mr Alan Ashton: They took the King's shilling to go to World War I. You want to be careful on that one.

Mr IAN ARMSTRONG: Honourable members should address the real issues. In the past few days we have heard about waiting lists, the extraordinary difficulty of getting into an operating theatre in the western suburbs because three theatres in a major hospital in the western suburbs have been closed, and the debacle when the personal health records of a citizen of New South Wales were spoken about publicly in this House and publicised by the Premier. It is an abject disgrace, yet today we are debating the Constitution Amendment (Pledge of Loyalty) Bill. Why do we not think about the people the House has wronged this week, like the man whose health records were dragged across the State by the media?

Mr Milton Orkopoulos: What's his name?

Mr IAN ARMSTRONG: I am not about to tell honourable members his name. If the honourable member for Swansea does not know his name, he should ask the Premier because the Premier knows. He has been sprouting it at every opportunity. The honourable member for Swansea should ask his Premier, who is only too keen to spread the word. If you give the Premier your health records you will have them on the front page of the papers. He is a wonderful publicist of private information. He is the Premier for exposure of privacy. We should debate and decide upon far more fundamental and important issues than the one we are being asked to decide on today. Honourable members should deal with the real issues, such as public transport. This morning, as I walked up from Circular Quay, I heard people complaining about public transport, particularly the number of ferries from Manly that have been cancelled in recent weeks. People are complaining also about the trains. I ask honourable members to pause for a moment and to draw a line in the sand.

How many representations have they had and how many letters are they able to produce from constituents asking that the oath be changed? Can they say that they have received more letters about changing the oath than they have about hospital waiting lists, education, trains, personal safety or P-plate drivers? I do not think they have. I have not, and I think my office is average. It is no better or no worse than anybody else's. My electorate is no better or no worse than anybody else's. My constituents are average people with the same dreams and aspirations as everybody else. The bottom line is that they are not saying to me, "Ian, I want you to go in there and change the oath of allegiance because I'm going to be better off." The ladies and gentlemen

opposite are a nonsense. They are in fairyland to imagine that the bill will help them, the Government or the people of New South Wales. The moment we walk out of here today after this debate it will fade into obscurity. We will have spent the taxpayers' money on a bill that will deliver no benefit whatsoever.

I like to think that when we sit in this Chamber the public gets at least 80 cents worth of benefits out of their dollar. Today they will not get one cent. It is important to understand that we are debating changing the office that has served this State for 200 years. In recent elections there has been no movement and no petitions recently demanding such a change. Honourable members cannot produce any significant number of written submissions or emails asking for this change, but they can—I am sure all of us could—produce letters, emails and petitions from local government, individuals, community groups and welfare groups demanding, asking and pleading that we do something about health, education, police, public transport, P-plate drivers, security of title and security in the home. People want confidence in the future of the State that has been well managed by this Parliament. Today we are attacking the fabric of people's confidence because we are debating a nonsense bill that will affect no-one except those in here today taking the money.

Mr ALAN ASHTON (East Hills) [10.18 a.m.]: At the risk of undervaluing my contribution to this debate, the really interesting speeches will be made by those on the other side of the Chamber who oppose the bill, such as the honourable member for Lachlan. In 2005 we should be brave enough to do this simple and easy thing, but once again the usual people on the other side of the Chamber are scared. Australia and New South Wales would not exist if we had to depend on people like the honourable member for Lachlan. If it were up to him we would still be a squattocracy. He would have vast sheep and cattle runs, and the ordinary workers would have no say. We would have no country because we would be a vassal State of Great Britain.

I know that suits most members opposite, but I am sure it does not suit the majority of members on this side of the Chamber. However, the honourable member for Lachlan delivered a good speech: He did not say much, but he said it well. The Nationals, having had a conga line of leaders since I have been in this Chamber, are missing out in not having brought back the honourable member for Lachlan. I am sure my parliamentary colleagues and many on the other side would understand that when in doubt they throw in the honourable member for Lachlan because he will deliver a good passionate speech and mix it up with some history. If he were in charge of The Nationals we on this side might be in a little bit more trouble in the bush; but as things stand, we are not.

Mr Ian Armstrong: Point of order: The honourable member is quite correct. I always make a passionate speech about health, police, education and welfare in New South Wales at any time, and I will do that at every opportunity I can. I thank the honourable member for his support in recognising that fact.

Mr ALAN ASHTON: That is the point I am making. Your own party should recognise it as well. The honourable member for Lachlan missed the point completely and did not want to acknowledge it. As he just said in his point of order, we talk about health, defence, schools, transport, road building, and traffic problems. This morning as he walked up from his apartment at Circular Quay he heard people complaining about the trains. Before we can deal with the other issues we have to have a constitution that sets up the country to be run. We then have to have a constitution that establishes the States that will operate within the federation. So a constitution comes first. It is not good enough to say that we are wasting the public's money because we are not dealing with health or education and that the community has not sent us thousands of letters about this. When does a community ever send thousands of letters about anything unless they are orchestrated—

Mr Barry O'Farrell: Point of order: Besides asking you to draw the honourable member back to the leave of the bill rather than a critique on the excellent contribution of the honourable member for Lachlan, I point out that if he is not getting thousands of letters about poor train, health and education services he is deaf, blind and dumb.

Mr SPEAKER: Order! There is no point of order except in relation to the request by the Deputy Leader of the Opposition that the honourable member should come back to the leave of the bill.

Mr ALAN ASHTON: I think it is fair to comment on Opposition remarks in my speech.

Mr Barry O'Farrell: What is your argument?

Mr ALAN ASHTON: You will hear it in a minute, and you might hear it a bit longer than you thought.

Mr SPEAKER: Order! The honourable member for East Hills will address the Chair.

Mr Anthony Roberts: You will end up on Alan Jones, as a joke like Lynch, if you are not careful.

Mr ALAN ASHTON: I am happy to end up on the Alan Jones show. That might be the aim of this speech, as you will realise when you hear the rest of it. I am pleased to support the Constitution Amendment (Pledge of Loyalty) Bill and I congratulate the honourable member for Liverpool, the Hon. Paul Lynch, on presenting the bill to Parliament. Swearing of oaths rather than swearing in this Chamber and taking oaths of loyalty to take public office after an election as it stands today is totally irrelevant. Neither the hereditary monarch of Great Britain nor God played any part in my election as the Labor member for East Hills, nor for that matter the election of the honourable member for Lane Cove or the Deputy Leader of the Opposition, though they might pretend that way when they are desperate for votes.

While I recognise that supporters of the monarchy and believers in God voted in the election for or against me, and the party I represent, I am convinced they voted more for the candidate than the party that best represented them and the aspirations and expectations of their friends and families. I am sure the general public would be amazed to know that none of us elected to this place can take our seats without the anachronistic declaration of allegiance, by oath or affirmation, to the present monarch, her heirs and successors. Only very small—I use that term not in the sense of vertically challenged but small-minded—people would feel so constrained by their fear of the slightest change to some words in a constitution that the honourable member for Lachlan said a minute ago was totally irrelevant: it does not matter; who cares about it? But it would be shock horror if we had a change! From this document more than a hundred years old we are going to take out a couple of words and add a couple. Yet Opposition members are horrified.

It is also quite ludicrous to think that upon the death of Queen Elizabeth II all members of parliament will have to swear allegiance to King Charles III, or perhaps King William V or King Henry IX. Think of what they have done in the last few weeks and months: worn a Nazi swastika, abused people, made underhanded comments and actions like that. How strange it is that speakers opposed to this bill are so wedded to this old system, an odd system of oaths to a future king who has not been here except for a week in the past 12 years. The guy has not been here for 12 years but the people opposed to this bill claim, shock-horror, that we are offending the monarchy, that this is republicanism by stealth. When King Charles comes to this country again some of us will be 55, some will be 60. I hope the honourable member for Lachlan will still be around then. He probably will then be leading one of the Opposition parties. If Opposition members do not agree to this bill they will be agreeing to pledge their oath of allegiance in this Parliament to a man who deigns to drop into this country once every dozen years. Yet they think it is not an important issue, that we should not change these words. It is entirely appropriate that we should swear allegiance only to those who elected us, the people of New South Wales and Australia. If we fail in our duties as members of Parliament—and many on the other side are—

Mr SPEAKER: Order! The Leader of The Nationals will come to order.

Mr ALAN ASHTON: They take a great risk when they interrupt me a lot.

Mr SPEAKER: Order! The honourable member for East Hills will cease responding to interjections.

[Interruption]

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

Mr ALAN ASHTON: It is entirely appropriate that we only swear allegiance to those who elected us, the people of New South Wales and Australia. If we fail in our duty as members of Parliament, we fail the people of our electorates specifically and the people of New South Wales generally. I am sure the monarchy, or any particular God, will not be fussed if a New South Wales State member fails in his or her duty. I am equally certain that this bill is ringing no alarm bells at Buckingham Palace or Westminster. This bill, if carried, will not interfere in Charles' and Camilla's honeymoon. I also commend the bill's proposal to eliminate reference to any other head of state. The bill does not replace the monarchy for the purpose of oath or allegiance with an elected or appointed head of state of Australia or New South Wales. In America, for example—home of the free and the brave—elected representatives swear to abide by the United States of America Constitution and serve the people of the United States, not the President. This bill will mean that we as members of Parliament declare our loyalty to our own people, as is the case in America, not fealty to a head of state. This will come as news to those on the other side of the Chamber with strange accents, that we no longer are a feudal state whose very existence

depends on God and kings, lords and archbishops and the like. The honourable member for Lane Cove should keep speaking so that his accent can be heard.

The bill is not republicanism by stealth; its truly democratic principle resides in the affirmation or oath being taken to the people of New South Wales. What is wrong with that? The honourable member for Lachlan talked about many other issues. Yes, they are out there. What is wrong with pledging loyalty to the people instead of the monarchy in another country 10,000 miles away? Opposition members should know that during the republican debate, just as some of us in Labor seats were a bit surprised that the vote did not go so well in our seats, and it was in the Liberal seats that the republican vote got up. They should think of that when they say that they are representing the people in their electorates. The people in those privileged North Shore seats and the one or two the Coalition holds in the southern area voted in favour of the republic. The simplicity of this bill is its strength.

I remember being elected in 1977 to Bankstown council. At the time I was the youngest councillor ever elected to Bankstown. To take my place on council after the election I had to sign a document pledging loyalty to the Queen and her heirs. I asked the then town clerk what would happen if I did not sign, stating that I believed that the declaration was totally irrelevant in 1977. He informed me politely that if I did not sign the oath of loyalty I could not take my place on council.

Mr Anthony Roberts: Why did you sign it?

Mr ALAN ASHTON: I had no choice. There was no value or sincerity in my signature. That is the situation that applies here today. You have to sign it or you cannot be here.

Mr Anthony Roberts: Did you perjure yourself?

Mr ALAN ASHTON: Yes, quite simply, of course I did. That is why we are changing the Constitution. None of us would refuse to pledge loyalty to the Queen and her successors after having spent so much of our time hoping to get elected to a council or State Parliament. But that is being dishonest for any of us, and that is what we want to change. This bill does not seek to replace the oath with any other form of expression except that allegiance is sworn to the people of New South Wales and Australia. The very fact that every member of Parliament swears allegiance to the Queen because they have to places them in a strange position.

I began council commitments and my role as a member of Parliament by swearing allegiance to a monarchy I do not believe in, as did many others, including the Leader of the Opposition, who is a republican if he is still a man of his word, and the Federal Treasurer, Peter Costello. All republican members of Parliament have perjured themselves, to use the words of the honourable member for Lane Cove. I thank him for that useful segue. I am not unaware of the importance of our heritage and links to the British parliamentary system and the position of New South Wales as a State in the Commonwealth of Australia. It is worth noting that the great traditions of Australia follow the Westminster system and British legal system.

Symbolism is important in respect to so many aspects of social, political, church and sporting life. Anzac day, which will be the subject of a speech I will make in this House on Friday, is an excellent example of a tradition with symbolic and real significance to so many Australians. Yet it can be ignored completely, if one chooses to ignore it. People do not have to sign up for it, so to speak, but pledging loyalty to the Queen and her heirs should mean something in reality, and this bill achieves that. It should also be acknowledged that the British system evolved from the Roman and Norman occupations, the Magna Carta, the Reformation and the Wars of the Roses, the Glorious Revolution and the rule of many German-speaking kings. [*Extension of time agreed to.*]

The British, whose traditions are being upheld by allegiance to the king, the future king and his heirs and their heirs—and some heirs on the side, whom we do not know about—are not a unique one-race nation. The British evolved from the Normans, the Vikings, and different nationalities of invaders.

Mrs Judy Hopwood: Is this a history lesson?

Mr ALAN ASHTON: Yes, members may avail themselves of a good history lesson while listening to me, and therefore they should pay more attention. To the credit of the British, they have managed to cope quite well without resorting to violent revolutions. The irony is that although the British have responded very well to challenges and changes, we in this Parliament have previously not had the courage to pass a bill like the

Constitution Amendment (Pledge of Loyalty) Bill. Many of our political concerns as servants of the people of Australia and New South Wales are based on a lie, because we have sworn allegiance to the Queen and her successors and not to the people of New South Wales and Australia. This bill will correct this and allow members of Parliament to begin their service to New South Wales with integrity.

The bill makes it very simple to take an oath to Australia and the people of New South Wales. Every elected member of Parliament can do that with a very clear conscience. We will not begin our role as elected representatives as hypocrites. That is also why this bill is very substantial. Earlier the honourable member for Lachlan asked where were the thousands of letters urging the Government to introduce this bill. I have heard of no critics of this bill, except perhaps for Professor David Flint. At the time the bill was first introduced into this House he might have been preoccupied with writing expansive love letters to radio station announcers. This bill might have sneaked under his guard and past the radio announcers, until perhaps today. If my information is correct, the radio commentators will again be in high dudgeon.

The whinge-radio elites had also probably been focusing their minds on choosing the next leader of the Australian Broadcasting Authority for the Prime Minister and missed the introduction of this bill. Those neo-conservative opinion piece writers who dominate our tabloid media will be in a lather when they realise this bill is proceeding today. Just wait for the shock-jock rants of AM radio swearing that the republic of New South Wales is almost at hand. Calls will go out for another Governor like Phillip Game to dismiss the chardonnay socialist Government of New South Wales for its temerity to make such a revolutionary change to our Constitution. I can picture it now.

People who listen to AM radio, which I listen to only when I flick the dial to locate the ABC, will hear people such as Alan Jones, John Laws, Steve Price, and Piers Akerman saying, "It's the end of government as we know it". They are the people who said that if the Governor does not live in Government House it will be the end of New South Wales as we know it, despite the fact that millions of New South Wales people and tourists have since been given the chance to visit Government House. I cannot wait to hear these people in high dudgeon. But members of the Opposition in this House should understand this: As John Pearce once told a colleague of mine, these commentators do not really believe what they say on the radio. They are intent on engendering fear, increasing their audience and improving their ratings. I advise members opposite not to be too worried when they hear the shock jocks objecting to this bill and saying it is outrageous, because their comments are all about ratings. Let us remember that these writers and announcers work about three hours a day. How hard is it to work three hours a day talking on the radio?

Mr Barry O'Farrell: Point of order. I am fascinated by this media scrutiny, but if we are talking about oaths and preventing others from swearing oaths, can the honourable member for East Hills return to the leave of the bill?

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

Mr ALAN ASHTON: That is a fair point—and I appreciate that it was politely put. This is one of the most fair dinkum bills to be introduced to this Parliament. It is the type of bill that the founding fathers—regrettably, in deference to the presence in the Chamber of the honourable member for Hornsby, no women were involved at the time—discussed at length before forming the Constitution of Australia and the laws that govern Australia. Those who cling to the British model in all things should note that Britain does not have a constitution. There is no constitution in Britain, none at all, and Britain has coped quite well over approximately 1,000 years with a system based on common law and tradition. Why should we not amend the New South Wales Constitution by deleting a couple of words and inserting a couple of words?

Britain can cope without a constitution yet it is being suggested that New South Wales will not be able to cope if a few words of this State's Constitution are changed. Amazingly, members opposite cling to preventing constitutional change, but they should think about that. They are clinging to a concept that the British system does not need. Paradoxically, the small-minded members of the Opposition who oppose this bill feel that New South Wales has to be wedded to the British system forever for safety's sake. But New South Wales has moved on. John Curtin made sure of that during World War II. Unfortunately, we recently moved a little too far in the direction in which he wished to take us.

Just as I am sure that Britain does quite well without a constitution, I am equally sure that those monarchists and conservatives who fear any change through the democratic process should be horrified by a recent statement by John Howard, the Prime Minister of Australia. John Howard indicated in one of his most

outrageous pieces of reinvention that if he had been around at the time of Federation he would have supported a Federal government and regional governments. Recently I read a very interesting comment on the front page of a newspaper under the headline "Howard to be honest broker in Asia". The line of thought was that only John Howard could pull together China and Taiwan and resolve their problems, yet the Prime Minister said he would not have opted for States but would have preferred a structure consisting of a Federal government and councils. That was Gough Whitlam's idea, and John Howard should give him credit for it.

If anybody believes that John Howard can be an honest broker on anything, let alone changes to a constitution or the structure of government in Australia, he or she believes in fairies at the bottom of the garden. He said, in effect, he would have seen no need for the States. That is an unbelievable statement which no-one could take seriously. But if Mr Howard is serious he should be quite pleased that the State is changing its Constitution in at least one regard to recognise the primacy of the people of New South Wales and Australia above that of a hereditary monarchy and their siblings forever in the Constitution of New South Wales. The logical extension of the monarchistic and conservative opposition to this bill by some people is that they would never have seen an Australian cattle dog because the monarchy would have deemed that people could have only a corgi or a bulldog.

Mrs Shelley Hancock: Are you talking to me?

Mr ALAN ASHTON: I have a cattle dog and I am very proud that it is an Australian breed of dog. I was not referring to the honourable member for South Coast when I used the term "bulldog".

Mr SPEAKER: Order! The honourable member for East Hills will not respond to interjections. The honourable member for South Coast will cease interjecting.

Mr ALAN ASHTON: I ask Opposition members simply to understand that if their belief in everything British were taken to its logical conclusion, there would never have been an Australian cattle dog, and Australians would be lost without them.

Mrs Shelley Hancock: What about kelpies?

Mr ALAN ASHTON: Kelpies are great too. The key terms of the new law will be simply either "under God, I pledge my loyalty to Australia and to the people of New South Wales" or a member will be able to delete the words "under God". I support this bill wholeheartedly. I repeat that it does not replace the British monarchy and does not scare anybody in this Parliament or the people of New South Wales. The only people who are scared of this bill are those who are worried about preselection in blue ribbon Liberal electorates.

Mr ANDREW STONER (Oxley—Leader of The Nationals) [10.38 a.m.]: As indicated by previous Opposition speakers, the Opposition will oppose the Constitution Amendment (Pledge of Loyalty) Bill. The principal reason for our opposition to the bill is that it is a waste of the Parliament's time. The State of New South Wales is heading backwards at a frightening rate, as evidenced by economic indicators such as unemployment rates, economic growth and even emigration rates as more and more people leave this State—and is it any wonder when the basic responsibilities of State government, such as the delivery of health services and the administration of public hospitals, roads, public transport, trains, law and order and State taxation, are all in a terrible mess. There is plenty that this Parliament should be doing to try to resolve the mess that this State is in, without this frippery.

Ms Linda Burney: Point of order: My point of order relates to relevance. What has that to do with the oath?

Mr SPEAKER: Order! The Deputy Leader of the Opposition took a number of points of order asking that the previous speaker be directed to return to the leave of the bill. A debate such as this is generally fairly wide ranging, but it would assist and facilitate the important issues at hand if members tried to confine their remarks, as much as possible, to the leave of the bill.

Mr ANDREW STONER: I was attempting to explain that one reason for opposing the bill is that debating this issue is not a good use of Parliament's time when there are so many other pressing issues relating to government in the State of New South Wales. It appears to have escaped the notice of members of the Australian Labor Party that only a few years ago a referendum was held on whether Australia ought to have a republican system of government. The people of Australia, voting in that referendum, rejected that notion. The

people of Western Sydney, many resident in the electorates of honourable members opposite, resoundingly rejected that suggestion. They did not want to change the system; they did not want to change Australia's Constitution.

Now we have the left wing of the Labor Party seeking to change the State Constitution without any reference to the people of this State. It is my opinion that we should retain the monarchical system. That is my opinion. Others, including some members of my own party and others on this side of the Chamber, believe that Australia ought to become a republic. I am sure it is the same with regard to members on the other side of this House. Each of us is entitled to his or her opinion, but in respect of important matters of government involving the Constitution we ought to defer to the people. This point appears to have escaped the honourable member for Liverpool. Rather arrogantly, he has sought to amend the State Constitution without reference to the people of New South Wales and what they consider to be the important issues. There are deeper issues inherent in this bill. This is my personal position and these are my personal reasons for rejecting the bill introduced by the honourable member for Liverpool. In his second reading speech the honourable member stated, "If we are to go through a process of swearing or giving allegiances, it ought to mean something."

Mr Barry O'Farrell: If. He said "if".

Mr ANDREW STONER: He said "if"—he would rather not do it at all. He then went on to say that it ought to mean something. In my opinion, the existing oath means a lot.

Mr Barry O'Farrell: And you didn't mind taking it.

Mr ANDREW STONER: And I took it, as the Deputy Leader of the Opposition said. The oath means something because it involves an acknowledgment by members of Parliament of a higher authority, this higher authority of course being God. The concept of the Crown is essentially a concept of a God-given authority, and therefore an acknowledgment of God as the ultimate authority and the source of authority for members of Parliament and for governments.

Mr Alan Ashton: Which god?

Mr ANDREW STONER: In his contribution the honourable member for East Hills said, "I am sure the monarchy, or any particular god." That is what we have to deal with from the left wing of the Labor Party: a rejection of the concept of God. He does not know any god. This is part of the agenda of the loony Left. The godless left wing of the Labor Party has this politically correct agenda to remove references certainly to the Crown, but also inherent in the Crown to the concept of God-given authority.

Mr Alan Ashton: Which god?

Mr ANDREW STONER: "Which god," he says. Which god?

Mr Alan Ashton: Name him! You are the one who is making the speech.

Mr ANDREW STONER: The God in the *Bible*. The honourable member should ask Cardinal Pell. He goes to church. During the course of the condolence motion for the Pope last night—

Mr Alan Ashton: Why don't you ask Archbishop Jensen?

Mr ANDREW STONER: The honourable member for East Hills can ask him, too because it is the same God.

Mr SPEAKER: Order! The member for East Hills will cease interjecting.

Mr Alan Ashton: Jensen's not the same as Pell, mate.

Mr ANDREW STONER: It is the same God, old son! The godless left wing of the Labor Party wants to remove from the New South Wales Constitution any acknowledgment of God's authority and any reference to a higher authority. Under the existing system the *Bible* is used when the oath is administered. A member of Parliament, when he takes the oath, places his hand on the *Bible*, but this legislation seeks to remove the *Bible* from the proposed pledge. Under this legislation a member pledges allegiance to the State, but does not do so on

the *Bible*. I acknowledge that the pledge contains a reference to God, but the person taking the pledge does not swear on the *Bible*. The word of God is removed from the process. God-fearing people who swear an oath of allegiance do so in the knowledge that they are doing it before God. That is the purpose of taking the oath.

So there is a deeper meaning. The honourable member for Liverpool said it ought to mean something. It does mean something and it should not be changed. We should not take away an acknowledgment of the higher authority of God in our system of government—indeed, in the notion of the Crown. I mentioned the politically correct agenda of the loony Left, and we have seen it demonstrated consistently in recent times. For example in the education system they want to replace the date reference "BC", which is Before Christ, with "BCE", Before Common Era. They want to rid schools of the word "Christ".

Mr Alan Ashton: Point of order: We have had a fair degree of latitude in this debate, which we appreciate, but "BCE" and "BC" have no relevance to this bill. I ask you to request that the Leader of The Nationals return to the leave of the bill.

Mr SPEAKER: Order! I ask the Leader of The Nationals to confine his remarks as much as possible to the leave of the bill.

Mr ANDREW STONER: I am merely demonstrating a consistent agenda, a politically correct agenda on the part of the left wing of the Labor Party. This is just a continuation of that agenda and, as such, it is a waste of Parliament's time. As I pointed out, there are very important issues affecting the people of this State—whether they can get to work on time by train, whether they can have their operations performed without having to wait years in some instances, and whether they can still afford to invest in property. These issues are extremely important. But at the top of this Government's priority list is the politically correct agenda of removing "Christ" and "God" from the oath and replacing them with a pledge.

It is also related to legislation that has come from the other place that seeks to replace this State's Coat of Arms. We are talking about replacing the Coat of Arms, replacing letterhead, getting rid of the Crown. They have removed the portrait of the Queen from the public area and put it behind the lift well. That is the agenda, so it is relevant to the debate.

Mr Peter Debnam: The bust of Neville Wran. He will rise again in the break.

Mr ANDREW STONER: The bust of Neville Wran, as the honourable member for Vacluse said. This legislation is a waste of Parliament's time and a waste of taxpayer resources. The people of New South Wales want the Government to get on with the job of fixing the trains, hospitals and law and order problems and to stop taxing them and milking them. The Opposition strongly opposes the bill.

Mr GERARD MARTIN (Bathurst) [10.47 a.m.]: Perhaps I can bring some sense back into the debate. The previous speaker made references to the loony Left. Well, we have just heard from the loony far Right, but we are used to that in this House. I congratulate my comrade the honourable member for Liverpool on having introduced the bill. The legislation is commonsense and is long overdue. Anyone listening to the diatribe from honourable members opposite would have thought that the bill would revolutionise the whole process; that all the pillars were about to come crashing down around us.

The change proposed in the bill is very simple and apt. The objects of the bill are to replace the oath of allegiance to the Queen and her successors taken by members of Parliament with a pledge of loyalty to Australia and to the people of New South Wales, and to replace the oath of allegiance, the oath of service to the Queen and the special Executive Councillor's oath taken by members of Parliament when they become Ministers and members of the Executive Council with the pledge of loyalty and a single Executive Councillor's oath. At 11.00 a.m. today I will attend a meeting in Parliament House at which witnesses will give evidence. The witnesses have the option of giving evidence on oath or on affirmation. That choice is also given to people at naturalisation ceremonies across Australia. In my 17 years as mayor of the City of Lithgow, one of the great joys of the job was to officiate at naturalisation ceremonies. Time after time applicants for Australian naturalisation were confused about taking an oath of allegiance to the Queen of England.

Mr Anthony Roberts: They were quite happy to come to this country.

Mr GERARD MARTIN: Exactly. They were quite happy to come to Australia, and they wanted to swear allegiance to Australia, not to the monarch of England. I have nothing against Queen Elizabeth II, to

whom I had the honour of being introduced in 1980 when she visited Bathurst. I think I am still on her Christmas card list. As a snotty-nosed kindergarten kid in 1954, when the Queen visited Lithgow, I was there waving the flag. I grew up in an Irish Catholic family and I soon realised the futility of chaining ourselves to the English monarch. In my 17 years as mayor of Lithgow not once did I wear the mayoral robes; I considered that to be anachronistic, harking back to the English tradition and not appropriate.

The news event on the day that I was presented to the Queen in Bathurst, along with 14 regional mayors, was that I was the only mayor not wearing mayoral robes. The Queen and the Duke of Edinburgh were quite happy about that. Of all the mayors presented that day I am sure I am the only one they remember. Perhaps over morning tea they say, "Remember that day in Bathurst, remember the mayor who stood out, he looked like a real Australian". Through this bill all we are saying is that after 217 years of English monarchy it is no longer relevant for us to swear allegiance to that system. Australia has become a cosmopolitan, homogeneous country with people from non-English speaking backgrounds comprising a significant proportion of our population.

Let us feel, as Australians, that it is more important to swear an oath of allegiance to Australia and its people. What could be a greater demonstration of loyalty than to pledge allegiance to our country and our people, and not to the monarch of a foreign country! England is still relevant to Australia; we are delighted that England provides fodder for our cricket teams and other events. We will keep that tradition; we cannot deny our history and our links to our Anglo-Celtic background. Those of us from an Irish lineage are very proud of that. Australia is our home and our oath of allegiance, our loyalty, is to this country and its people.

Through this bill, despite what the Leader of The Nationals said, we are echoing the feelings of the great bulk of Australians. In the 1999 referendum residents of Sydney's North Shore voted against retaining a constitutional monarchy. The Queen's man himself is present in the House—he has received an accolade from John Howard—and no doubt he will trot out the same irrelevancies already given by the Leader of The Nationals. And he will do that without wearing his khaki fatigues, which is good.

Ms Linda Burney: No camouflage gear in here!

Mr GERARD MARTIN: He would have been shot down if he had worn it. We tend to show a little bias towards our history, culture and religion, but this bill is not about religion. The Leader of The Nationals likes to dine out on that far Right religious stuff and exploit it when it suits. This bill is not anti-religious or anti-God. When the rhetoric and the rubbish we heard from members opposite is stripped away, and when we consider the commonsense we heard from my good friend the honourable member for East Hills, the Deputy Government Whip, it is clear that the bill is about Australians making a pledge to our country, our people. We are defining who we are—an independent, mature country. In comparison to other civilisations we are a young country, with only 217 years of white settlement on these shores. In addition, we have the magnificent history of Aboriginal heritage about which we are learning more as the years go by. That is what is important, and that is what we should recognise. To be loyal Australians all we have to do is take a pledge to this country and its people. I commend the bill to the House.

Mr ANTHONY ROBERTS (Lane Cove) [10.55 a.m.]: What a bunch of grubby little hypocrites on the other side of the House. They are quite happy to be members of the Commonwealth Parliamentary Association [CPA], to take their CPA subsidised overseas trips to visit workers' paradises such as Cuba and North Korea to learn about how those countries manage their constitutions. I notice that the honourable member for Mount Druitt is wearing an Australian flag badge, which is wonderful. Other members opposite are quite happy to take subsidised trips, but they then want to start tinkering with our constitution. Our constitution has enabled this country to grow into the country that it is today.

Mr Gerard Martin: We are talking about the State Constitution, not the Federal Constitution.

Mr ANTHONY ROBERTS: Yes, I will come to the State Constitution. Our State and Federal systems of government have provided stability and safety when, at other times, we have seen other countries fall into disrepair and civil disorder. This bill is part of that slippery slope into republicanism by stealth. The Government will tinker with this and that. As I went through the records I was interested to read the facts about what I thought was a referendum on this matter. The people of Australia made their decision. In the Federal seat of Greenway almost 55 per cent voted against a republic, in Lindsay almost 59 per cent against, in Werriwa almost 59 per cent against, and in Shortland, 55 per cent against.

Mr Barry O'Farrell: What about Bathurst?

Mr ANTHONY ROBERTS: Bathurst resoundingly voted against a republic. I wish to correct the record. The honourable member for East Hills attacked two prominent individuals, Ray Hadley and Alan Jones, both of whom work tirelessly for the community; and both of whom spend a lot of time standing up for the people of New South Wales.

Mr Barry O'Farrell: And they devote their time to charity.

Mr ANTHONY ROBERTS: As the Deputy Leader of the Opposition said, they devote a large amount of their time to charity. I commend them for that. They will take up the fight against the Government once again, to stop this ridiculous amendment. The system in this State is built on three pillars, which gives us stability: the Legislature, the judiciary and the Executive. I am concerned that more and more in this State we are seeing the judiciary becoming politicised, becoming more marginal. The Legislature rarely meets. Today, when we should be debating all the problems and issues confronting this State—for example, our failing health system, our transport system that does not run on time, and law and order issues—we have been thrown this ridiculous legislation that will provide not one more hospital bed, not one more police officer on the street, not one more teacher in a classroom, and not one more airconditioner in a school in western New South Wales.

Mr Barry O'Farrell: Or a train running on time.

Mr ANTHONY ROBERTS: As the Deputy Leader of the Opposition says, it will also not ensure that our trains run on time. The New South Wales Government has simply become a government that is run by the Executive, a government with centralised control that pays no heed to the Legislature or the judiciary. That concerns me. During my contribution I wish to refer to the comments of Professor Flint, an honourable and highly intelligent man. Professor Flint said:

On May 6, 2004 the New South Wales Carr Labor Government introduced the Constitutional Amendment (Pledge of Loyalty) Bill. This Bill seeks to amend the New South Wales Constitution Act to remove all references to the Queen from the Oath of Allegiance that all MPs and Ministers must take under the State Constitution, as well as the removal of references to the Queen in the Ministers' Oath of Service ...

NSW MPs have been swearing the constitutionally required Oath of Allegiance to the Crown since 1902. Bob Carr and his Government in this latest attempt at republicanism by stealth again show absolute contempt for our NSW history, heritage, and constitutional arrangements. In mid-January 1996, the newly elected Premier, Bob Carr, removed the office and home of the Governor of NSW from the historic Government House. Despite continued outrage from both republicans and monarchists, the people of NSW have found themselves powerless in their requests for Mr Carr to return the Governor to Government House. Earlier last year the Carr Government removed the Crown from the historic Coats of Arms in our NSW courts.

As has been said, that wonderful portrait of Her Majesty has now been relegated to the lift well in this Parliament and, as the honourable member for Vaucluse said, it has been replaced by a bust of Neville Wran. It is an absolute disgrace.

Mr Barry O'Farrell: He had a few in his day.

Mr ANTHONY ROBERTS: Neville Wran had quite a few oaths. Professor Flint went on to say:

The new proposed Act is an even worse action than the changes to Government House because the Carr Labor Government is introducing a serious alteration to the NSW Constitution without consulting the people of NSW. It is being bulldozed through the NSW Parliament despite the strong "No" vote against a republic in 1999 and the clear provisions entrenching the Crown in the Federal and State Constitutions as well as in the Australia Act 1986.

Indeed to change the Oaths of Allegiance to the Queen in the Federal Parliament the Federal Constitution would require an amendment through a proper process of consultation with the people by a referendum!

This Government is not about consultation; it is not about going to the people. It is about trying to introduce republicanism by stealth. This is what we are seeing here today, and it is very dangerous. Professor Flint further said that the bill is put forward by republican members of Parliament who have all sworn allegiance to the Queen upon election to Parliament and are only able to take their seats because of this oath to the Queen. The bill proposes that New South Wales members of Parliament should pledge their loyalty to Australia, the same Australia whose 1901 Constitution established itself under the Crown. Australia and New South Wales are still constitutional monarchies headed by the Governor-General and the Governor of New South Wales respectively.

The bill is not compatible with the status of New South Wales as a constitutional monarchy—a status so recently affirmed by the people of New South Wales in November 1999. Furthermore, if the bill is passed we will be left with the anomalous situation of New South Wales members of Parliament swearing different oaths

of allegiance to the New South Wales judiciary, both of whom serve under the same Crown. Labor proponents of the bill argue that members of Parliament and Ministers owe their allegiance to the people who elect them, not the Crown. This belief is based upon a misunderstanding of the function of a system of responsible government. Republicans are confusing responsible government—that is, accountability to the electorate through the Parliament—with loyalty to the Crown.

There has never been an incompatibility between the two—in other words, there has been no either/or choice to be made. Responsible government and a democratic franchise under the Westminster system have always been perfectly compatible with loyalty to the Crown. This is a necessary check and balance on the functioning of our State Government. Professor Flint went on to say that Nigel Greenwood, in his book *For the Sovereignty of the People*, takes up this argument by suggesting that Australians do not appreciate the significance of oaths of allegiance and the insignia of the Crown. The Crown and the swearing of oaths of allegiance are there to remind members of Parliament and Ministers elected by the people of New South Wales that they are given their authority by the Queen of Australia—the role played by the Crown in our Federal and State constitutions.

The oath of allegiance to the Queen is a promise of loyalty, honesty and integrity, and a warning to those Ministers and members of Parliament that they are personally liable and responsible for their actions under the Crown which cannot be bought or ever act politically. Given the way this Government has worked, or has not worked, over the past number of years, we can understand why there is a conflict between loyalty, honesty and integrity with regard to Ministers and Government members of Parliament and the way they have managed, or mismanaged, the State. It is therefore no surprise that they want to remove that.

The idea put forward by the bill encapsulates the notion of ministerial responsibility and ensures that it is checked by authority which is vested in the Governor of New South Wales, who daily plays out her constitutional and ceremonial duties above politics. Leadership above politics as vested in the Crown is an absolutely essential ingredient of our Australian constitutional arrangements. Clearly, the unreconstructed Marxists on the other side of the House aim to remove the checks and balances provided by the Crown through removing their oath of allegiance to it. New South Wales Labor is once again using dictatorial privileges as part of a process to diminish the importance and role of the Crown.

It is unfortunate for the democratic future of the State of New South Wales that the Premier and Government members appear to have the numbers in the lower and upper Houses of the Parliament to bulldoze through this outrageous alteration to the Constitution. The bill highlights the Carr Government's lack of focus on major issues such as New South Wales hospitals and public transport. I can walk not 15 metres from this Parliament of an evening and I will come across numerous homeless people who find shelter under the balconies and concrete structures of the Parliament and the State Library.

Mr Alan Ashton: Well, stop hanging around out there! You've got a home!

Mr ANTHONY ROBERTS: That is not even funny. Not 10 metres from this building we have people who spend nights out in the cold, homeless and hungry—

Mr Alan Ashton: They can get the pension. They have probably been told they have to go and work, and they have mental health issues.

Mr ANTHONY ROBERTS: The honourable member for East Hills might make light of this, but it is a serious issue. Today we are dabbling around and wasting our time on this issue, at enormous cost to the people of New South Wales, whilst we have starving and homeless people not 10 metres from us. We have people on incredibly long waiting lists trying to get operations, we have schoolkids who cannot get to school of a morning because the State's bus services have fallen apart, we have people who cannot catch a train, we have trains derailing, we have police who are underresourced, we have police stations that are understaffed, and we have a litany of failures and debts. Indeed, \$5.1 billion has already been wasted. I would like to table the "Waste O Meter" prepared by the Hon. Greg Pearce, a member of the other place, which lists the blow-outs.

Rather than focusing on the real issues in New South Wales, the Government introduces this ridiculous bill. The Government has no ideas, no policies, and no vision. So what does it do? It says, "Let's open the drawer, and blow the cobwebs and the dust off this little thing." I would like to know what deal was done. Was some sort of deal done by the Left with Costa to stop him moving in on the members in Newcastle? Where are the factional deals—

Mr Alan Ashton: Who handed the gun to the bloke?

Mr ANTHONY ROBERTS: The honourable member for East Hills has not only attacked homeless people in New South Wales, he is now having a go at the mentally ill. It is an absolute disgrace. The matter is currently before the courts, and the individual involved obviously requires medical attention and assistance. The honourable member for East Hills should lay off that issue. The bill will provide not one ounce of furtherance to the people of New South Wales. It will basically take us down that slippery slope—as if things are not bad enough already. Once again, it is republicanism by stealth and we cannot tolerate it.

The traditions and heritage of the New South Wales Parliament, which have served us and the people of New South Wales well for many years, must be preserved and fought for. Let us take it to the people of New South Wales. If the Government had guts it would take the issue to the people of New South Wales—it would consult them, rather than try to sneak it through today. John Howard showed exceptional leadership, as usual—the Carr Government might learn from him—when he took the matter of our constitutional heritage to the people of Australia in November 1999. What a bunch of grubby little hypocrites opposite. Once again, they will choof off on their Commonwealth Parliamentary Association [CPA] cruises and they will happily take their subsidised trips overseas. This is sheer hypocrisy on the part of this Government. It should be fixing this State instead of mucking around with our Constitution.

Mr NEVILLE NEWELL (Tweed—Parliamentary Secretary) [11.10 a.m.]: I support the Constitution Amendment (Pledge of Loyalty) Bill. The passage of this bill will result in some changes to the New South Wales Constitution, not the Federal Constitution. If this bill does not pass, we will not see one more policeman on the beat, one more hospital bed or one more homeless person moved into accommodation—it would make no difference to those issues. Yesterday, when the honourable member for Epping opposed this bill being given precedence today, he said words to the effect, "It does no more and no less than change the parliamentary stationery." If that is all the bill does, it is certainly producing quite a bit of froth and bubble on the other side of the Chamber.

This bill is a continuation of the painfully slow withdrawal from our democratic institutions of those anachronistic and historical quirks that have remained entrenched in our parliamentary and democratic systems. Members of Parliament swearing allegiance to anyone or anything other than the country or State that provides that Parliament is nothing short of ridiculous. Countries and societies have had democracy in some form for thousands of years, but they have had some form of government for much longer.

Today there are many forms of democratic government—in fact, it would appear that there are as many forms of democracy as there are nation states. These retained links that our democracy has today are a hangover from the political spin that those monarchies that progressed to a parliamentary democracy arose from some ideal or utopian existence: the royal dictator was all benevolent and caring in exercising the royal decree. In fact, it was the opposite, particularly so where any form of empire was involved. It is interesting that the word "empire" was changed to the word "commonwealth" some years ago, probably in the middle of the twentieth century, no doubt because it is a much more saleable term than the word "empire" and more palatable to selling the notion of royalty.

The evolution of this place has been from regal and vice regal overseer or patronage to an appointed executive, to appointed legislative councillors and elected representatives in the Legislative Assembly that we have today. This has led to what we now describe as a constitutional monarchy, with a Westminster form of government. Within this is the right of the Crown or Crown representatives to withdraw a signature or dismiss a government. This is itself a declaration that in a democracy there is a need for a third level of government, indeed, a non-elected and, hopefully, benevolent dictator who is lurking under the vice-regal or regal robes, as the case may be, to act in the interest of constituents. In effect, despite a democratic government, royalists, monarchists and so on believe that there is a high form of institution that supersedes democracy.

It is interesting that with the push, particularly by the United States of America, to establish democracy in some of the countries that do not have democracy we are fighting for the retention of another form of government that is over and above our own democracy. That is ridiculous. There is no political or intellectual case for having the people's representatives swearing allegiance to anyone but the people of state or country who gave them that decree, that power and that institution. Retention of this loyal oath—or, as the honourable member for Liverpool described it when he introduced the bill, "a colonial pre-democratic oath"—should be anathema to any embracement of true democracy. The target of our allegiance should be directed towards institution and the people who gave us the power. Further, the honourable member for Liverpool remarked in his

introductory comments about the nature of the values that people hold. People are certainly entitled to hold views different from our own or, indeed, to anyone else's—that is all part of a democracy.

Whatever views people hold we will respect them, but when the honourable member for Liverpool made those comments about how misplaced loyalty and focus has been described and ascribed in the past it brought to my mind a novel that was written in the early twentieth century by an esteemed and Nobel prize-winning German writer—and antimilitarist at the time—Hermann Hesse. He wrote a book entitled *Magister Ludi*, which has been translated to *The Glass Bead Game* or *The Bead Game*, depending on which translation is used. The book described a society clinging very strongly to certain anachronistic ideals and allegiances for the sake of belonging, self-advancement and self-satisfaction. It was a classic work of fiction, just like the royal oath and some of the views that have been expressed here. It is certainly time that we moved forward. Having listened to some of the arguments this morning, I am reminded of some of the tinsel that we hang on to from the good old days, particularly in heraldry. In heraldry there is the word "regardant", which means "looking backwards". It is time that we moved on and looked forward. I support the bill

Mr ANDREW FRASER (Coffs Harbour) [11.17 a.m.]: I quote from the speech delivered to a joint sitting during the opening of the Parliament on 20 February 1992:

The best guardian of freedom is democracy, and this Parliament, like all other Parliaments in Australia, stands in the proud tradition of democratic government. Each one of you, therefore, carries the heavy responsibility of representing the aspirations of your fellow Australians and of guarding their freedom.

The Queen recognised that we are here to represent the people of Australia; we are not here to represent the Queen. While we swear an oath of allegiance to the Queen, her heirs or successors, that is done on the basis of the Queen representing the people of Australia. In fact, these days "the Crown" has been defined severally as the people of Australia. I know that Government members do not want to hear it, but if we look at H. V. Evatt's book, written and researched when Jack Lang was sacked as Premier of this State because of what he was up to, we see that it quoted extensively from a paper by Todd. Todd says this about the Governor, who is the Queen's representative:

He is likewise bound to take into account the welfare of the people being unable to divest himself of the grave moral responsibilities towards the colony he is commissioned to govern.

That Governor, the Queen's representative, is appointed by the Parliament, by the Premier of this State. Evatt's book, *The King and His Dominion Governors*, and the Todd thesis found that the Crown, the Queen, the Governor and, therefore, I would suggest, the Premier, his Ministers and the Executive Council have the sole responsibility, as do we as members of Parliament, to represent the people of Australia. Government members are hypocrites, and I refer to the history with respect to their attempts to form a quasi-republic in New South Wales in 1993 when the then Minister for Police moved the Crimes (Republican Debate) Amendment Bill, which was defeated. The Premier moved the Oaths and Crown References Bill in 1995, but he withdrew the bill in the upper House because he could not be guaranteed that the crossbench members in that House would support it. The Constitution Amendment (Pledge of Loyalty) Bill has been introduced by the honourable member for Liverpool. I note that the Premier is not in the Chamber to defend this bill. For many years the Government has been seeking to move towards a republic by stealth. This morning the honourable member for East Hills stated that we should represent our constituents. In that regard, I refer to *Platform Resolutions & Rules* of the Australian Labor Party.

Mr Barry O'Farrell: They wouldn't remember them.

Mr ANDREW FRASER: They probably would not, but they have all signed the document.

Mr Steve Whan: You have got one that is 15 years old.

Mr ANDREW FRASER: The rules are still there, my man. Have you read the rules?

Mr Steve Whan: I know the rules a lot better than you do, particularly the bits about voting.

Mr ANDREW FRASER: Exactly, as the honourable member for Monaro said, particularly the bits about voting. If members opposite crossed the floor and voted against this bill they would be disendorsed. That is in the rules and regulations, and the honourable member for Monaro has admitted it. There are some real conundrums for Government members. The basic principles of the Australian Labor Party state:

The Australian Labor Party had its origins in—

The aspirations of the Australian people for a decent, secure, dignified and constructive way of life.

How does this bill improve people's lifestyles? One of its objectives states:

Redistribution of political and economic power so that all members of society have the opportunity to participate in the shaping and control of the institutions and relationships which determine their lives.

If the honourable member for Liverpool truly believed in the basic principles and objectives of the Australian Labor Party, he would ask for the matter to be put to a referendum or refer it to his electorate. He would then bring to this House evidence showing that at least 51 per cent of his constituents were of the view that the way the State is governed and the way that oaths are given by members of Parliament, the Executive, the Premier or anyone else should be changed to reflect that.

Mr Anthony Roberts: They voted against a republic.

Mr ANDREW FRASER: I doubt it.

Mr Paul Lynch: We didn't actually.

Mr ANDREW FRASER: His people did, but he did not, obviously. Government members are hypocrites when they say they want to ensure that their constituents have a say when the rules and regulations of the Labor Party state:

The National Conference shall be the supreme governing authority of the Party and its decisions shall be binding on every member and every section of the Party.

How can these hypocrites swear an oath of allegiance to represent their constituents when the party constitution states that the national conference is "the supreme governing authority"?

Mr Anthony Roberts: Faceless men.

Mr ANDREW FRASER: The faceless men. It goes on to state:

...powers and duties of the National Executive Decisions of the National Executive shall be binding upon all sections and members of the ALP subject only to appeal to National Conference.

It is the national executive that will make the decisions.

Mr John Mills: Point of order: I am always tolerant of members making passing reference to irrelevant material in the course of developing argument, but the honourable member for Coffs Harbour has spent several minutes referring to Labor Party technicalities. I ask that you draw him back to the leave of the bill.

Mr ANDREW FRASER: To the point of order: My comments are extremely relevant because Government members have said that the bill deals with who we swear allegiance to, yet the rules and regulations of the Labor Party, under which every member of the Government operates—

Mr DEPUTY-SPEAKER: Order! The honourable member for Coffs Harbour is wasting his speaking time. His comments have little to do with whether the words "The Queen, her heirs and successors" should remain. He has wandered through fairyland; he should now return to the leave of the bill.

Mr ANDREW FRASER: From now on I will refer to the national executive of the ALP as fairyland. Points of order taken by Government members seem to be upheld, while points of order taken by Opposition members are not. The honourable member for Bathurst made a paltry contribution and referred to the Queen remembering him for not wearing robes. I am sure she took home a photograph of him and hangs it proudly in Buckingham Palace!

Mr Anthony Roberts: With his thongs and stubbies.

Mr ANDREW FRASER: With his thongs and stubbies. He said that people who become Australian citizens or who appear as witnesses before a parliamentary committee have the option to take an oath or make an affirmation, depending on their belief in God, not whether they swear an oath of allegiance to the Queen. He

was a long way off the mark in those comments. In typical Labor Party fashion he was obviously sent down with a piece of paper, told to make a speech and say that the Queen remembered him because he was not wearing his robes. The honourable member for Bathurst does not even understand the basic tenet of the bill or the effect that it will have on the budget of this State in printing costs alone. The honourable member for Liverpool should provide an estimate of the costs to this Parliament. This is nothing more than republicanism by stealth.

Mr Bryce Gaudry: It is not by stealth.

Mr ANDREW FRASER: I accept the interjection by the honourable member for Newcastle. I guess he is a staunch republican.

Mr Bryce Gaudry: I thought you were applying for membership of the Labor Party. I sought seconders but without success.

Mr DEPUTY-SPEAKER: Order! We should maintain some standards in this debate. The honourable member for Coffs Harbour has the call.

Mr ANDREW FRASER: A number of members opposite have admitted their republican leanings.

Mr Steve Whan: I ran the campaign in Eden-Monaro.

Mr ANDREW FRASER: That is good; I am pleased. What year was that?

Mr Steve Whan: It was a few years ago.

Mr ANDREW FRASER: So you would be well and truly aware of the document put out during that campaign flagging the republic. It was a phenomenal document. Not only do republicans wish to change the Constitution and oaths of allegiance, they wish to change the flag. With deference to the Deputy Leader of the Opposition, who is in the Chamber, I will not use the word, but one of the options by the republican movement is to have a flag that says, "F...k off Back to Fag Land". That is the level of debate of republicans. The other one—

Mr Steve Whan: Table them.

Mr ANDREW FRASER: I am quite happy to table them but, unfortunately, I cannot. Another flag has three white rabbits, and the bunnies opposite, who have contributed today, would be well and truly represented by that flag. As the honourable member for Lachlan and others have said, this bill will not help any person in regional and rural New South Wales who has suffered under this Government. The mum and dad investors are now paying huge amounts. Last night I spoke to a fellow whose wife has been laid off. He is a sawmillier and she worked in the laundry at a local private hospital. They bought a second house to give them some security into their retirement in about 15 years time. They have just received a bill for more than \$500 from the Government for taxes on their investment property. However, the Government has offered them a \$7 reduction if they pay the full amount rather than instalments.

These people are battlers who I suggest voted for the Labor Party in the past. They know and understand that the Government has not put forward any useful debate this week. The time of the House has been wasted, and the House has adjourned early. Now, on a day set aside for private members' business—the Opposition wants to debate important legislation listed on the business paper—the Government, through the force of numbers, has brought forward this private member's bill. The Government has no social conscience, although it claims to have one. It owes its allegiance to a national executive rather than the people of New South Wales. It has brought forward debate on this bill, rather than important issues. Are members opposite talking about sewerage and water supply schemes into regional New South Wales or into Sydney?

Mr Steve Whan: Yes we have, a lot.

Mr ANDREW FRASER: You have, have you? Instead of giving that priority, we are giving this piece of rubbish—

Mr Steve Whan: No, we just knocked off your legislation.

Mr ANDREW FRASER: The honourable member for Monaro is a marvellous little creature. They call him "Once a Whan, always a Whan but he won't be one for Whan", or something like that. The arguments put forward by members opposite contain no substance. They want to debate issues that have been debated previously in this House. The system of government in this country has the Queen of Australia as its titular head. I support the democracy in which we operate; it is one of the oldest democracies in the world. For the sake of politics and cheap headlines, members opposite are prepared to waste the time of this House and the State's money on debating a private member's bill that was introduced by the only member I know who was told to resume his seat by the Speaker during his maiden speech because of his absolutely disgraceful behaviour. He presented his bill to us with some degree of authority. "Hypocrisy" is not a strong enough word! The flags of the republican movement well suit the honourable member for Liverpool.

Mr STEVE WHAN (Monaro) [11.32 a.m.]: I am pleased to support this bill. Contrary to what members opposite have said, the bill contains a simple proposition: members of Parliament should pledge their loyalty to their country and to the people who elected them. That is not a difficult concept for people to understand and support. As the representative of the people of the Monaro electorate I will be delighted, after the next election—I will be especially delighted to be here after the next election—to pledge my loyalty to Australia and to the people of New South Wales. That will properly reflect the work I have done to represent the interests of my constituents, and it is an appropriate change to make to the Constitution of New South Wales. Today we heard a lot of mock outrage from members opposite. The debate has been most entertaining so far but a lot of it has been mockery.

Mr Barry O'Farrell: You should get out more.

Mr STEVE WHAN: I acknowledge the interjection of the Deputy Leader of the Opposition that I should get out more. I remember well that before I entered this place there was similar mock outrage, with cries that the sky would fall in and so on in relation to changes to the occupation of Government House and the Government's decision to make Government House more available to the people of New South Wales. The sky has not fallen in. The changed usage of Government House is working well; it was a good move. Several members opposite railed against this bill, saying that it was a distraction from important matters for this State. I refer to the comments of Paul Keating when he was Prime Minister: he suggested that Labor members could walk and chew gum at the same time. We are capable of dealing with important matters of State as well as debating issues of principle, such as this bill. I congratulate the honourable member for Liverpool on bringing forward this important matter of principle.

Earlier, the honourable member for Lachlan said that this bill was a distraction. *Hansard* shows that on many occasions in the past he has used the time of the House to debate issues relating to the Crown, Government House, et cetera. Obviously he did not think that those matters were a distraction. Several members opposite said that we should debate important issues. I have been sitting in the House waiting for members opposite to talk about Coalition policies for New South Wales. They have not put forward anything. Time and time again they have refused to give us opinions on whether the people of New South Wales are getting a fair funding deal from the Commonwealth Government. They will not stand up for the people of New South Wales in terms of getting a fairer deal from the GST.

Mr Andrew Fraser: Point of order: I was brought back to the leave of the bill when I referred to oaths given by the Labor Party in its constitution. The honourable member for Monaro is talking about the GST, which has nothing to do with the bill before the House.

Mr DEPUTY-SPEAKER: Order! I will extend the same licence to the honourable member for Monaro that I have given to other speakers in the debate. I suggest that he continue with his speech.

Mr STEVE WHAN: I make the point that, although members opposite talked about economic issues, they were not asked to return to the leave of the bill. Members opposite made points about the economic situation in New South Wales. They always forget that this Government has paid off \$12 billion of debt left by the New South Wales Liberals and Nationals, and that we now save \$1 billion a year in interest.

Mr Barry O'Farrell: Point of order: I have sat good-humouredly through the whole debate and I have listened to the digressions. We have not injected economic issues in a way that they have nothing to do with any clause in the bill. For the rest of the debate, to ensure that there is order in the House, I suggest that you at least ask the honourable member for Monaro to return to oaths, allegiances and that wonderful word "spirit".

Mr DEPUTY-SPEAKER: Order! I am happy to invite the honourable member for Monaro to return to the leave of the bill, provided that the ruling is observed by all other speakers in the debate.

Mr STEVE WHAN: I will comply with that direction. I look forward to members opposite relating their contributions to the leave of the bill, that is, the affirmation that we would like to swear in this place. Members opposite asked about the groundswell of opinion for this proposal. They said that we should be receiving lots of letters, phone calls, et cetera, and that the population in rural New South Wales—

Mr Anthony Roberts: How many letters did you get?

Mr STEVE WHAN: I have not received any letters, but I have spoken to a number of strong supporters of a republic who also support this bill. I admit that I have received one email from a person who opposes this bill. That is one email from my entire constituency.

Mr Anthony Roberts: Did you listen to Alan Jones this morning?

Mr STEVE WHAN: I will not comment on that. It is not my practice to listen to Alan Jones. I have received one email from someone who is concerned about this proposal. Certainly, I have had comments from many people who support this change. Incidentally, the gentleman who emailed me to ask whether I had voted for or against the bill—obviously he thought we had already voted on it—finished with this nice comment:

Thank you for your work on the Country Link bus timetable.

I pointed out to him that all this bill would do was bring us into line with the affirmation and pledge of loyalty that citizens of Australia now make. A number of members opposite have spoken about the Queen, but let us remember that the pledge of loyalty that citizens of Australia now make reads:

As an Australian citizen I affirm my loyalty to Australia and its people whose democratic beliefs I share, whose rights and liberties I respect and whose laws I uphold and obey.

That oath has bipartisan support in Australia. It reflects the fact that we want citizens of Australia to make their affirmation of support and loyalty to our country, our people, our laws and our democratic traditions, and not to the Crown of a foreign country.

Mr Anthony Roberts: That is not what they are saying on 2GB.

Mr STEVE WHAN: The honourable member for Lane Cove gets all his opinions from 2GB. I was amazed by the speech of the Leader of The Nationals. In many ways it was quite a mad speech. I have absolute respect for the strong religious views of the Leader of The Nationals and I would never question his commitment to them.

Mr John Brogden: Why did you call his speech mad?

Mr STEVE WHAN: I called his speech mad because I almost expected him to accuse the honourable member for Liverpool of being the devil incarnate. He was raving; he tried to portray this bill as an attack on people's right to hold religious views. Clearly, that is not so, and it was unfair of him to make that suggestion. He almost referred to the monarch having a divine right and, therefore, being a representative of God. I have done a bit of reading about the English monarchy—it is a subject that has some fascination for me—and anyone who looks at the relationship between monarchs and God—Henry VIII had a terrific relationship with the Pope for a while—will understand the way these divine changes occur.

I suppose it was the hand of God that was involved in smothering the two princes in the white tower, the Tower of London. Let us not get too precious about the divine right of the monarchs from England, who are the rulers of our country. The honourable member for Coffs Harbour said the Crown was defined as the people of Australia. That is the sort of disingenuous statement we hear from monarchists around Australia who know that most Australians would like to have an Australian head of state but who try to tell them they already have an Australian head of state because the Governor-General is Australian.

Mr Anthony Roberts: Exactly!

Mr STEVE WHAN: The favourite people of the honourable member for Lane Cove are on the wall of his office. He has a picture of himself and a picture of John Howard.

Mr Anthony Roberts: And John Brogden.

Mr STEVE WHAN: I am sorry, I missed the picture of the Leader of the Opposition. That must be in the inner sanctum of the office, somewhere very important. Members opposite have accused Labor members of hypocrisy. There is nothing hypocritical about me, I am an out-and-out republican, and I am proud to say so. I was involved in the campaign for the republic in Eden-Monaro. I co-ordinated many of the booths and I am proud to have done so. Unfortunately, because of the tricky way John Howard ran the referendum we lost that vote. But there was certainly strong support around the community for the idea of an Australian head of state.

Some members opposite have talked about how members on this side are reluctant to cross the floor. I invite the Leader of the Opposition and other members who I know are avowed republicans to cross the floor to show their support for this bill. I am looking forward to the contribution from the honourable member for Bega; I hope he intends to make one. I will welcome his crossing the floor, because in 2001 an Andrew Constance stood for the board of the Australian Republican Movement. I assume it was the same Andrew Constance. I welcome that view from him and look forward to him having the courage of his convictions and joining us in voting for this legislation. Obviously, in that one small area his views accord with mine. I look forward to seeing him over here with the Leader of the Opposition, who I am sure will join us to express his support for this declaration that we are loyal to the people who elect us to this place.

The only other matter I want to touch on is a comment the honourable member for Coffs Harbour made earlier which I found a little offensive. He suggested that this House had wasted its time this week by adjourning early. I do not believe the condolence motions last night for the tragic deaths of our service personnel overseas and for the death of His Holiness the Pope were a waste of time, nor do I believe that the early adjournment on Tuesday night so members could attend the mass for the Pope was a waste of time. I am not a Catholic but I attended that mass because I thought it was important to acknowledge the achievements of the Pope.

Many members opposite have tried to belittle this debate by suggesting it is trivial. There are, of course, important matters to address in this State. I often speak about the important matters facing Monaro, and the Government is helping Monaro deal with them. The Opposition often attacks the Government but over and over again it fails to enunciate any policies of its own. Perhaps we will see some before the election in 2007, but I doubt it. This bill is a small but important step in showing the people of New South Wales that the members of this place represent them, their ambitions and their wishes and not the wishes of some foreign monarch.

Mr JOHN BROGDEN (Pittwater—Leader of the Opposition) [11.46 a.m.]: I am reluctant to speak on this bill because the time taken for the debate adds to the Government's illegitimate waste of time and taxpayers' dollars. The Carr Government has suspended debate on other legislation to give this legislation precedence. That demonstrates the priorities of the Carr Government. We should be debating the appalling state of our health system and the fact that the Carr Government, rather than halving hospital waiting lists, has been responsible for a 45,000 increase in hospital waiting lists over the past 10 years. We should be debating the closure by the Government of nearly 5,000 hospital beds in the past 10 years. We should be debating the crisis in mental health in New South Wales.

Ms Linda Burney: Point of order: My point of order is relevance. The Leader of the Opposition has not once referred to the legislation or its contents.

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for Canterbury is technically correct. However, I always allow members a certain amount of time to make introductory remarks, and I am giving the Leader of the Opposition the opportunity to make those remarks now.

Mr JOHN BROGDEN: This Chamber should be debating the slide in public education. In the past 10 years the number of school-age children in New South Wales has increased by 51,000, yet the number of children being educated in the public school system has decreased by 12,000. We could be debating the fact that New South Wales has the highest level of recidivism and the lowest crime clear-up rate in the country. As we speak, the Carr Government is reducing police numbers by some 500. We should be speaking about the fact that in the past 10 years under the Premier and Labor in this State—

Mr Steve Whan: Point of order: I draw attention to your ruling on the point of order taken by the Deputy Leader of Liberal Party when I was speaking, that I be asked to return to the leave of the bill. The Deputy Leader of Liberal Party assured us that members of the Liberal Party would not stray from the leave of the bill.

Mr ACTING-SPEAKER (Mr John Mills): Order! I understand the point of order. I will allow the Leader of the Opposition one more minute before I direct him to debate the bill.

Mr JOHN BROGDEN: What the people of New South Wales expect their paid representatives to do is to debate matters that are important to them, not waste time. This week the Premier was too embarrassed and ashamed to apologise to Patrick O'Keefe of Macksville, whom he defamed in this Chamber when his private medical details were revealed. The Government has not dealt with substantive matters. This debate is the greatest—

Mr Alan Ashton: The other things that are important—like one of your staffers trying to kill the Premier.

Mr JOHN BROGDEN: The honourable member for East Hills just referred to the fact that a former staff member of mine is involved in a court case about allegations of a threat to the Premier.

Mr Alan Ashton: That is right. You were given another minute.

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for East Hills will cease interjecting.

Mr JOHN BROGDEN: The honourable member for East Hills should understand, as was revealed in the court yesterday, that this young man is mentally ill. He suffers from bipolar syndrome. This matter will be dealt with by the courts. He should not make light of it.

Mr Alan Ashton: You didn't worry about that with our Minister, Craig Knowles. You didn't care less about the member for Strathfield. You are a hypocritical person.

Mr JOHN BROGDEN: Minister Knowles has been charged with drink driving. There is no matter—

Mr Alan Ashton: And this guy has been charged with threatening the life of the Premier.

Mr JOHN BROGDEN: Because he is mentally ill.

Mr Alan Ashton: No, he has been charged with doing it. Being mentally ill would be his excuse.

Mr JOHN BROGDEN: The boy suffers from mental illness. That was revealed in the Local Court yesterday.

Mr Alan Ashton: So he did not do it?

Mr JOHN BROGDEN: He is about to undergo a psychiatric assessment. The Minister is a common criminal who is about to be dealt with, by his own admission, for drink driving. What he has to answer is how many drinks he had on Friday night.

Mr ACTING-SPEAKER (Mr John Mills): Order! I ask all members to be seated. There is too much disruption in the Chamber. In the five minutes that the Leader of the Opposition has been speaking he has not discussed the bill. I direct him to confine his remarks, as required by the standing orders, to the leave of the bill for the remainder of his contribution.

Mr Barry O'Farrell: Point of order: On three occasions now the honourable member for East Hills, in two different speeches, has maligned people suffering mental illness. It is much easier to keep this debate on track if he is told to keep quiet.

Mr ACTING-SPEAKER (Mr John Mills): Order! There is no point of order. The Leader of the Opposition has the call and I request him to direct his remarks to the leave of the bill.

Mr JOHN BROGDEN: The Opposition in New South Wales opposes this bill because we believe it is a waste of this Parliament's time. We oppose it because we believe it will not do a single thing for the quality of life of any citizen of this State. We oppose the bill because it will do nothing to reduce taxes, nothing to open more group homes, nothing to expose the disgrace of juvenile justice under the Minister for Juvenile Justice. It will do nothing to deal with the real issues of substance. It is wasting the time of the Chamber, and the taxpayers are paying for it. Their elected and paid representatives should be speaking about matters that are important to them, rather than wasting time. If the Government were serious about this issue it would have introduced a government bill, not a private member's bill from the honourable member for Liverpool. I conclude by making clear to the people of New South Wales that at the 10-year mark of the Carr Government, two years down and two years to go in this term, the priorities of the Carr Government are demonstrated by the fact that it has suspended all other business to debate this stupid and inane bill rather than let this House deal with the issues that matter to the people of this State.

Ms LINDA BURNEY (Canterbury) [11.54 a.m.]: There has been a lot of emotion in this debate, and my contribution may not be much different because I am compelled on a very personal level to speak on the Constitution Amendment (Pledge of Loyalty) Bill, which was introduced by the honourable member for Liverpool. None of us would be surprised that it was the honourable member for Liverpool who introduced it, for positive and real reasons: first, he is one of the best thinkers in this Chamber; second, he understands constitutional issues, not only in Australia but in many nations such as Chile, Ireland and Nicaragua. He is concerned about the trampling of rights, both human and citizenship rights, of people in those countries. The honourable member for Lane Cove might think that the trampling of human rights is funny, but I do not.

The honourable member for Liverpool is also a student of history and has a broad breadth of knowledge. So he is extremely qualified to introduce the bill. Other speakers have dealt with the provisions of the bill and I will not do that in any detail except to say that this debate is clearly not a discussion about the republic. Those who are trying to dress it up as that are being very untruthful. My personal reasons for wanting to speak on the bill—people can shout about it if they want to—are based on philosophy and principle. In my professional life I cannot remember feeling more uncomfortable than I did when I swore allegiance to Queen Elizabeth II and her heirs and successors when I took the pledge of loyalty on entering this place. I do not say it as a joke and I do not say it to score points. I was genuinely uncomfortable. Why? Because that foreign power stole this land.

Mr Michael Richardson: Keep your heir on.

Ms LINDA BURNEY: You may think it is funny. You might not know much about history, my friend, but it is a very important part of this country's history. This bill in a sense is about telling the truth about this country's history. As the member for Canterbury and as an indigenous woman in this House where we make laws, I take things seriously. I was absolutely shocked that in 2003 the pledge of loyalty to the Queen was still required. Terra nullius was the justification used by the British to claim this country. I will not dwell on that point. Some people may think it is too philosophical, but philosophy and principles are important. The fact that I had to swear allegiance to a foreign power that played such an enormous role in destroying culture and thousands of years of history and usurping many sovereign people is important. It is not only important to me as a black woman; it is important to all people who want to know the truth and who believe that truth matters.

Mr Greg Aplin: Goodbye Royal Easter Show! Goodbye royal commissions!

Ms LINDA BURNEY: You can make a joke of it but you grew up in a place where you should understand it better than anybody else. You know that, so just keep it to yourself, brother. I do not want to run down the royal family. Monarchies and such things have their place, but I do not understand, as an almost 48-year-old Australian woman standing here, what the monarchy's place is in Australia. I seriously do not understand what the Queen and her heirs and successors mean to our daily life in Australia. I cannot understand why, when we take a pledge of office in such an important place in such important roles, we have to swear allegiance to the monarch of a faraway place that has no more than a symbolic role in Australia. Why do we still have to swear allegiance to that family? It is not just any pledge we make in here; it is probably one of the most important pledges that we make in our life.

The fact that we are making it to a foreign power on the other side of the globe is anachronistic. It just does not make sense. There is no pragmatic or practical reason for it. There is no advantage to the people New South Wales in our making this pledge to the Queen. If anyone can give me a reason, please do so, because I have thought a lot about it and there is no practical reason. Political life is about public service. The public

service that we provide in this place is not to Britain; the public service we provide is to the people of New South Wales. I would like someone to tell me why—if our public service, our allegiance, our loyalty and the reason we do this job is for the benefit of people of New South Wales—we make our pledge in the name of Queen Elizabeth. Will someone tell me that? There can be no sensible answer.

I have been listening to the honourable member for quite some time and I have not heard a practical reason. The public service that we perform in this House is probably the most important public service in this State. The decisions we make and things we do in this Chamber affect every single person in New South Wales several times a day, every day of their lives. How on earth do Queen Elizabeth and the rest of them affect our daily lives? They do not. Therefore, if our public service is to the State and the people of New South Wales, if our allegiance and the reason we have been elected to Parliament is to change and improve the lives of people in this State, what has that got to do with Queen Elizabeth II? I will tell honourable members. Nothing! Absolutely zilch, nought, nothing! If we need a reason to change from an oath of allegiance to a pledge, that might be it.

I would add that we can make a joke of this legislation, but it deals with a serious issue. There are legitimate reasons behind the introduction of this legislation by the honourable member for Liverpool. The bill relates to why we are here, who we are and what we do in every working moment of our lives. We are the lawmakers, and it has nothing to do with Queen Elizabeth II, her heirs and successors. My loyalty is three-tiered. My loyalty is to the people of Canterbury, to the people of New South Wales, and the people of Australia. My loyalty is not to a monarch who has nothing at all to do with the daily experiences of people in this country. The monarchy costs a lot of money that could be spent in more suitable ways.

Mr Barry O'Farrell: Point of order: I am loath to take a point of order because, up until that moment, the honourable member was making what I think was a more philosophic point. But we have standing orders in this House, including Standing Order 80, which governs the way in which people shall talk about the Queen of Australia. I think the honourable member just stepped over the line.

Mr ACTING-SPEAKER (Mr John Mills): Order! I will allow the honourable member for Canterbury to continue while I consider the implications of Standing Order 80.

Ms LINDA BURNEY: I am not sure how I stepped over the line except to say that I am loyal to Canterbury, I am loyal to New South Wales and I am loyal to Australia. If that is stepping over the line, brother, I do not know how it is. The final point I want to make is really a matter of commonsense. Why, when we make the pledge, do we make it to an absent monarch? None of us knows her, or them. None of us has anything to do with them. It is a kind of novelty. There is nothing about the monarchy that means anything to me or to the people of Canterbury.

I will tell honourable members something about the Canterbury electorate. We have people from 142 different nationalities, and most of them are not from Britain, not from Ireland and certainly not from Scotland. The idea that a woman who has spent 10 years in a filthy refugee camp on her way to Australia from Sierra Leone has her representative in this Parliament pledging allegiance to the monarch of England is incapable of being understood. Canterbury, Sierra Leone, Sudan, Lebanon, Afghanistan, Korea, Vietnam, Indonesia—the list goes on. Tell me in what way Queen Elizabeth II has relevance to the life choices of people of the electorate of Canterbury? The answer is: None! What things about Queen Elizabeth and her heirs and successors have relevance to me? The answer is the same: Nothing!

Mr ACTING-SPEAKER (Mr John Mills): Order! Before I call next speaker I will rule on the point of order taken by the Deputy Leader of the Opposition. I remind the House and all honourable members that Standing Order 80, to which my attention was drawn by the Deputy Leader of the Opposition, states:

A member shall not use the name of the Sovereign or the Governor:

- (1) Disrespectfully.
- (2) To influence the House in its deliberations.

I understand that the Deputy Leader of the Opposition may well consider that what was said by the honourable member for Canterbury was disrespectful. Is that the case?

Mr Barry O'Farrell: She said she is a waste of money.

Mr ACTING-SPEAKER (Mr John Mills): Order! I do not recall exactly what the honourable member for Canterbury said. I will look at *Hansard* tomorrow and give the matter further consideration.

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [12.05 p.m.]: I am delighted to speak to this legislation and to have sat through the earlier interesting debate. What has come through, particularly from honourable members opposite, is the importance to them—indeed, in the words of one speaker, "the most important pledge that members make"—and their attachment to oaths, affirmations, promises and pledges. Of course, one cannot help but reflect, following the tenth anniversary of this Government, that that same importance was not attached to the Premier's promise in 1995 to halve hospital waiting lists or they would not have reached 70,000. That same importance to pledge, affirmation, promise and oath was not attached to the Premier's 1995 election promise, "No new taxes. No tax increases." Nor did the Premier abide by his promise.

Mr Gerard Martin: Point of order: My point of order relates to relevance, the same issue that was ruled on earlier in this debate when the Leader of The Nationals went down this path.

Mr ACTING-SPEAKER (Mr John Mills): Order! The Deputy Leader of the Opposition has been speaking for less than a minute. I will allow him to make some introductory remarks. I will allow Government members to do the same.

Mr BARRY O'FARRELL: Just to reinforce to the self-confessed friend of the monarchs—

Mr Gerard Martin: Will you swear to that?

Mr BARRY O'FARRELL: No, but your colleagues might. I am talking about the fact that Labor members of this House have today talked about the importance of words, the importance of oaths and affirmations, the importance of the bond you make when you give such commitments. The third point I would make relates to the more recent commitment by the Premier and the former Minister for Health to the people of the south-west of Sydney, the area that the honourable member for Liverpool comes from, about the type of health care they could expect from Camden and Campbelltown hospitals. It is one more example of the fact that, that when it comes to oaths, affirmations, promises and pledges, despite what they have said in the debate here today, this mob opposite simply do not stack up. They do not care what they say. In fact, the honourable member for East Hills said that he had lied on many occasions when taking oaths. I think that is an extraordinary admission.

I refer the House to the very sensible point raised by the honourable member for Coffs Harbour, that if we are going to talk about allegiance—and we certainly heard a lot from the last speaker about who our allegiance is due to—it ought to be remembered by everyone who reads this debate that those opposite owe their allegiance to the Australian Labor Party first, foremost and last. Members of all other parties represented in this Parliament have a capacity to disagree with their colleagues and to cross the floor, and to suffer no consequences. If members of the Australian Labor Party were to cross the floor they would be expelled from their party. This is an important issue because it goes to the heart of allegiance. If the honourable member for Miranda was seriously concerned about the impact of land tax in the Sutherland shire he would have voted against its introduction last year. If the honourable member for Tweed, who spoke in this debate about allegiance and where it was due, was so concerned about the issue he would have voted against the proposal to close the Murwillumbah to Grafton rail line.

Mr Gerard Martin: Point of order: We have heard enough from the Deputy Leader of the Opposition to know that he is straying well away from the leave of the bill. The bill is about the pledge that members of Parliament make and to whom it is made. The Deputy Leader of the Opposition is now going down the troubled, political path. It is probably his way of trying to establish his credentials as he counts the numbers in favour of the Leader of the Opposition. I ask you to direct him to return to the debate before the House. Let us find out whether he is a closet monarchist or a republican.

Mr ACTING-SPEAKER (Mr John Mills): Order! I have the gist of the Deputy Leader of the Opposition's speech. I ask him to direct his remarks to the leave of the bill.

Mr BARRY O'FARRELL: The leave of the bill goes to where our allegiance is due, an issue that has been reflected upon by every Labor member who has spoken in this debate. The third point I make relates to the allegiances of members of the Labor Party. Their inability to cross the floor to represent their constituents when they disagree with the majority of the members in their party room relates to the great claim by the honourable member for Murray-Darling that he would quit the Labor Party if it abolished the area health service in his electorate. Of course, that happened but he did not quit.

It is difficult to sit on this side of the House and be lectured about allegiances, oaths and affirmations when members opposite are bound by their party not to owe their allegiance to their electorates, or to the people of New South Wales or the people of Australia, but to vote with their colleagues or else they will be expelled from the Labor Party. Surprise, surprise, they always vote that way! During the 10 years that I have been a member of this place, the only person who has stopped the Labor Party initiating action was the former member for Bathurst—someone who not only was brighter and more honourable than the current member for Bathurst but rose in this Chamber, stared down Paul Whelan and got a bill withdrawn because he said it had not been discussed and he disagreed with it. It is the only time in 10 years I have seen a member of the Labor Party stand up for his or her electorate. It rarely happens these days, because the place is now full of apparatchiks and union representatives. I am sorry to do this to the honourable member for Liverpool because I know of his great affection. This is Latham legislation. I know the honourable member for Liverpool—

Mr Paul Lynch: Point of order: That is profoundly offensive and totally untrue.

Mr DEPUTY-SPEAKER: Order! There is no point of order. I would be delighted if I could hear the rest of the debate.

Mr BARRY O'FARRELL: This is Latham legislation. Contrary to what the Premier has told the media today, I fundamentally disagree with his claim on public radio today that the public do not give "a damn" about this debate. I want to make sure those words are quoted because it is the Premier's oath. However, what the public give a hoot about is what this Parliament is doing to fix basic services. I want to come back to the point I was making. This is Latham legislation. It is divisive, it is prescriptive and, above all, it is irrelevant. It is as irrelevant as Mark Latham's election campaign. Why is it divisive? Today we have heard two great examples of why it is divisive. The Leader of The Nationals made the point that this legislation, which removes from those who will take oaths the right to hold a bible, will offend many people and therefore it is divisive.

We have heard from the honourable member for Canterbury, who once again seeks to make us feel incredibly guilty for our forebears, that she does not care about the people in her electorate who come from a British tradition, because those people will find this legislation offensive. One of the strengths of this country is the fact that we have a flag that I believe sums up perfectly what this country is about. We have a Union Jack in the corner of this Chamber, which is an historically accurate depiction of how European settlement began in this country. As the honourable member for Lane Cove said, even before we had responsible government, when our country was run by British governments headed by a British monarch, European settlement brought to this country the sort of stability, peace and opportunities for advancement that successive generations have enjoyed.

European settlement has brought successive generations to this country, including some of the refugees that the honourable member for Canterbury spoke about. Why do they come to this country instead of going to Cuba and some of the other countries that have totalitarian regimes? Because of the great traditions that those who opened this country to European settlement brought with them. I say that as a person who comes from an Irish background, as a person whose family came to this country looking for gold after fleeing famine in Ireland. Last year I would have added that they were more successful at finding food than gold, but this year I cannot say that.

The reality is that even those of us from an Irish tradition recognise that Britain brought to this country—at a time when, despite the democracy that existed in Britain, the monarchy was even more important than it is today—the fundamental strengths that underlie our society today and continue to make this country an attractive place. Yet the honourable member for Canterbury wants to dismiss that. The honourable member for Liverpool wants to remove from those who take an oath the right to hold a *Bible*. One of the great strengths of this country is the fact that we are a diverse and multicultural nation. Indeed, we are perhaps one of the most multicultural countries in the world. We are a multicultural country that is peaceful and stable, and lacks many of the divisions that exist in other parts of the world. Yet here we have Mark Latham style legislation that is divisive, seeks to tell people how they ought to live their lives, and is largely irrelevant.

But most of all—and this is perhaps where the honourable member for Liverpool differs from his very good friend the former member for Werriwa—the legislation is arrogant. It is the Liverpool kiss to the electorate of New South Wales. If the legislation were so simple, so easy and so minor, why was it not mentioned to anybody prior to the last election campaign? If this mob opposite are so committed to the democratic principles they have espoused in this House today, why were people not given an opportunity to have a say on this prior to the last election? Why was this, I think, the first private member's bill introduced immediately after the March 2003 election, an issue that certainly provoked odium on public radio regarding the honourable member for Liverpool, to which he responded at the time? I well remember listening to some of that debate.

The reality is that the mob opposite believe in democracy when it suits their argument about telling people how to live, when it suits their argument about taking away people's rights away, when it suits their argument about trying to rewrite history, and when it suits their argument about trying to reshape the way in which this country will go forward. I may one day vote for a republic. I voted no in the last referendum because

I did not believe that the model being put forward was better than the structure of government we had. Even my friends, for example, the honourable member for Lane Cove, are aware that I am not a rusted-on monarchist or a rusted-on republican. I want to make sure that if we ultimately change our system of government it is the right thing for this country, that it will move it forward. Above all, for me—I look longingly towards the Irish presidency—I will have to also be convinced that it involves more direct democracy, and that it gives people a greater say in their future and in the choice of their elected representatives.

One cannot connect this legislation with the republicans' agenda in this country. In 1999 we had an opportunity to examine that issue and rejected the referendum on the republic. I know the Labor Party, particularly the Federal Labor Party, has never got over it, but it is time it did, rather than introduce this type of legislation, which is designed to seek to advance the republican agenda by slicing the salami thinly. Instead of pushing it out in one chunk, as Paul Keating was always wont to do, I say to the honourable member for Liverpool that the Labor Party has got wiser, it has started to slice the salami thinly. But unless people understand the implications of this and the motivations behind it, and unless people understand the final goal that is sought to be achieved, they will one day wake up and find that the legislation will have been delivered without their having been consulted. My biggest criticism of the republican movement in this country is that they are not prepared to submit themselves to the votes and wishes of the Australian people. Having put the issue forward in 1999, the Labor Party comes back six years later simply trying to put it forward under some other guise.

I echo the comments of members on this side of the House who spoke about the order of importance of this legislation being zip. It is not one of the 10 great issues confronting this State; it probably does not even make one of the top 5,000 issues confronting the State. Indeed, one of the Government members admitted that he has not received one letter supporting this initiative since he has been a member of this place. As the honourable member for Canterbury said, we ought to be devoting our efforts to the things that affect people's lives. She said, "What we decide in this place and what we do in this place affects people's lives." I say to her that what we do not do in this place, what we do not decide in this place, also affects people's lives. And that is certainly true of this Government when it comes to the delivery of State services. For that reason alone this bill deserves to be defeated.

I very briefly remind members, particularly those opposite who talk about the foreign monarchy, that the Hon. E. G. Whitlam changed the title of her Majesty Queen Elizabeth II to Queen of Australia. I have no problems recognising Queen Elizabeth and her heirs and successors as the monarch of Australia through a piece of legislation effected by Gough Whitlam, and I wish the honourable member for East Hills would simply acknowledge that. Those opposite are trying to pretend that their loyalty is somehow going to be enhanced for the people of New South Wales. They are disloyal to their electorates because they always stick to the Labor line, and they are disloyal to the State. One has only to look at the state of services in New South Wales. This is simply an attempt to divert attention from the poor state of government services. The honourable member for Liverpool should be ashamed of the Liverpool kiss, the Latham-like legislation he has delivered to the House this morning.

Mr JOHN MILLS (Wallsend) [12.20 p.m.]: I am very pleased to support the Constitution Amendment (Pledge of Loyalty) Bill. I want to tell the House about the sense of pride that I felt on Australia Day in January 1994 when I stood up at the naturalisation ceremonies at Speers Point Park and at the foreshore in Newcastle and heard incoming Australian citizens saying:

As an Australian citizen, I affirm my loyalty to Australia and its people, whose democratic beliefs I share, whose rights and liberties I respect, and whose laws I uphold and obey.

I reckon that those incoming new Australian citizens have got it lucky compared with me because they can make a statement of their identity through the pledge that they so take. The reason I support this bill in particular is that I see it as a matter of respect when one gives one's pledge of loyalty to do one's duty. My primary loyalty, frankly, is to the people of New South Wales, to the people of the Hunter region, and to the people of the Wallsend electorate whom I represent. The pledge that I would like to give in this place is a truthful and honest acknowledgement of our intentions as representatives of the people of New South Wales because we have the freedom in New South Wales to choose for ourselves. We do not intend to be subservient. We are responsible only to the people of New South Wales.

I invite opponents of this legislation to go to any school and ask the kids at that school which of the two forms of allegiance members of Parliament should give. Should they pledge allegiance to the Queen of England and the Queen of Australia or should they pledge allegiance to the people of Australia? I know the answer the kids would give in every school in New South Wales. I invite honourable members to go home and ask their own children which of the two should be the pledge of allegiance that we give as members of Parliament in this place. Five times I have had to endure the discomfort—and I share this experience with the honourable member for Canterbury—of taking an oath that was unpleasant to me because it involved pledging allegiance to a

monarch who is not Australian. But I endured it because I have great respect for and loyalty to the good people of Wallsend electorate who elected me to this place. They expect me to take my seat in here and vote in their interests and do my duty to them. I look forward to the opportunity in April or May 2007 to make a pledge that would give me some real pride in its recital. I commend the bill to the House.

Motion by Mr Tony Stewart agreed to:

That the question be now put.

Mr PAUL LYNCH (Liverpool) [12.24 p.m.], in reply: I commence by thanking all members who have participated in this debate. I think there have been about 16 members of this place other than me who have expressed their views one way or another on the legislation. This is an important bill. It will mean that members of this place will be pledging their allegiance where it well and truly belongs: it means we will be pledging our allegiance to the citizens and the families of New South Wales; we will be pledging our allegiance to Australia; we will not be pledging our allegiance to a foreign monarch on the other side of the world.

One of the other powerful arguments in support of this bill is merely to contemplate the prospect of Charles III. It is a salutary lesson as to the absurdity of the current constitutional provision that if the Queen were to die we would all have to cease business and forthwith swear allegiance to Charles III. That, of itself, is enough to highlight how utterly unacceptable and inappropriate the current constitutional provision is. As I said, this is an important bill. I think it is some 10 years since a private member's bill passed through this House. Constitutional amendments are of themselves quite rare. The large number of speakers who have participated in the debate also indicates a degree of significance. Apart from those elements, however, the bill is important because for the first time we will be able to pledge our loyalty to where it rightfully belongs.

Mr DARYL MAGUIRE (Wagga Wagga) [12.27 p.m.]: I move:

That the honourable member for Liverpool be not further heard.

The House divided.

Ayes, 38

Mr Aplin	Mr Hazzard	Mr Roberts
Mr Armstrong	Ms Hodgkinson	Ms Seaton
Mr Barr	Mrs Hopwood	Mrs Skinner
Ms Berejiklian	Mr Humpherson	Mr Slack-Smith
Mr Brogden	Mr Kerr	Mr Souris
Mr Cansdell	Mr Merton	Mr Stoner
Mr Constance	Ms Moore	Mr Tink
Mr Debnam	Mr Oakeshott	Mr Torbay
Mr Draper	Mr O'Farrell	Mr J. H. Turner
Mrs Fardell	Mr Page	Mr R. W. Turner
Mr Fraser	Mr Piccoli	<i>Tellers,</i>
Mrs Hancock	Mr Pringle	Mr George
Mr Hartcher	Mr Richardson	Mr Maguire

Noes, 51

Ms Allan	Ms Hay	Mr Pearce
Mr Amery	Mr Hickey	Mrs Perry
Ms Andrews	Mr Hunter	Mr Price
Mr Bartlett	Mr Iemma	Dr Refshauge
Ms Beamer	Ms Judge	Ms Saliba
Mr Black	Ms Keneally	Mr Sartor
Mr Brown	Mr Knowles	Mr Scully
Ms Burney	Mr Lynch	Mr Shearan
Miss Burton	Mr McBride	Mr Stewart
Mr Campbell	Mr McLeay	Mr Tripodi
Mr Collier	Ms Meagher	Mr West
Mr Corrigan	Ms Megarrity	Mr Whan
Mr Crittenden	Mr Mills	Mr Yeadon
Ms D'Amore	Mr Morris	
Mr Debus	Mr Newell	
Ms Gadiel	Ms Nori	<i>Tellers,</i>
Mr Gaudry	Mr Orkopoulos	Mr Ashton
Mr Greene	Mrs Paluzzano	Mr Martin

Question resolved in the negative.

Mr PAUL LYNCH (Liverpool) [12.37 p.m.]: As I was saying before I was so rudely interrupted, this bill will mean that we will be able to give allegiance to the place that it is truly owed. Our allegiance is not owed to a head of State; it is certainly not owed to a head of State who lives on the other side of the world. Our allegiance is owed to Australia: to the families and the citizens of New South Wales. I respond to a number of arguments that have been advanced against the bill. A common objection is that this is mainly a republican ploy or plot, that it should not be pursued because Australia is not yet a republic and the referendum closed all possible debate. It is self-evidently nonsense to say that the referendum result closed all possible discussion about any conceivable constitutional change. It is also a hopeless misreading of the referendum result. The referendum result defeated a particular republican model. It had nothing to do with the oath of allegiance or the pledge of loyalty that we make in this place. People who argue the position that this is republicanism by stealth and should therefore be opposed are blissfully unaware of what is in the bill. Their arguments are totally uninformed. The bill does not replace allegiance to the monarch with allegiance to a president or to a republic. It replaces allegiance to the head of State with allegiance to the people. It is not about monarchy versus republic.

It is about autocracy versus democracy. We live in a democratic society so we should pledge allegiance to the people, not to a head of State. The form of pledge that I propose is applicable to both monarchies and to republics. I am happy to say that I am a republican, but this is not particularly a republican measure. There is one particularly interesting subset of those who argue that this is a republican measure. That is the group composed of republicans who shy away from supporting this provision precisely because they argue that "it is a republican measure but we cannot possibly do that yet".

This group includes the Leader of the Opposition. When I gave notice of this bill he expressed his opposition to it in precisely those terms. I am inclined to describe this subgroup, led by the Leader of the Opposition, as the Augustinian faction. Augustine of Hippo, an early Christian theologian, is renowned for his prayer, "Lord, make me chaste—but not quite yet." The Augustinian republicans say, "Let's have a republic—but not quite yet." They are hypocrites and cowards who, by their own admission, do not have the courage of their convictions. Even worse than that, they do not understand and have not read the bill.

Another strand of opposition is that somehow this overturns some deep-seated aspect of Australian tradition. That is nonsense. The argument in support of that was most floridly and stupidly put by the honourable member for Lachlan who, I hasten to add, also said that I had no future politically. Coming from someone whose seat is about to be abolished, that is a little rich. It is clearly the case that the English monarchy is profoundly foreign to many people in Australia. The original inhabitants were dispossessed in the name of the Crown. I note particularly that the honourable member for Canterbury spoke eloquently and powerfully about that.

Some of the earliest Europeans in this country were Republicans, Irish men and women who by force of arms had challenged the English Crown. They continued to challenge it, notably at Vinegar Hill in this country in 1804. Saying that the English Crown is an integral, representative element in this country's history is just a fantasy. It is ludicrous to suggest that the royal family is in any real way Australian. Indeed, their antecedents are not even English, let alone British. I shall quote briefly from a book by Norman Davies entitled *The Isles: A History*. Referring to the English royal family and its tradition, page 631 of the book is this statement:

Victoria, who was obliged to surrender Hanover to an uncle, was nonetheless conceived in Germany, married to a German, and completely surrounded by German relatives. Though educated in England, she spoke German by preference, especially with Albert and their children ... and sometimes, to the annoyance of her ministers, in cabinet. She was mother to an Empress of Germany, to a Grand Duchess of Hesse, and to a Countess Battenburg; she was grandmother to a Tsarina, to a Kaiser, to a Queen of Spain, and to a Queen of Greece. It is a testament to the dedication of the Hanoverians to their German roots that every single British monarch without exception between 1714 and 1901 was married to a German spouse, thereby ensuring that every single British king had a German-born mother and a German-speaking father.

I turn now to some of the less substantial arguments that have been pursued in this debate. Some argue that because police, prison officers, sheriffs officers and so forth must swear an oath of allegiance, then members of Parliament should be swearing the same. As an argument, that benefits from little logic. It might be argued that employees of the State, such as police, prison officers and so on, should have allegiance to the head of State as employees of the State. That can scarcely be said of members of Parliament. We are not employed by the State; we are elected by our electorates. Our obligations are not to a head of State but to our constituents.

There has been some opposition to this bill expressed by that other notorious hysteric, Fred Nile. According to his propaganda sheet *Family World News* from June 2004, this bill is described as "shameful". One really must wonder what planet he is on. He is so outraged by me that he cannot bring himself to mention me by name and insists on referring to this bill as the "Carr ALP Bill". What is more—and indeed what is quite bizarre—is that he urges members of Parliament to break the law should this bill be passed. He wants them to swear their own oath or pledge and not that which would be contained in the Constitution. He strikes me as many things, none of them very pleasant, but I have never had him down as a constitutional revolutionary, let alone someone who would advocate that people break the law.

Other opposition to the bill is even less meritorious. It is claimed that this business item is not important and that we should be debating something else. That argument is without substance. Used in this Chamber, it has been put up by people who have no substantive argument against the bill. There are 3½ other sitting days this week on which they could raise a range of issues. The truth is that this bill is important; it deals with the Constitution of the State, the fundamental law of the State. Ignoring that central fact puts one on par with the people who in the 1890s thought that the federation debates were irrelevant.

If this bill is so unimportant, why on earth have so many members spoken on it today and with so much passion? It is bizarre that so many have frothed at the mouth saying that this debate is a waste of time and taken so long to say so. One must wonder precisely about their hypocrisy and level of personal honesty. The truth is that the fundamental law of our State presently states that we all have to take an oath or declaration of loyalty. If that is the case, then we should ensure that we get the pledge right. We should make sure that it means something. The ultimate argument in hypocrisy, of course, is the argument from members opposite who claim that they have higher priorities for private members' day than debate on this bill. That is dishonest, disingenuous and hypocritical drivel.

This is the first private members' day in this Parliament on which there has been a serious debate on legislation. Opposition private members' bills usually amount to members opposite making a second reading speech and never proceeding further. Those members have no serious intention of actually properly debating their proposed legislation. In some cases they give notice of a bill and do not even proceed to a second reading speech. They leave their bills hanging around, clogging up the business paper for some tawdry tactical political gain. The honourable member for Epping, the Deputy Leader of the Opposition and the honourable member for Davidson are serial offenders in this regard. And they have the hide to complain when I actually want to complete debate on this bill!

I could speak at much greater length on this topic but I will resist that extraordinary temptation. I would have liked the opportunity to respond directly to some honourable members who raised issues in the debate but time does not allow me to do so. I shall conclude, first, by acknowledging the role played by a figure in the Irish community in the genesis of this bill. Billy Cantwell, who is a well-known figure in the Irish community and the editor of the *Irish Echo*, needled me some time ago, asking why we were not doing something about this. So if someone is to blame for this, he must share part of the blame, and I am happy to have that recorded in *Hansard*. I make the point that this is a very modest proposal. It hardly has the revolutionary consequences that we have been warned about by members opposite. It is a simple, rational, logical proposal. It is about ensuring that our allegiance is given to exactly where it belongs. [*Quorum formed.*]

I note that this is the first time in living memory that a speaker in a debate in this place has had both the gag and a quorum called against him. It is perhaps an indication that a bill that members opposite say is not important to them is, by their actions, very important to them. As I was saying, this bill is important. It means that our allegiance will be able to be given to where it truly belongs. Our allegiance belongs not to an overseas monarch but to the citizens of New South Wales. I commend the bill to the House.

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

The House divided.

Ayes, 56

Ms Allan	Mr Greene	Mr Orkopoulos
Mr Amery	Ms Hay	Mrs Paluzzano
Ms Andrews	Mr Hickey	Mr Pearce
Mr Barr	Mr Hunter	Mrs Perry
Mr Bartlett	Mr Iemma	Mr Price
Ms Beamer	Ms Judge	Dr Refshauge
Mr Black	Ms Keneally	Ms Saliba
Mr Brown	Mr Knowles	Mr Sartor
Ms Burney	Mr Lynch	Mr Scully
Miss Burton	Mr McBride	Mr Shearan
Mr Campbell	Mr McLeay	Mr Stewart
Mr Collier	Ms Meagher	Mr Torbay
Mr Corrigan	Ms Megarrity	Mr Tripodi
Mr Crittenden	Mr Mills	Mr West
Ms D'Amore	Ms Moore	Mr Whan
Mr Debus	Mr Morris	Mr Yeadon
Mr Draper	Mr Newell	<i>Tellers,</i>
Ms Gadiel	Ms Nori	Mr Ashton
Mr Gaudry	Mr Oakeshott	Mr Martin

Noes, 33

Mr Aplin	Ms Hodgkinson	Mrs Skinner
Mr Armstrong	Mrs Hopwood	Mr Slack-Smith
Ms Berejiklian	Mr Humpherson	Mr Souris
Mr Brogden	Mr Kerr	Mr Stoner
Mr Cansdell	Mr Merton	Mr Tink
Mr Constance	Mr O'Farrell	Mr J. H. Turner
Mr Debnam	Mr Page	Mr R. W. Turner
Mrs Fardell	Mr Piccoli	
Mr Fraser	Mr Pringle	
Mrs Hancock	Mr Richardson	<i>Tellers,</i>
Mr Hartcher	Mr Roberts	Mr George
Mr Hazzard	Ms Seaton	Mr Maguire

Question resolved in the affirmative.

Motion agreed to.

Bill read a second time and passed through remaining stages.

[Mr Speaker left the chair at 12.58 p.m. The House resumed at 2.15 p.m.]

MINISTRY

Mr BOB CARR: In the absence of the Minister for Transport, who is in Newcastle finalising the \$262 million contract for new train carriages—great news for Newcastle—the Deputy Premier will answer questions on his behalf.

[Interruption]

I thank honourable members for the acclaim and support. It is much appreciated.

BUSINESS OF THE HOUSE**Routine of Business**

[During notices of motions]

Mr Carl Scully: Point of order: We are fairly tolerant, but this is not a time for speeches. The honourable member for Murrumbidgee has delivered a speech, rather than give notice of a motion.

Mr SPEAKER: I agree. I rule the notice of motion given by the honourable member for Murrumbidgee out of order.

PETITIONS**Alstonville Bypass**

Petition requesting that the Alstonville Bypass be completed by the end of 2006, received from **Mr Donald Page**.

Gaming Machine Tax

Petitions opposing the decision to increase poker machine tax, received from **Mrs Shelley Hancock**, **Mrs Judy Hopwood** and **Mr Andrew Tink**.

Kurnell Sandmining

Petition opposing sandmining on the Kurnell Peninsula, received from **Mr Barry Collier**.

Crown Land Leases

Petition opposing changes to the rental structure of Crown land leases, particularly enclosed road permits, received from **Ms Katrina Hodgkinson**.

Burwood Colliery Bowling Club Crown Land Site

Petition opposing the sale of the Burwood Colliery Bowling Club crown land site to the club for the purpose of a joint venture development, received from **Mr Matthew Morris**.

Jervis Bay Marine Park Fishing Competitions

Petition requesting amendment of the zoning policy to preclude fishing competitions, by both spear and line, in the Jervis Bay Marine Park, received from **Mrs Shelley Hancock**.

Lake Wollumboola Recreational Use

Petition opposing any restriction of the recreational use of Lake Wollumboola, received from **Mrs Shelley Hancock**.

Crime Sentencing

Petition requesting changes in legislation to allow for tougher sentences for crime, received from **Mrs Shelley Hancock**.

Campbell Hospital, Coraki

Petition opposing the closure of inpatient beds and the reduction in emergency department hours of Campbell Hospital, Coraki, received from **Mr Steve Cansdell**.

Breast Screening Funding

Petition requesting effective breast screening for women and maintenance of funding to BreastScreen NSW, received from **Mrs Judy Hopwood**.

Armidale and New England Hospital Intensive Care Unit

Petition requesting funding for the establishment of a level 4 intensive care unit for Armidale and New England Hospital, received from **Mr Richard Torbay**.

F6 Corridor Community Use

Petition noting the decision of the Minister for Roads, gazetted in February 2003, to abandon the construction of any freeway or motorway in the F6 corridor, and requesting preservation of the corridor for open space, community use and public transport, received from **Mr Barry Collier**.

F6 Corridor

Petition requesting the reinstatement of the F6 corridor for the future road needs of Sydney, received from **Mr Malcolm Kerr**.

Oxford Street, Sydney, Clearway

Petition requesting removal of the Oxford Street clearway and imposition of a 40 kilometres per hour speed limit in Oxford Street, received from **Ms Clover Moore**.

Old Northern and New Line Roads Strategic Route Development Study

Petition requesting funding for implementation of the Old Northern and New Line roads strategic route development study, received from **Mr Steven Pringle**.

Forster-Tuncurry Cycleways

Petition requesting the building of cycleways in the Forster-Tuncurry area, received from **Mr John Turner**.

Pacific Highway Overpass

Petition requesting the construction of an overpass for the Pacific Highway at the Tea Gardens-Hawks Nest intersection, received from **Mr John Turner**.

South Coast Rail Services

Petition opposing any reduction in rail services on the South Coast, received from **Mrs Shelley Hancock**.

Southern Tablelands Rail Services

Petition opposing any reduction in rail services on the Southern Tablelands line, received from **Ms Katrina Hodgkinson**.

Newcastle Rail Services

Petitions requesting the retention and improvement of Newcastle rail services, and implementation of an integrated public transport plan for the Lower Hunter, received from **Mr Jeff Hunter** and **Mr John Mills**.

Pets on Public Transport

Petition requesting that pets be allowed on public transport, received from **Ms Clover Moore**.

Murwillumbah to Casino Rail Service

Petition requesting the retention of the CountryLink rail service from Murwillumbah to Casino, received from **Mr Donald Page**.

Macdonald River Signage

Petition requesting that the Macdonald River be provided with signage stating "4 or 8 knots, no skiing, no wash", received from **Mr Steven Pringle**.

Mid North Coast Airconditioned School Buses

Petition opposing the removal of airconditioned school buses from the mid North Coast, received from **Mr Andrew Stoner**.

CountryLink Rail Services

Petition opposing the abolition of CountryLink rail services and their replacement with bus services in rural and regional New South Wales, received from **Mr Andrew Stoner**.

Milton-Ulladulla Public School Infrastructure

Petition requesting community consultation in the planning, funding and building of appropriate public school infrastructure in the Milton-Ulladulla area and surrounding districts, received from **Mrs Shelley Hancock**.

Skilled Migrant Placement Program

Petition requesting that the Skilled Migrant Placement Program be restored, received from **Ms Clover Moore**.

Colo High School Airconditioning

Petition requesting the installation of airconditioning in all classrooms and the library of Colo High School, received from **Mr Steven Pringle**.

Shoalhaven River Water Extraction

Petition opposing the extraction of water from the Shoalhaven River to support Sydney's water supply, received from **Mrs Shelley Hancock**.

Agnes Banks Village Sewerage

Petition requesting that the village of Agnes Banks be connected to the reticulated sewerage network of Hawkesbury City Council, received from **Mr Steven Pringle**.

Isolated Patients Travel and Accommodation Assistance Scheme

Petition objecting to the criteria for country cancer patients to qualify for the Isolated Patients Travel and Accommodation Assistance Scheme, received from **Mr Andrew Stoner**.

Tweed Shire Council Inquiry

Petition requesting the immediate cessation of the public inquiry into the Tweed Shire Council, received from **Mr Andrew Fraser**.

Collector Bushrangers Reserve Motorcycle Track

Petition requesting approval for the construction of a motorcycle track at the Collector Bushrangers Reserve, received from **Ms Katrina Hodgkinson**.

Water-Access-Only Property Policy

Petition requesting a review of the water-access-only property policy, received from **Mrs Judy Hopwood**.

PUBLIC ACCOUNTS COMMITTEE**Report**

Mr Matt Brown, as Chairman, tabled the report entitled "Review of Operations of Audit Committees", dated April 2005.

Ordered to be printed.

NSW POLICE VEHICLES AUSTRALIAN FLAG USE**Personal Explanation**

Mr CARL SCULLY, by leave: Earlier today the shadow Minister for Police gave notice of a motion in respect of the Australian flag.

[Interruption]

Mr SPEAKER: Order! The Leader of the House is entitled to make an explanation.

Mr Andrew Tink: Point of order: If this is a personal explanation this is not the time to do it. If it is a personal explanation the Minister should not have the call.

Mr SPEAKER: Order! The Minister can make a personal explanation at any time during the proceedings of the House.

Mr CARL SCULLY: The notice of motion should be struck out because the shadow Minister asked a question on notice about that very issue. The question was, "Will the Government purchase and promote the flying of small Australian flags?" The answer was, "NSW Police advise that local area commands may so do at their discretion". He should tell the truth.

Mr SPEAKER: Order! The Minister will resume his seat. The honourable member for Vaucluse will resume his seat. I will seek advice on the matter raised by the Leader of the House and give a ruling at a later stage.

QUESTIONS WITHOUT NOTICE

DISABILITY SERVICES

Mr JOHN BROGDEN: My question without notice is directed to the Premier. What does the Premier say to Susan Filacouridis, the loving mother of an intellectually disabled teenager, who has been forced to abandon her son to ensure he gets the care and accommodation he desperately needs, because of the Government's failure to open adequate group homes for the disabled?

Mr BOB CARR: I am advised that Andrew is currently in respite care in a group home in Arncliffe. The Department of Ageing, Disability and Home Care is trying to find a more permanent arrangement. Since coming to office this Government has doubled funding for disability services. At the last election, bearing in mind the Opposition part-funded its promises with a \$700 million cut—

Mr John Brogden: Point of order—

Mr SPEAKER: Order! On previous occasions I have indicated to the Leader of the Opposition that it is impossible for the Chair to make a determination on a point of order when a Minister has been speaking for only 10 or 15 seconds. What is your point of order?

Mr John Brogden: It relates to relevance.

Mr SPEAKER: It is exactly as I thought. I cannot rule on a point of order after a 15-second presentation. The Leader of the Opposition will resume his seat.

Mr John Brogden: It relates specifically to why the mother was forced to abandon her son.

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat.

Mr BOB CARR: At the last election the Opposition part-funded its promises with a proposed \$700 million per year cut in the Department of Community Services. For disability services their policy contained no official funding. That was their policy.

Mr John Brogden: Point of order—

Mr SPEAKER: Order! Before I ask the Leader of the Opposition for his point of order, I ask the Premier and the Leader of the Opposition to resume their seats. There have been a number of interjections already in relation to the telling of lies and people lying their heads off. I have made statements about that before and I intend to take a tough line in relation to it. If members do not comply with a call to order and I call them to order a second time, they may find themselves out of the Chamber before the end of question time. What is the Leader of the Opposition's point of order?

Mr John Brogden: My point of order relates to relevance. With due respect, Mr Speaker, you have had enough time to evaluate the substance of the Premier's answer.

Mr SPEAKER: Order! The honourable member for Wallsend will come to order.

Mr John Brogden: The Premier fails to address the requirement for parents to abandon their children in order for them to be looked after by the State because he has not opened enough beds.

Mr Bob Carr: That is rubbish.

Mr John Brogden: It is true and you do not even know it.

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat. The Premier has the call.

Mr BOB CARR: Another juvenile performance!

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat. I call the honourable member for Willoughby to order.

Mr BOB CARR: At the last election the Opposition proposed a cut of \$700 million in funding for this department. That was their proposal for funding their other election promises. And when it comes specifically to disability funding, they went to the people at the last election with a policy that there will be no increase; there will be no additional funding. The Opposition leader's call for additional resources is hypocritical. He planned no increase in funding. This Government has doubled it, and there is greater care available because of our increase in funding.

Mrs Jillian Skinner: Point of order—

Mr BOB CARR: I have concluded my answer.

Mrs Jillian Skinner: My point of order relates to relevance. I met this woman, along with the honourable member for Willoughby. If the Premier knew how distressed she was about abandoning her child—

Mr SPEAKER: Order! The honourable member for North Shore will resume her seat.

[Interruption]

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

[Interruption]

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

ILLEGAL DRUGS MANUFACTURE AND CHILD ENDANGERMENT

Mr GEOFF CORRIGAN: My question without notice is directed to the Minister for Police. What is the Government's response to community concerns about children living in houses where drugs are illegally manufactured?

Mr CARL SCULLY: The presence of children where illegal drugs are being produced is of great concern to the Government. Since the heroin shortage commenced about four years ago, there has been a considerable increase in the backyard production of amphetamine-based drugs like speed, ecstasy and ice. I am pleased to say that police have been very effective in cracking down on this and a number of known clandestine laboratories, known as clan labs, have in fact been shut down. Drug Squad officers have broken up scores of these labs, which have been set up using chemicals, glassware and equipment sourced from chemical and scientific suppliers. Last year police shut down 53 clan labs and seized more than 66,000 pseudoephedrine-based cold and flu tablets, which are used to make pure speed.

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

Mr CARL SCULLY: I inform the House that just last night \$3 million worth of pure pseudoephedrine was stolen in an armed hold-up at a pharmaceutical plant in north-west Sydney. No doubt this pseudoephedrine is intended for use in a clan lab somewhere in Sydney. Clan labs are toxic and dangerous environments. The chemicals used are liable to cause fires and explosions, and the fumes generated pose serious health risks to the illicit operators, the police, and neighbours, and in too many cases the innocent children who live under the same roof. In the United States of America in 2002 children were found at 3,000 clan labs. About 40 per cent of these children were found to have been affected by drugs or chemicals at the labs. In fact, between 2000 and 2003, eight deaths were associated with clan labs in the United States. In New South Wales there have been fires, explosions and hazardous contamination in scores of clan labs, often with children present.

At the end of 2002, an eight-month-old infant spent three days in hospital after being overcome with strong fumes from a drug lab in the Lake Macquarie area. In July 2003 a male offender in Tweed Heads was seen manufacturing drugs while looking after his four-month-old baby. Vessels containing highly acidic substances were found in the sink, along with baby bottles. I am pleased to report that the police removed both the offender and the child. That same month in Western Sydney an explosion triggered by fumes from a clan lab over a pizza shop caused a roof to collapse onto an infant's cot. Thankfully, the cot was unoccupied at that time, but the offender was critically injured and died from severe burns.

It is one thing for individuals to put their lives at risk by illegally producing drugs; it is quite another thing to endanger the lives of children in so doing. These instances where children have been present has prompted the Government to consider ways in which we can change the Drug Misuse and Trafficking Act with a view to introducing an aggravated drug manufacturing offence where a child is endangered in respect of clandestine laboratories. It will be an offence to endanger the health or safety of a child through the exposure of that child to the manufacturing of illicit drugs or storing of chemicals used to make illegal drugs. An offender would be tried only for the child endangerment offence if, in fact, he or she was also charged with the offence of manufacturing illegal drugs. It is proposed that the penalty for the second offence of having a child present with the manufacturing of illegal drugs would be in the order of 20 per cent to 25 per cent of the head drug offence.

This could mean that with the commercial production of certain illegal drugs, sometimes people are sentenced up to 20 years in gaol and potentially, if there are children present at the same place, four or five years could be added to an already very significant term of imprisonment. The Government is serious about dealing with this issue. I suggest to teachers that if they have students who suffer symptoms, such as watery eyes, skin burns or irritation, breathing difficulties, nausea and vomiting, they may be signs that children have been present with the illegal production of drugs and teachers should contact the police.

KEMPSEY HIGH SCHOOL STUDENT SUSPENSION

Mr ANDREW STONER: My question is directed to the Premier. As self-proclaimed education Premier, please explain how a 15-year-old Kempsey High School student remains on suspension instead of immediate expulsion three weeks after twice lifting a 13-year-old off the ground by his neck, then bashing him with a chair, leaving his classmates needing counselling and the teacher on stress leave?

Mr BOB CARR: The Government will have the matter investigated, but surely this is the kind of matter best dealt with, in the interests of the family and in the interests of the school, by correspondence with the Government. Again the Opposition is taking up tragic individual cases for base political purposes instead of trying to resolve problems in the interests of the community. The Leader of The Nationals made reference to me being regarded as education Premier.

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

Mr BOB CARR: I am proud to say that we are the ones funding the reduction of class sizes in the early years of schooling across the system. When the educationalists, including the Teachers Federation, were asked at the last election whose policy was the serious one in reducing class sizes, to a person they said that of the Labor Government.

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

Mr BOB CARR: With all of our initiatives on schooling, we have the best literacy among 15-year-olds of any State in Australia and we are up there with the best in the world. That is what the OECD says. The honourable member for North Shore might have a different view, but I would believe the OECD ahead of her any day.

Mr SPEAKER: Order! The honourable member for North Shore will come to order.

Mr BOB CARR: I shall relate that to the question I was asked earlier. In the press of 22 March 2003 is the announcement of his plan to cut welfare spending, "Brogden to dump DOCS staff plans". That all came out on the Thursday before polling day—big cuts in welfare spending in New South Wales. That was how they endeavoured to fund their commitments.

Mr Andrew Tink: Point of order: My point of order is relevance. The Premier is not answering the question he was asked. He is answering a question asked earlier. If the Stasi cannot get the briefing notes out on time, the Premier cannot take a second bite at a previous question. The Premier's answer must be relevant to the question.

Mr SPEAKER: Order! I am sure the Premier has heeded the concerns of the honourable member for Epping.

Mr BOB CARR: The honourable member for Epping should take big deep breaths. He should think of the sky, the forests, a creek flowing across the meadows and calm down. If those things do not work we will have the nurse with the trolley and tranquillisers come and look after him. Take it easy! The hospital trolley will be here in a moment. Our strong and detailed plans on school behaviour accommodate the following: 11 behaviour schools have already been set up, and we will have eight more by 2007. By 2007 we will have 20 new suspension centres. We have 17 tutorial centres for students who need targeted support, and we will have seven more tutorial centres by 2007. The statistics are clear: Our schools are very safe places. Every teacher says that. The Teachers Federation and the Parents and Citizens Association say that. It is recklessly irresponsible to take one incident and highlight it as a defamation of a very good school system.

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

Mr BOB CARR: I add this point. We know how hostile the Opposition is to public education, and how the Leader of The Nationals always runs down the job of his local police. He should do what the police suggested and attend his local police accountability community team [PACT] meeting instead of ignoring it. When he raised another incident in Kempsey the advice came back that he was boycotting PACT meetings. Local citizens and local police turned up to work on strategies, but the Leader of The Nationals would not go as the local member. No wonder he is regarded in the bush as Mr One Per Cent. He did not attend the recent PACT meeting at Kempsey council.

Mr Andrew Stoner: Point of order: My point of order is relevance. This is a serious issue involving a young boy who was bashed and a teacher who is on stress leave. Once again the Premier is playing silly politics; he is turning this place into a sideshow. I tell him that that no longer works.

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

Mr BOB CARR: The Leader of the Nationals did not attend a PACT meeting to discuss local issues, police activity and youth behaviour in his electorate. The meeting two weeks ago was held 50 metres down the road from his electorate office and he did not turn up.

Mr Andrew Tink: Point of order: The Premier has raised the matter of PACT meetings. I cannot remember the last time the Minister for Transport attended a PACT meeting.

Mr SPEAKER: Order! There is no point of order. This is question time; it is not a debate.

Mr BOB CARR: I am advised that the meeting two weeks ago was held 50 metres down the road from the electorate office of the Leader of The Nationals, but he was not there. I am advised that Aboriginal policing was discussed at length by the mayor and the local area commander. But the Leader of The Nationals chose not to be involved. He is not serious about working on problem solving. He only wants to exploit individual cases for political purposes.

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

Mr BOB CARR: I do not know where the Leader of the Nationals was, because he was not in rural New South Wales, where he and the party he leads are now regarded with contempt. The Nationals have been told to show some spine, have some positive solutions, bring forward policies, wake up and do a bit of work, beginning in their electorates. They do not even get out and work in their electorates. The Nationals web site states:

Our policy is to give country and coastal communities a fair go.

In small print it states:

Policy page currently under construction

COMMONWEALTH GRANTS COMMISSION FUNDING FORMULA

Mr KEVIN GREENE: My question without notice is directed to the Treasurer. What is the Government's response to community concerns about the Commonwealth Grants Commission's assessment of New South Wales transport needs and related matters?

Dr ANDREW REFSHAUGE: We remember well what the Commonwealth Grants Commission does to our GST. We provide \$13 billion to the Commonwealth. And how much do we get back? Only \$10 billion! We are short-changed by \$3 billion. As revealed in the House two weeks ago, the Commonwealth Grants Commission formula showed that we are penalised because New South Wales has 15,000 too many bus stops and 18 kilometres too much of underground rail tracks. Over the past two weeks we have sent out the search squad to look for the excess underground rail track, and we have found them. Would honourable members believe that those 18 kilometres of rail track are the airport rail link!

The airport link is just over nine kilometres there and nine kilometres back—18 kilometres of unnecessary underground rail track. And New South Wales is being penalised for that. Part of the \$3 billion we are being short-changed relates to the airport rail link. If we want to find the mother of all dud projects, that one is it. Remember who started that project? In 1990 the Greiner Government started looking at the project, and 14 years ago this month the then Minister for Transport, Bruce Baird, said, that it would be "fully funded by the private sector". Who was his chief of staff? The Deputy Leader of the Opposition! The airport rail line has ended up costing us \$704 million.

Mr Barry O'Farrell: Point of order: My point of order is clear. No matter what the Treasurer says, Parramatta rail has quadrupled in price for half the distance.

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

Dr ANDREW REFSHAUGE: We know that the Deputy Leader of the Opposition can count because the Leader of the Opposition has said that he has 16 of the 29 Liberal votes for leadership and the Deputy Leader of the Opposition has 14 votes. So someone has been doing the counting. The Deputy Leader of the Opposition needs only two more votes. I am sorry—he has only 13 votes. I have been giving him an extra vote because someone has been talking in the corridor. At the moment, it is 16 to 13 votes but I overheard someone in the corridor saying that one member is changing their vote close to a leadership challenge.

Despite the then Minister for Transport stating that the airport rail link would be "fully funded by the private sector", Treasury advice was sought. In 1992 Treasury said that the Government would need to contribute substantial funds and carry much of the risk. Treasury got that right. Treasury further said that the State would need to provide more than \$240 million of direct investment—that was certainly an underestimate—and at that time it recommended that the progression to stage two, the detailed feasibility, not be approved.

But the former Government persisted, and by the end of 1994 Treasury estimated that the embarrassing project would cost the State a total of \$558 million. We are getting close to that figure. Finally, in 1995, on the eve of the State election, the Coalition Government signed up the New South Wales taxpayers to the airport rail link and a massive debt of \$704 million. The Deputy Leader of the Opposition still thinks it is a great deal. The would-be Leader of the Opposition still thinks it is a great deal. When it opened in May 2000 he said on ABC radio:

I am very proud of the Airport Rail Link. It was a Coalition achievement.

What an achievement! If he wants to take full responsibility, we are happy to give it to him. It is the mother of all dud deals—\$704 million, almost 80 per cent of the total bill for the project. No wonder the Coalition has no credibility at all on financial management. If the Coalition was allowed to manage the State's finances, some \$38 billion, what would that do?

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

Dr ANDREW REFSHAUGE: The last time New South Wales was put on credit watch by the rating agencies was 1991, when this project was just starting. No wonder the voters of New South Wales see the Coalition as not only inexperienced but also reckless. Rumours abound at the moment that the Leader of the Opposition—desperate to be seen somewhere, picking up on the latest buzzwords—is going to make an announcement of some \$20 billion of infrastructure, the so-called nation-building projects. I share the concern of Peter Costello when it comes to infrastructure. Peter Costello made it very clear that one does not build just any infrastructure, the bigger the better. He said if the project is a lemon and it uses taxpayer dollars, it has taken money out of people's pockets that could have been used to stimulate the economy—just like the airport rail link.

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

Dr ANDREW REFSHAUGE: Look at some of the other infrastructure projects the Coalition is famous for, that are part of the history of the Liberal Party. The Port Macquarie Base Hospital project was analysed by the Auditor-General. He said that after the full expiry of the contract New South Wales taxpayers would have paid for it twice and then given it away. Just as important as that, there was no guarantee that by the year 2014 there would be a hospital in Port Macquarie at all. That is why my colleague the Minister for Health bought it back—at a cost of \$80 million.

Mr Andrew Stoner: Who did not turn up for the ceremony?

Dr ANDREW REFSHAUGE: You did not turn up the ceremony! Let us look at another major financial deal the former Liberal Government did back in 1991. Remember, the Liberals were on credit watch, Greiner was on credit watch. It sold the McKell building and then agreed to lease it back for \$200 per square metre more than market rent. The honourable member for Wakehurst was there; it was his Government.

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

Dr ANDREW REFSHAUGE: This dud deal cost the taxpayers \$8 million a year—over \$100 million. We can buy it back for more than it is worth or we can sell it for less than it is worth. Let us look at some of the things the Leader of the Opposition has talked about here and elsewhere. The very fast train to Canberra is one of the Liberal proposals. In 1997 it was estimated to cost \$4 billion—by now it is probably \$5 billion. What would be the ticket price—\$120 one way, if it was subsidised 50 per cent by the Government. If it was not, it would be \$240. The Internet price of a Qantas flight to Canberra is \$59.

What about the old favourite, The Spit tunnel? That was a Peter Costello lemon. The people of Manly decided on that in 1999 and again in 2003. The presence in this House of the current member for Manly attests to that. Let us await the announcement of that project again. The Roads and Traffic Authority examined the project in 2002 and found that a privately funded tunnel would need a toll of \$9 each way. To keep the toll down to what other tolls around the city cost the Government would have to subsidise it by about \$900 million. This is another example of the recklessness of the Leader of the Opposition. He is not only inexperienced but is surrounded by some duds from the past.

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

Dr ANDREW REFSHAUGE: What about the inland rail line? Based on information from the proponents, Treasury estimates that line will cost around \$10 billion. What benefit would that provide for New South Wales? Would it provide any alleviation of the congestion in Sydney? No. Would it help to make goods cheaper for the taxpayers of New South Wales? No. There is the possibility that a few farmers out there might get their goods to Brisbane faster—but for \$10 billion?

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

Dr ANDREW REFSHAUGE: Would it stack up financially? No way. This is one of Costello's lemons. Colin Barnett tried to get the Kimberley canal. This is what this inexperienced, reckless lot will be doing. Infrastructure is the new buzzword. There is plenty of taxpayers' money to throw around so it proposes absolute lemons. Let us not forget Eastern Creek, \$130 million, and Luna Park, \$50 million. I remind the House again that the last time New South Wales was on credit watch was under the Greiner Coalition Government in 1991. Members opposite should not play with our credit rating, and should not be seduced by Colin Barnett with a massive series of projects. They should listen to Peter Costello and not put their hand in the pockets of the taxpayers of New South Wales to put money into a lemon of a project.

Mr John Brogden: Point of order: Why don't you listen to Peter Costello and cut tax to New South Wales?

Mr SPEAKER: Order! The Minister has completed his answer.

JUDGE MEGAN LATHAM SUPREME COURT APPOINTMENT

Mr ANDREW TINK: My question is to the Premier. Given that three years ago he attacked District Court Judge Megan Latham over the manifestly inadequate non-parole sentences of 4 years and 3½ years given to two violent pack rapists, will he now discontinue his appointment of her to the Supreme Court?

Mr BOB CARR: What a disgraceful attack! Not content with attacking the police commissioner, not content with attacking senior public servants at every opportunity, members opposite now start attacking judges. It ought to shame every female member of the Coalition. Under the Coalition Government the appointment of women to judicial posts was so rare as to be a public holiday event. In the entire period of the Coalition Government one female was appointed to the Supreme Court and three to the District Court.

Mr SPEAKER: Order! The honourable member for Willoughby will come to order.

Mr BOB CARR: I am proud to say that this Government has increased the proportion of female judicial appointments from 12 per cent under the previous Government to 30 per cent under Labor, including the appointment of 11 female judges to the District Court.

Mr John Brogden: Who cares? We want good judges.

Mr BOB CARR: The Leader of the Opposition says, "Who cares?" Let that be reported in *Hansard*. We do care. Clearly the same attitudes that led to the Coalition's disgraceful record are still held by those opposite who are saying, "What we would accept in the behaviour of a male judicial officer we will not accept in a woman. We will make an issue out of a woman being appointed to a senior judicial appointment."

Mr SPEAKER: Order! The honourable member for East Hills will come to order.

Mr BOB CARR: There is no doubt that Judge Latham is a person of the highest legal training and academic record. Her personal integrity has never been questioned.

Mr Andrew Tink: Point of order: The words I used in the question are the words from the Premier, taken from *Hansard*. You attacked Judge Latham, I did not.

Mr SPEAKER: Order! There is no point of order. The honourable member for Epping will resume his seat.

Mr BOB CARR: Calm down, Andrew! Deep breathing, Andrew! Otherwise nurse will be here again with her trolley and her big needle, and you will be calmed by another means. Judge Latham is a person of the highest integrity. Are Opposition members positing that no judge who has ever had a decision overturned on appeal or whose decision has been criticised can ever be appointed to a higher judicial post? In other words, they are putting forward the proposition that no judge who has had a decision overturned on appeal or who has been criticised by the government of the day can be elevated to a higher court. What an extraordinary proposition! Either that is the position or it is that they just do not like women being appointed to the bench. Certainly your objective here would appear to confirm it.

I look at Judge Latham's record. She is a former Crown Advocate, a Crown Prosecutor, and an executive officer of the New South Wales Child Sexual Assault Task Force. She has served on the District Court bench since 1998 and has carried a heavy load with, as I understand, relatively few appeals against her decisions. The most recent appeal of which I am aware was an appeal against what was alleged to have been an unduly harsh sentence on Wollongong identity Neville Hilton. Her appointment from the District Court to the Supreme Court was undertaken in full consultation with the Chief Justice and with the relevant professional bodies. She has been involved in controversial cases. Criminal work is, of its nature, heated and controversial.

Her decisions are subject to the scrutiny of higher courts, as are the decisions of all judges. That is what is called the judicial system. It is one of the bastions of the liberties of our system of government—an independent judiciary not subject to government saying, "Because you have taken a decision that does not please us in one or two cases we are going to put a bar on your ever serving on a higher court." The honourable member for Epping, hostile to women being appointed to the bench, is now seeking to throw her on the scrap heap on the basis of one controversial decision in the enormously difficult area of the criminal justice. It indicates why the Coalition has made no progress whatsoever in getting more women in prominent positions in the law.

Mr Carl Scully: Point of order: Following the use by the Leader of the Opposition yesterday of sexist language, today he has used words which are an affront to all women in this Parliament. His reflection on who cares if a woman gets promoted to the bench is unparliamentary and should be withdrawn by him.

Mr SPEAKER: Order! All members should use language that uplifts the standards of the House.

RURAL RENAL SERVICES

Mr STEVE WHAN: My question is directed to the Minister for Health. What is the latest information on the provision of renal services in New South Wales?

Mr MORRIS IEMMA: I thank the honourable member for his question and his interest in expanding renal services to his constituents. I am pleased to inform the honourable member of the progress the Government is making in implementing its plan to expand renal services for residents of rural New South Wales.

Mr SPEAKER: Order! There is too much audible conversation in the Chamber from both the Government and the Opposition benches.

Mr Andrew Constance: What about Bega?

Mr MORRIS IEMMA: I am happy to discuss renal services in Moruya any time the honourable member wishes.

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

Mr MORRIS IEMMA: If the honourable member wants an update on Moruya renal services I am more than happy to provide one for him. But before we get to Moruya let us deal with the implementation of the Government's renal plan for rural New South Wales stemming from the rural health plan that my predecessor so successfully established a number of years ago. At Kempsey hospital on the mid North Coast two weeks ago an additional renal shift began at an annual cost of \$163,000. In addition, the Macleay Valley Limited Care Dialysis Centre now operates from Monday to Saturday and assists patients from the Macksville-Nambucca region. The additional dialysis treatment means patients can be treated closer to home and with less need for lengthy travel times three days a week. Renal services in the Kempsey area will also benefit from the appointment of a nephrologist, Dr Mohandas Vattekad, pending approval of immigration details by the immigration department. He will take up the appointment of clinical director of renal services for the Hastings-Macleay Clinical Network. In the Greater Southern Area Health Service a new renal dialysis unit to become operational in Moruya soon will result—

Mr Andrew Constance: They were promised it 12 months ago.

Mr MORRIS IEMMA: The honourable member for Bega needs to calm down, like the honourable member for Epping. Following expressions of interest and a tender process I can inform the House that the area health service is in contractual negotiations. I look forward to updating the House in the very near future on the outcome of the contractual negotiations for a party to provide renal services for Moruya. A new unit is also being established at Goulburn. It will begin with four chairs. The honourable member for Bega should be grateful for that. We can bank on it that when the Moruya renal service becomes operational, when the contractual negotiations are complete, what we will get from the honourable member for Bega will be criticism, because that is all we ever get—no ideas, no policies and no plans, just criticism—no matter that the Government remains absolutely committed to the establishment of renal services for Moruya.

Just a few weeks ago I had the pleasure to be in the New England region announcing the latest investment in expansion of renal services for the residents of Armidale. An additional \$700,000 will expand renal services there. We are investing \$1 million on the North Coast to contribute to the capital costs of establishing a dialysis unit for Tweed Valley. We are also investing additional resources in the dialysis unit at Lismore, which has allowed four additional patients to join the program there. An additional \$434,000 has been allocated to establish a six-chair renal dialysis satellite centre at Griffith. The introduction of this service has resulted in reduced travelling times for a number of local residents who previously had to travel to Wagga Wagga for their treatment.

The Greater Western Area Health Service has received an allocation of \$273,000 for a four-chair satellite centre in Bathurst. That centre has been opened and will improve renal services for the residents of Bathurst. It means that local residents are now able to receive treatment in Bathurst, instead of having to travel to Orange, making a vast improvement in the quality of their lives. These enhancements have also allowed an expansion of renal dialysis facilities at Dubbo, from 6 chairs to 10 chairs. It is another example of the implementation of the rural health plan. The success of these upgrades is a clear demonstration of the Government delivering on its strong and detailed plan to expand renal services for residents in rural New South Wales.

Whilst on the topic of expansion and the provision of additional health services for residents of rural New South Wales, I will update the House on the progress of the implementation of the additional \$35 million for elective surgery. The Government is investing \$700 million to provide elective surgery services for residents of rural New South Wales. I am pleased to advise the House on the progress of the special allocation of \$35 million, which to date has been an additional 1,968 procedures for patients on long-wait lists, that is, patients waiting more than 12 months.

In the North Coast Area Health Service an additional 400 procedures have been performed, and in the Greater Western Area Health Service there has been an 84 per cent increase, with an additional 186 procedures having been performed. At Broken Hill Hospital the long-wait list has fallen from 10 in February 2004 to just 2 in February this year. I repeat, that special allocation has resulted in a reduction in the long-wait list from 10 in February 2004 to just 2 in February this year. In the Northern Sydney and Central Coast Area Health Service there has been a 66 per cent increase, or 289 additional procedures. In the South Eastern Sydney and Illawarra Area Health Service an additional 423 procedures have been performed.

The number of long-wait patients at Wollongong Hospital has been reduced from 142 in February 2004 to 81 in March this year. In the Hunter New England Area Health Service there has been a 59 per cent increase over last year in the number of long-wait procedures that have been performed—an additional 232 procedures. Statistics published in the *Australian* newspaper show that in New South Wales the average waiting time for hip replacement surgery has fallen from 111 days to 91 days, a reduction of 20 per cent. New South Wales is the only Australian State to have reported a reduction in that category of surgery.

GUYRA AND TINGHA MULTIPURPOSE HEALTH SERVICES

Mr RICHARD TORBAY: My question is directed to the Minister for Health. What is the latest information regarding the proposed new multipurpose health services for Guyra and Tingha?

Mr MORRIS IEMMA: I was pleased to be able to advise members of the local community in the honourable member's electorate that the multipurpose services centre project is on track. In the near future I expect to receive the recommendations of the successful tenderer for that project. Construction is planned to commence in mid-2005 and take approximately 15 months to complete. The community will benefit from the provision of a mix of hospital care, aged care, emergency, imaging, community health and primary care services with support activities. These services will include five acute care beds, including one special care all palliative care bed; 16 aged care beds; respite care; an emergency department; clinic spaces for primary and community care services; general practitioner surgery facilities; and a helipad.

Members of the Guyra Health Service Advisory Committee and staff of the health service are involved in the planning. They and the local member ought to be commended for having taken a very positive attitude to the project and for giving it 110 per cent support. I can inform the honourable member that planning for the facility at Tingha is continuing and the project definition plan is currently under review by the Department of Health. I also advise him that the establishment of the Tingha multipurpose service will provide eight residential aged care beds, a range of primary and community health services, including visiting services from Inverell, and a 24-hour first aid post.

The Tingha facility will be linked with other aged care services, such as Home and Community Care and innovative community care packages. I am advised that the facility is being planned with the support of the local community, including the Aboriginal community, to ensure that it provides culturally appropriate services. I welcome their support and that of the honourable member for Northern Tablelands for these two important projects.

DUBBO SERVICES

Mr MATT BROWN: My question without notice is to the Minister for Police. What is the latest information on government services and anti-crime measures in the Dubbo area?

Mr CARL SCULLY: I thank the honourable member for Kiama because, as secretary of Country Labor, he has a very keen interest in the Central West of New South Wales. In fact, all members of Country Labor are very concerned about country New South Wales. I know that the honourable member is almost as worried as the honourable member for Dubbo about the Gordon Estate. Following public disturbances in the Gordon Estate in West Dubbo earlier this year the Premier sought a co-ordinated, whole-of-government

response to the problem. I visited the area on 17 February and I am aware that the Minister for Housing and the Minister for Community Services have also been to the area.

I met with the local area commander, the local member, and community leaders. The Premier's Department has chaired several meetings involving Commonwealth, State and local government agencies. They have had meetings with the local council and a community working party that represents Aboriginal people. In partnership with the community, the Government initiated concrete actions to tackle the problems and to develop solutions for the medium and long term. One of the strategies that has been put in place is the Aboriginal Ambassador and Mentor Program. After success was achieved in the Dubbo central business district, this program was expanded to include the West Dubbo housing estate. The provision of qualified Aboriginal security guards has contributed to a dramatic drop in crime and the number of young people on the streets creating a nuisance. We do not pretend that this will completely fix the problem.

Mr Peter Debnam: Point of order: The Minister has answered this question twice. He answered the question first when he was Minister for Housing and really messed up West Dubbo.

Mr SPEAKER: Order! The honourable member for Vacluse will resume his seat.

[Interruption]

Mr SPEAKER: Order! The honourable member for Vacluse will resume his seat.

[Interruption]

Mr SPEAKER: Order! The honourable member for Vacluse will resume his seat. If he wants to ask a question about the matter, he will have an opportunity to do so at another time.

[Interruption]

Mr SPEAKER: Order! There is no point of order. The honourable member for Vacluse will resume his seat.

Mr CARL SCULLY: Enforcement of Operation Vikings is continuing on a regular basis, with the focus on suppression of public disorder within the Gordon Estate and in other areas. Some of the strategies that have been adopted are curfew compliance, high visibility policing patrols, warrant apprehensions and community interaction. Street Beat is a joint initiative by NSW Police and the Department of Education and Training, and involves seeking out and questioning children on the streets during school hours as to why they are not at school. A residents group has been formed on the West Dubbo housing estate to provide feedback and advice on tenancy issues.

The progress to date has been made possible because of the support of Dubbo City Council, the Dubbo community working party, the Aboriginal Employment Strategy and, of course, the honourable member for Dubbo. We are making progress. However, as I indicated to the shadow Minister for Police, the issues that led to the disturbances earlier this year will not be solved overnight. We do not pretend that this is the panacea for resolving the conflict and problems immediately. It is an ongoing issue that needs to be managed over time. The Government is committed to working with the Dubbo community to tackle the underlying causes of crime and social problems. This is a shared responsibility between all levels of government and the community.

Mr Adrian Piccoli: You've had 10 years—

Mr CARL SCULLY: And we will have another 10 years.

Mr SPEAKER: Order! The honourable member for Murrumbidgee will come to order.

Mr CARL SCULLY: To guide medium- and long-term solutions, the Government has prepared a comprehensive report describing services and activity in the Dubbo community.

Mr SPEAKER: Order! The honourable member for Wakehurst will come to order.

Mr CARL SCULLY: I invite the Opposition to have a look at the assessment of the programs and services available to different age groups and communities in Dubbo. It is extremely comprehensive. Over the

next three months a series of forums will be held to engage community leaders and citizens in ensuring that current activity is effective and properly targeted. That is important. There are extensive and comprehensive programs and services available in the Dubbo community, and it is important that we make sure they are as targeted as possible. In consultation with the honourable member for Dubbo—what a terrific member she is—Dubbo City Council and interested communities—

[Interruption]

Members opposite are very touchy about the honourable member for Dubbo's presence here. Five forums will take place—on children, youth and family; law and justice; community enhancement; health and wellbeing; and education and vocational training. Each of the forums will be jointly led by a State Government agency, the Dubbo community working party and Dubbo City Council.

[Interruption]

I invite the honourable member for Murrumbidgee to go out to Dubbo and have a look. I do not think he has ever been there.

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

Mrs Dawn Fardell: Point of order: I cannot hear the Minister's answer. I am very interested in this.

Mr SPEAKER: Order! That is a relevant point of order. I have placed a number of members on several calls to order. I deem those members to be on three calls.

Mr CARL SCULLY: The findings and recommendations that flow from the five forums will be made public. Unlike the Opposition, I believe it is a very important process. We are an inclusive, consultative Government that engages the community in a way that ensures targeted, effective solutions to the community's problems.

MR JAMES WICKS DISABILITY ACCOMMODATION

Mr ANDREW FRASER: My question without notice is directed to the Premier. What action will he take to help 52-year-old Coffs Harbour quadriplegic James Wicks, who is stranded in a Sydney spinal unit and facing admission to a nursing home and is unable to return to live with his family at home because of the Government's gross underfunding of the Attendant Care Program?

Mr BOB CARR: I will have the case investigated.

Mr PETER BLACK: Mr Speaker—

Mr Andrew Fraser: Mr Speaker, I ask a supplementary question.

Mr SPEAKER: Order! The honourable member for Coffs Harbour was not on his feet. I have already called the honourable member for Murray-Darling. He has the call.

Mr Andrew Fraser: Point of order: Section 31 of the Constitution Act provides that there shall be a Speaker of the Legislative Assembly who is a Presiding Officer of the Legislative Assembly and is recognised as its independent and impartial representative. I put to you that you are neither independent nor impartial.

Mr SPEAKER: Order! I place the honourable member for Coffs Harbour on three calls to order. The honourable member for Murray-Darling has the call.

RURAL AND REGIONAL WATER SUPPLY

Mr PETER BLACK: My question without notice is addressed to the Minister for Energy and Utilities. What is the latest information on water supply schemes in rural and regional New South Wales?

Mr FRANK SARTOR: Recent heavy rains in parts of the coastal area of New South Wales have prompted people to question whether the drought still exists in certain areas of the State. Although there have been improvements in some areas, there is still grave concern about a number of locations. Cowra, Lake Cargelligo and Goulburn are now in a worse state than ever before. This has been the worst drought in a century. State dam levels are currently at 29.6 per cent capacity. Since the beginning of the drought in 2002 the Carr Government has spent \$155 million on emergency drought assistance for drought-affected areas. This includes financial assistance for regional and rural communities to secure water supplies. I am particularly concerned about a number of areas. For example, in Goulburn, which has a population of over 20,000, local industry is primarily rural. Goulburn's water storage has fallen to 29.2 per cent, despite council introducing level 5 water restrictions on 1 October 2004. These restrictions include a target water consumption level of 150 litres per person per day. State Government emergency drought assistance of \$175,000 has been provided to Goulburn Mulwaree Council for ground water investigations—

Ms Katrina Hodgkinson: Point of order: I ask you to direct honourable members to be quiet because I cannot hear the Minister's answer.

Mr SPEAKER: Order! That point is well taken.

Mr FRANK SARTOR: As I said, the Government has already provided \$175,000 to Goulburn Mulwaree Council for ground water investigations and a test-drilling program. Officers from my department recently travelled to Goulburn to meet with council. Today I can inform the House that I will visit Goulburn on Monday to inspect the situation first hand. I expect that I will be able to respond to Goulburn Mulwaree Council's request for emergency drought funds to hook Goulburn up to bore water, which will assist substantially. I will also consider providing assistance to council for a transfer system from the Wollondilly River at Kenmore once all public health and environmental issues are resolved. It is vital that a safe water supply is secured for the Goulburn community as soon as possible.

Lake Cargelligo is at the lowest level ever recorded, and Lachlan Shire Council has introduced restrictions banning all external watering. The water quality in Lake Cargelligo is poor, with extremely high algal counts and high turbidity. The water treatment plant is struggling to treat the water and the output has been severely restricted. Council received \$60,000 in financial assistance to prepare an options report for drought management. It received a further \$505,000 to install equipment and assist with the water treatment facility. Today I can inform the House that Lachlan council, in conjunction with the New South Wales Government, is expediting the construction of a channel and pipeline from Lake Curlew to Lake Cargelligo. This work is scheduled for completion in six to eight weeks. In addition, I understand that council has today commenced carting water from the Lachlan River to maintain supply, and the Government will provide assistance for this.

I also bring to the attention of the House that I have approved additional financial assistance of approximately \$200,000 to complete the Lake Cargelligo Water Supply Scheme that will be operational once the water supply situation improves. This work includes roofing the Lake Cargelligo tank reservoirs and lightning protection for the Lake Cargelligo Water Treatment plant. I will also visit Lake Cargelligo on Monday. Another region that is in significant trouble is Cowra. Cowra's town water supply is at present completely dependent on surface water flow in the Lachlan River fed from Wyangala Dam, which is currently at only 9.5 per cent capacity. It is predicted that the dam will fall to about 5 per cent capacity by June 2005 if current inflow patterns continue.

Today I inform the House that I have approved \$130,000 in emergency drought funding to help Cowra Shire Council refurbish the old intake well on the banks of the Lachlan River and connect it to the existing raw water pump station. With low-river flows the old well will be able to extract subsurface flows and maintain a basic supply for Cowra. The Government is concerned about these particular locations, which are under stress to protect their water security. The Government will keep providing emergency assistance. Since 2002 the Government has provided \$10 million for water security alone. As I said, the total assistance is about \$155 million. These are serious matters and they will be addressed systematically to assist communities under stress.

Questions without notice concluded.

SPECIAL ADJOURNMENT

Mr CARL SCULLY (Smithfield—Minister for Police) [3.50 p.m.]: I move:

That the House at its rising this day do adjourn until Tuesday 3 May 2005 at 2.15 p.m.

Mr ANDREW TINK (Epping) [3.51 p.m.]: The Opposition does not oppose this motion. However, I make the following obvious points. We had an early night on Tuesday night, so there was no Government business on Tuesday night. We had a condolence motion last night, so there was no Government business last night. We did not have private members' day today, which allowed the honourable member for Liverpool to avoid debate on Orange Grove and, instead, continue the debate on a bill that is the laughing stock of the community. Despite the fact that the House did not deal with Government business on Tuesday night or Wednesday night, the Government has nothing to do tomorrow. I put on record that this is a tired, old, clapped-out Government—and nobody is more tired or clapped-out than the Leader of the House!

Motion agreed to.

CONSIDERATION OF URGENT MOTIONS

Fuel Prices

Mr PETER BLACK (Murray-Darling) [3.51 p.m.]: My motion is urgent because, as we speak, John Anderson is costing motorists in western, northern and southern New South Wales 38¢ per litre in excise. My motion is urgent because the price of diesel in Wilcannia has reached 135.9¢ per litre. My motion is urgent because diesel prices are now more than 121¢ a litre throughout the bush. This matter is urgent because the Federal Government is taking 11¢ per litre in GST out of the 121¢ per litre cost of diesel in the bush. This matter is urgent because the Federal Government is giving New South Wales back only 8¢ per litre in GST revenue. Therefore, 3¢ from every litre of diesel sold to motorists in New South Wales is being creamed off by the Federal Government and is being passed on to motorists in other States in the form of GST revenue. This matter is urgent because the Federal Government does not reimburse New South Wales for the \$40 million it pays into the equalised petrol scheme up north.

[Interruption]

Here come The Nationals! When are they going to get a spine? Just one spine out of 12 would do! They should stand up for country fuel prices. The New South Wales Government pays to support the electorates of the honourable member for Lismore and the honourable member for Ballina—where are they? We do not get it back; we are spending it; we do not have the State tax. We are left with this incredible impediment in the form of \$40 million. On top of that, we are being hit with a \$1.2 billion natural resources tax from the Federal Government. This matter is urgent because, on top of all of those taxes—the excise, the GST and the resources tax—there is taxation on refineries, delivery vehicles, petrol stations and, finally, the workers, be they in Bass Strait or Jacksons Wells. Wherever petroleum is produced, we find absurd taxes.

These costs impact on every avenue of life in western New South Wales. This matter is urgent because six years ago, two of my Country Labor colleagues and I travelled to see Professor Fels in the Australian Competition and Consumer Commission. Six years ago Professor Fels said, in response to all the work that had been done by the Shires Association of New South Wales, that he recognised that the fuel industry was stuck at all three levels, but he said he did not have the power to address it. This matter is urgent because two weeks ago the great *Sunraysia Daily* quoted John Anderson, who said that he was not going to change the taxation system to introduce some form of equity. This matter is urgent because even the honourable member for Lane Cove is interested in this. Incidentally, the honourable member for Lane Cove was a constitutional royalist today—put Camilla back in!

Mr Brad Hazzard: Point of order: The honourable member for Murray-Darling must establish why his motion is urgent, as has been pointed out by members on his side on many occasions. However, he has diverted to a personal attack on a member of Parliament, which can be dealt with only by way of a substantive motion.

Mr Alan Ashton: Yes, a substantive motion.

Mr Brad Hazzard: Thank you, Alan. He knows this too well. Even Government members have lined up to support my point of order. Mr Acting-Speaker, I ask you to rule that the honourable member for Murray-Darling tell us why his motion is urgent.

Mr ACTING-SPEAKER (Mr John Mills): Order! I have got the gist of the point of order. I am sure that the honourable member for Murray-Darling will continue to establish priority.

Mr PETER BLACK: I have the support of Lord Roberts in relation to my urgent matter. He has an interest in fuel prices. He recognises that there is a difference between fuel prices in Lane Cove and the bush.

Mr Brad Hazzard: Point of order—

Mr ACTING-SPEAKER (Mr John Mills): Which standing order has been breached?

Mr Brad Hazzard: Standing Order 42. Take time to look it up, Mr Acting-Speaker. In the meantime, I would like the honourable member to establish the urgency of his motion.

Mr ACTING-SPEAKER (Mr John Mills): Order! Standing Order 42 does not contain the word "Lord". There is no point of order.

[Time expired.]

Judge Megan Latham Supreme Court Appointment

Mr ANDREW TINK (Epping) [3.56 p.m.]: My motion is urgent because on two occasions—not just one—the Premier has been severely critical of her honour Judge Latham in this House. The matter is urgent because on 6 September 2001 the Premier criticised Judge Latham, saying that the sentences she handed down to two pack rapists were too lenient. The matter is urgent because on the second occasion the Premier ramped up his criticism. On 13 March 2002 in this House the Premier specifically criticised the four-year, three-year and six-month non-parole periods given to the pack rapists by Judge Latham. The matter is urgent because the Premier said:

I was bitterly disappointed with the lightness of these sentences.

He went on to quote the Court of Criminal Appeal and said:

They were manifestly inadequate given the high degree of criminality involved in the commission of the offences.

They are not my words; they are the words of the Premier six months after he first raised the matter in the House. Under those circumstances, this matter is urgent because the Premier needs to justify why he is promoting Judge Latham to the Supreme Court. The motion is urgent because the Premier raised this issue not only in the Chamber but also in the media. He said in every print media outlet in the State:

We are bitterly and angrily disappointed by the lightness of these sentences.

In other words, this matter is urgent because the Premier put the bar extremely high, and rightly so in my opinion, as to community expectations for the sentencing of gang rapists and pack rapists. In my view, he was rightly extremely critical of this judge. Therefore, I believe the Premier needs to explain why he is now promoting this judge after having criticised her. This House should consider this urgent matter. The public would expect us to consider it. I cannot imagine there being a more concerning matter in the criminal justice system than the sentencing of pack rapists.

The Leader of the Government, who is signing off on this appointment, has bitterly criticised this judge. He used the words "bitterly and angrily disappointed". He has affirmed that outside the Chamber and in the Chamber on two occasions and, therefore, has an onus to show why this person should be promoted to a higher level in the judiciary, where, from time to time, she will be sitting on the Court of Criminal Appeal. The Minister for Justice is equally concerned about this matter and he couched the debate in wider terms. In the upper House on 28 August 2002 he said that what had happened "may lead to a diminishing of the legitimacy of our court system" with respect to the sentencing decision that the Premier criticised twice in this Chamber.

This motion is urgent because the effect of the judgment is to diminish the legitimacy of our court system. These are not my words, nor are they the words of Coalition members—although we were extremely concerned and said so at the time. They are the words of the Minister for Justice in the New South Wales Government, which now proposes the promotion. It is urgent to discuss, before the appointment becomes formalised, what it will mean in terms of the comments of the Hon. John Hatzistergos that a decision of this judge may lead to a diminishing of the legitimacy of our court system. Everyone in the community would agree that this important matter should be discussed now. However, the urgency is not limited to what happens here. The Court of Criminal Appeal said:

None of the sentences exceeded a term of imprisonment of 6 years. The longest non parole period was 4 years ... sentences of that order wholly failed to address the objective seriousness of the offences and fell far short of what was necessary given her Honour's apparent acceptance that these cases were close to the worst class of case. It must follow, in our opinion, that her Honour failed to properly apply the principle of totality.

The Government must reconsider the appointment.

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

FUEL PRICES

Urgent Motion

Mr PETER BLACK (Murray-Darling) [4.02 p.m.]: I move:

That this House expresses its concern about fuel prices in rural and regional New South Wales and their impact on families and businesses.

I am delighted to see the honourable member for Lane Cove present in the Chamber. He was an outstanding Sydney mayor. I wonder what would happen if the price of petrol per litre at Lane Cove were 129.9¢ for unleaded petrol, 134.9¢ for premium and 135.9¢ for diesel, which are the current prices at Wilcannia. In the mid 1990s the great leader of the shires was Wally Mitchell. Wally and I carried out extensive research on why prices were so different between the bush and the city. We looked at the cost of transport and examined the differences between small service stations and large service stations, and associated costs. In those days the standard difference between the bush and the city was between 10¢ and 12¢ per litre. In 1999 the Minister for Small Business, the honourable member for Tweed and I visited Professor Fels in his office in Melbourne. At that time Professor Fels made the extraordinary observation that there was corruption in the petroleum industry at all three levels, and he used the word "corruption". He also stated that he did not have the tools to do anything about it or to address these phenomenal differences in prices.

The Commonwealth Government has said that competition policy will fix the problem, but that has not been the case. The system might be operating in Sydney, which has a big market, and it might well be operating in Lane Cove, but it does not operate in the bush. For example, on Easter Monday diesel prices at Dubbo were 123.9¢, yet at Nyngan—even further distance for the cartage of fuel—it was 122.9¢. All service stations on the highway through Dubbo and through Nyngan sold diesel at the same price. That is a world away from competition policy; it is about country New South Wales being whacked. I note that the honourable member for Murrumbidgee has now entered the Chamber. He should show some spine. He should stand up and be accountable to the people he represents. Next Monday a Cabinet meeting will be held at Deniliquin in his electorate. Members of the great bus company in that area will meet with a number of Ministers about fuel prices and contract prices to operate school bus runs, because prices in the bush are going through the roof.

Mr Adrian Piccoli: You have never had a Cabinet meeting at Broken Hill.

Mr PETER BLACK: We had a Cabinet meeting in Broken Hill and Cobar. It is now Deniliquin's turn. We will be talking about matters that you, as local member, have not addressed. You should have the spine to do so, but must do so with the dirty dozen that calls itself The Nationals. Perhaps just one spine out of 12 will do it. At this stage those members should be called "the dirty dozen legless Nats" because they do not represent their constituents on fuel prices and exceptional circumstances drought assistance, which is an insidious problem for regional and rural communities. I note that the infamous John Cobb, the Federal member for Parkes and Parliamentary Secretary to John Anderson, is reported in the *Sunraysia Daily* of 22 March as saying, "Government, no, to fuel tax changes". We merely ask for the fuel excise to be shifted to allow for equalisation.

I also want to stop the nonsense of 3¢ in every 1.21¢ being creamed off New South Wales and given to other States. On top of the 3¢ we are losing to the other States, we are also losing \$40 million. I accept that region three covers Bourke and was included at the time in the 3 x 3 fuel levy to address cross-border fuel prices. However, the New South Wales Government is forking out \$40 million to support lower fuel prices in the north, with no help from the Commonwealth Government. Last Friday I received a phone call from a good friend, Angela Clutterbuck, journalist from 2DU at Dubbo. She asked me whether I would like to go on Leo DeKroo's program. I said, "Absolutely!" I talked about fuel prices and exceptional circumstances. After the interview Leo put on some music and said, "Thank you very much. I thought we should have brought in the big cannon." I said, "What happened?" He said, "This is a regular spot for John Cobb. I told him what we wanted to

discuss and he refused to go on air." John Cobb refused to go on air to discuss fuel prices and exceptional circumstances. I was more than happy to take his place and talk about fuel prices.

John Cobb is running all sorts of publicity through the bush. He, too, should find some spine. Cobb and competition policy have failed; they are still failing. The first thing that John Cobb said in the western media was that the State Government must drop its fuel prices; its taxation on fuel. He was President of New South Wales Farmers and at that time he talked about the 3 x 3 fuel levy, which became the 7 x 8.2 fuel levy. He spoke about that at length and about distortions within the taxation system leading to the differential in fuel prices between city and regional areas. What happened? The State Government was taken to the High Court; it was deemed to be an excise and was taken away from us. There are no State taxes on fuel. It is the reverse; we are paying up to \$40 million in subsidies for the equalisation scheme that applies to Bourke, Ballina, Lismore and other country areas. The \$40 million we are paying for that is incredible and a bad reflection on people such as John Cobb.

It is reported in today's paper that John Cobb has demanded that the facility we extend to Ballina and Lismore be extended to western New South Wales. I cannot believe it. How many teachers must we give away to give a fuel subsidy to the people in western New South Wales? How many nurses or police must we give away? That is what we are talking about. Goodness gracious me! That is an absolutely banal statement from the Federal member for Parkes, John Cobb. It is stupid to suggest that the Government should subsidise motorists anywhere in New South Wales. If there is to be a subsidy for fuel, let it come from the Federal Government, and let it occur through equalisation of the indexed price of 38¢ per litre, which is the excise cost.

I shall talk briefly about the scheme that applies in northern New South Wales. I acknowledge the presence in the Chamber of the honourable member for Lismore, who is well regarded in the House. I happen to know that Lismore is in New South Wales. Guess what region it is in? It is in region one. We get a subsidy through the petrol stations in region one. The Government provides 8.35¢ per litre to subsidise motorists in Ballina. The subsidy in region three, Bourke, is 5.01¢. That is what the State Government is paying, and it is what the Commonwealth Government would extend across regional and rural New South Wales. It is a complete nonsense. The Commonwealth Government is sucking \$1.20 a litre, 60¢ plus in direct taxation, from the industry. That is huge monumental funding to the Commonwealth Government. My plea to the legless Nationals is to stand up and be counted, find a spine and tell your Federal colleagues to wake up to themselves. [*Time expired.*]

Mr ADRIAN PICCOLI (Murrumbidgee) [4.12 p.m.]: I do not think I have ever seen the honourable member for Murray-Darling look so rattled in the six years he has been here. He is looking tired and old, much like the Government. I do not think I have heard a member refer to so many other members of Parliament in one speech. All he could talk about was the Federal member for Parkes, John Cobb, and me. One indication of how much John Cobb and I are getting under his skin is that every press release that comes out of his office states "the member for Murrumbidgee" this and the "member for Parkes" that. I received phone calls from a couple of media outlets, one in my electorate and one in the Murray-Darling electorate, suggesting that we must be getting right up the nose of the honourable member for Murray-Darling because he pays us so much attention. Is attention not the greatest form of flattery?

Mr Thomas George: Just make it up.

Mr ADRIAN PICCOLI: I cannot. I apologise for mixing my metaphors. I take the attention as a compliment.

Mr Peter Black: Point of order: The subject of this debate is fuel prices. The honourable member for Murrumbidgee is not talking about fuel prices; he is ignoring that. He is totally ignoring his constituents.

Mr ACTING-SPEAKER (Mr John Mills): Order! I uphold the point of order. The honourable member for Murrumbidgee should speak to the motion.

Mr ADRIAN PICCOLI: The honourable member for Murray-Darling reinforced exactly what I was saying. I thank him for all the attention and I look forward to a lot more of it over the next couple of years. People in country New South Wales are conscious of fuel prices because of the long distances they face. Interestingly, a few years ago, when fuel prices were a hot issue—the price of fuel in New South Wales was approaching \$1 for the first time—many groups kicked up a fuss about the price of petrol. The Federal Government responded by cancelling automatic indexation of the fuel excise.

The people of New South Wales, and indeed across Australia, welcomed the removal of the automatic indexation of excise duty by the Federal Government. The automatic indexation has not been reintroduced. Interestingly, a couple of weeks ago the Treasurer made some comments about what the Commonwealth did. He wants the automatic indexation of the fuel excise reintroduced. He said that Peter Costello did not consult the States before announcing the cancellation of automatic indexation, and that the New South Wales Treasurer was very upset. If the New South Wales Treasurer and the Government had their way the fuel excise would be a few cents higher. That is based on the Treasurer's greed, and indicates the Government's mismanagement of the New South Wales economy. The Government needs more and more money to fund its mismanagement.

Pursuant to sessional orders business interrupted and motion lapsed.

PRIVATE MEMBERS' STATEMENTS

BROOKLYN RURAL FIRE STATION

Mrs JUDY HOPWOOD (Hornsby) [4.15 p.m.]: This is the first opportunity I have had to speak about the official opening of Brooklyn Rural Fire Station—this wonderful event occurred on 20 November last year—as I was waiting for some briefing notes. The event took place on the site of the new fire station at Saltpan Reserve, Brooklyn. This is the first brand-new rural fire station to open in 23 years.

Mr Kerry Hickey: A great Minister!

Mrs JUDY HOPWOOD: We can talk about that later. I shall give some of the history of this matter. On Monday 28 June 1943 a meeting was held at Brooklyn Public School for the purpose of electing office bearers for the newly formed Brooklyn and District Fire Brigade. Fourteen residents were in attendance, along with Hornsby Shire Councillor C. H. Somerville and Messrs Watt, Fisher, Newland and Cope of the Fire Board. At the first meeting the captain, George Hewitt, was elected. At the brigade's second meeting Joseph Lucca was elected deputy captain and membership fees were set at one shilling per week, which was changed to three pence per week on 10 July 1943. The first donation received by the brigade was one pound one shilling, or one guinea, from W. Woods on 20 July 1943. During the war years, from 1943 to 1945, the brigade had to apply for petrol rationing coupons to reimburse members who used their own vehicles to get to fires.

In 1943 an approach was made to Hornsby Shire Council for the provision of a fire station. The first location considered was the unformed roadway known as Cowan Street on the eastern boundary of the public school. The signing of an agreement to purchase land for the fire station from Mr I. M. Johnson was finalised on 9 April 1944. On 18 January 1944 the local bus proprietor, Mr Callen, offered the use of his bus to convey members and equipment to fires. Two days after this offer was made the bus was hit by the Kempsey express train on the Brooklyn level crossing, resulting in the loss of several lives. The rail crossing has since been replaced by the current overhead bridge.

In 1944 there was a request for a war surplus jeep, and a box trailer was provided in 1946. The brigade waited until its thirtieth year, 1973, before being issued with a fire truck, which was in the form of a Ford pick-up. In 1976 an ex Metropolitan Fire Brigade 1953 Commer fire truck fitted with a Dennis pump was issued, and this vehicle provided faithful service until 1981. The Commer fire truck saw its first major campaign during the four-day fire that threatened the township of Brooklyn in December 1976. The brigade was issued with its first fire boat—a 17-foot Hercules—in 1979, which was replaced by a Condor in 1981. The year 1981 also saw the end of the service provided by the Commer and in 1982 the brigade took delivery of a new Bedford M series tanker, which was powered by a V8 Holden motor. In 1993 the Bedford M series tanker was replaced with a Mazda pumper and this was later replaced with the current Hino pumper.

History records that on two occasions the brigade had to cut short its meetings to attend fires, which was an interesting occurrence. Women have played an important role in the history of the fire brigade. In 1980 there were eight female members of the brigade, some involved in the firefighting activities. The wives of several members formed a ladies auxiliary in 1978 and that later became a social committee which organised fundraising and other activities. The brigade has long recognised the value and support of the wives and family members and has acknowledged the support with a Christmas party each year.

The captain and station officer of the brigade is Ray Bontoft. The senior deputy captain is Murray Campbell; the deputy captain is Viki Campbell; deputy captain and training officer is Stuart Dawson; deputy

captain and secretary is Michael Mina; deputy captain, boat officer and Treasurer is John Stavert; deputy captain and call-out officer is Helen Carlos; and deputy captain is Tom Mead. Two awards were made at this official opening. One was to Murray Campbell, the national medal recipient, and the other was the long service medal for 25 years to Michael Mina. Commissioner Phil Koperberg was present at the official opening of the Brooklyn Fire Station, as was the mayor of Hornsby Shire; the Hon. Phillip Ruddock, the member for Berowra; and Supt Angelo Baldo, the fire control officer. Also present were Mr Bob Corbett, the State Emergency Service controller, Mark Formston from Hornsby police and many other dignitaries. [*Time expired.*]

Mr KERRY HICKEY (Cessnock—Minister for Mineral Resources) [4.20 p.m.]: It is great that the honourable member for Hornsby was about to launch into an appreciation of the Minister for Emergency Services and thank him for putting money into looking after the communities across her electorate. The amount the Government is spending on emergency services is great news. The honourable member has clearly shown her appreciation of a good Minister.

STOCKTON TENNIS CLUB

Mr BRYCE GAUDRY (Newcastle—Parliamentary Secretary) [4.21 p.m.]: One of the great privileges of being a member of Parliament is the opportunities it presents to work with communities to improve their assets. This afternoon I compliment the community of Stockton. One could not find a more cohesive community. It works together to get things done for the benefit of the community—whether it be in the surf club, the fishing clubs, the bowling club or the RSL club. There is a real sense of community in Stockton. Last Sunday I had the real pleasure, along with my wife, Barbara, of being a special guest at the Stockton Tennis Club for the commissioning of two new synthetic courts. With the assistance of a \$5,000 grant from the Department of Sport and Recreation, the club has created a fantastic facility to give it five absolutely A-class courts. The cost, with 10 per cent of the contract price still outstanding, is \$67,267. The artificial surface of the courts is in blue and red ochre—almost the Knights colours—and it is a picture on the oval next to the surf club, the bowling club and the wonderful Stockton beach. It is a tremendous facility.

I pay tribute to the committee of the club, particularly Trevor Jones, the president; the treasurer, Pam Wagner; Chris Ferris, the junior development officer; Natasha Flynn, the publicity officer; Steve Cole, the secretary; and Steve Corrigan, committee member. The social committee is made up of Grahame Moxey, Alison Moxey, Jan Smith, Natasha Flynn and Steve Corrigan. The committee has done a huge amount of work, with working bees and calls to the community and to the RSL club. The RSL club was also represented on Sunday afternoon as a strong supporter of the tennis club. The committee connected with the business community as well, not only in Stockton but also in the whole Newcastle-lower Hunter area. Business readily gave assistance in relation to mechanical matters and brought in equipment to assist the working bees clean up the original court, get rid of the original cover and remove concrete blocks.

The base that was put down cost \$19,720 and the artificial grass cost \$16,434, a huge amount of money. I pay tribute to the club. For many years its members have worked hard to put together the basic funding, and they have benefited from the efforts of the community. Along with life member Mr Harry Redmond I had the pleasure of officially opening the courts. It was a pleasure to do so. The great thing was the tribute I had the opportunity of paying to the committee, to the community, to the businesses that support the community and to those who were willing to give more than 100 per cent—contractors and others—to ensure that the people of Stockton have a first-class facility. They now have two new A-grade courts to add to the three that are already there. Stockton Tennis Club will now have the opportunity to host regional championships. As I said, there could not be a better place for the courts: they are right on the oval, a cricket ground on one side, a bowling green beside it, the surf club in front and the netball courts. I compliment the Minister for Tourism and Sport and Recreation for recently giving \$11,866 to the Peninsular Netball Club to put in two all-weather courts. [*Time expired.*]

Mr KERRY HICKEY (Cessnock—Minister for Mineral Resources) [4.26 p.m.]: It is great to have wonderful members supported by great communities. The honourable member for Newcastle fights hard for his electorate, but he praises the committee of the Stockton Tennis Club: Pam Wagner, the treasurer; Chris Ferris, the junior development officer; Natasha Flynn, the publicity officer; Steve Cole, the secretary; Steven Corrigan, the committee member; and Trevor Jones, the president. As far as the honourable member for Newcastle is concerned all the thanks and praise should go to these people, but without his hard work and dedication this result would not have been achieved. It is great to know that the community is working hard to ensure its service clubs and sporting clubs do well.

It is great to know that there is diversity in this Chamber. The honourable member for Newcastle works tirelessly lobbying the Minister for Tourism and Sport and Recreation and it is good to know that she has responded positively to the communities across the Hunter, especially in the Newcastle area. I have been to the Stockton sporting complex. The hardworking and dedicated people there would make most honourable members jealous. The complex is an example of the State Government's commitment to Stockton and the Hunter region in general. It is good to hear two members use their private member's statements to praise the Carr Labor Government. That shows that the Government is working hard for the community and has a strong and detailed plan to ensure that communities across the Hunter will achieve. [*Time expired.*]

LISMORE ELECTORATE PRESCHOOL FUNDING

Mr THOMAS GEORGE (Lismore) [4.28 p.m.]: The story that I want to highlight to the House this afternoon is partly a good news story but it refers to issues that can become a problem. South Lismore Public School was fortunate to have the Government establish a preschool within its grounds. It helps children in high-needs areas to develop positive attitudes towards the school. The principal, Erwin Bates, is doing a mighty job together with Mrs Margaret Phillips, the assistant principal, and Cathy Lowndes working in the administration. In acknowledging them I acknowledge all the teachers and assistants at the school. The preschool was established to target disadvantaged children in what is described as a low socioeconomic area of the State. The disadvantaged are the winners. The affordable preschool care is provided to families in a low socioeconomic situation or with transport problems and Aboriginal families. I am very appreciative of the service provided and I pay tribute to the preschool teacher Ms Evelyn Lorenz and Michelle Donadel, who are doing a fantastic job. It was nice to walk into this magnificent preschool with everything brand new. It was a credit to the teachers and the children and a credit to the South Lismore Public School, which Erwin Bates has taken forward in so many ways over the last few years.

The next day I visited Richmond Hill Community Preschool, which is staffed on a voluntary basis. It was good to hear the Minister for Mineral Resources acknowledge, in relation to an earlier private member's statement, the good work done by communities. The Richmond Hill Community Preschool has operated since 1992. Its funding comes from the Department of Community Services [DOCS]. It operates for two days a week but receives funding for only one day. That occurs because of an anomaly when the preschool was opened. The preschool has full enrolments—20 children on each day—from a second term in 2005. A waiting list will be established, as in previous years. Without the support of the Richmond Hill community, parents, the wonderful director and staff and especially the generosity of the Roy Waddell Community Centre Association, which provides the hall for the preschool, it would have had to shut its doors years ago. DOCS is well aware of the financial viability issues but has never offered any solution such as providing funding for both days the preschool operates.

I have written to the Minister and I will make representations to follow up the matter. At present DOCS funding is approximately \$16,500 a year, less than one-third of the operating cost of the preschool without counting in-kind assistance. Parent fees and support from the hall committee and community meet the larger proportion of costs. This is another example of a community getting behind a preschool. In the 2003 year the preschool had a loss of \$5,124. In the next year the loss was \$2,330 but would have been greater except for fundraising of \$4,900. However, the hall committee provides in-kind assistance of \$21,000. An increase in fees paid by parents has covered some of the shortfalls. Fundraising proceeds were not used to buy new equipment or extras but to pay wages, insurance and everyday running costs.

This is a major problem that is being experienced by many preschools in my area. I am sure I speak for every member of this House. No community preschool that has been in touch with me has not had funding problems. It was good to hear the Minister for Mineral Resources say that the Carr Government has a strong and detailed plan. I want to hear how that will help the community preschools in my area. All members would agree that community preschools need extra funding and support. They are helping to develop children to school age. They provide a network of support to many parents. I am sure that if the Government's strong and detailed plan provided funding it would improve the education system of this State. [*Time expired.*]

Mr KERRY HICKEY (Cessnock—Minister for Mineral Resources) [4.33 p.m.]: It is wonderful to see another member stepping up to recognise teachers in his electorate doing a wonderful job, as they are across New South Wales. The preschool in the grounds of the Lismore South Public School is doing great work. The honourable member also referred to the Richmond Hill Community Preschool volunteers who have been operating that facility since 1992. It was great to hear recognised the Government's very strong and detailed plans across the education sector. I recommend that the honourable member lobby his Federal member for

funding for preschools as well as writing to the Minister for Community Services, Reba Meagher. I am sure that the Minister will address the issue. I suggest that the honourable member talk to his Federal member to seek Federal funding because, quite clearly, the Federal Government is walking away from many of its obligations in the funding of community services.

UNITED LEBANESE RALLY

Ms VIRGINIA JUDGE (Strathfield) [4.35 p.m.]: Today I inform the House of a moving United Lebanese rally that I was honoured and privileged to attend in Belmore Park opposite Central station on Sunday 3 April 2005. Many wonderful Australian Lebanese families live in the Strathfield electorate and in Sydney's inner west. The peaceful rally was estimated by police to have been attended by 8,000 to 10,000 people. It was a beautiful warm autumn day and the rally was set among the gorgeous Moreton Bay figs. It is wonderful to live in a democratic country where people can gather in that way to speak about issues that are important to them, particularly freedom, democracy and the ability to gather without fear of being arrested.

The rally was organised by the Australian-Lebanese Gathering and the Free Lebanese Australian Youth Movements [FLAYM]. Mr Danny Elachi co-ordinated the rally. Mr John Khoury, the master of ceremonies, magnificently conducted the program and handled the large crowd extremely well. The rally comprised a large contingent of expatriates from Lebanon. This rally was one of dozens of unified rallies being co-ordinated around the world demanding to know the truth about the death of the former Prime Minister, Mr Rafik al-Hariri. At 3.00 p.m. the rally opened with the wonderful song *My Island Home* by the lovely Christine Anu. Father Antoine Tarabay from St Charbel Church at Punchbowl said a prayer and asked everyone to observe a minute's silence on the passing away of His Holiness Pope John Paul II, who often referred to Lebanon as a message of peace and coexistence for the rest of the world. On Sunday actions spoke louder than words. The Lebanese community was united as one Lebanese people regardless of politics and religion. The gathering was a powerful message of support to Lebanon, which viewed the rally via the local and international media, which did a great job.

Tania Rahme sang the Australian national anthem and Charbel Bejjani then sang the Lebanese anthem. Both anthems were sung with beauty and reverence. I then joined with the Lebanese Australian community in a short remembrance service to mourn the tragic assassination of the former Lebanese Prime Minister Rafik al-Hariri and all those who died with him in that horrific incident on 14 February. Prime Minister Rafik al-Hariri's distinguished contribution to Lebanon's fortunes will be long remembered. Prayers were also offered for the speedy recovery of the injured, particularly the critically ill Beirut member of Parliament Bassil Fuleihan, who was in the same car as Hariri when the deadly bomb detonated. Out of this tragedy the Lebanese have found a new and unified voice, and they have found a new courage to cry for freedom.

The rally gathered to affirm the unity of the Lebanese people, and together they called for the freedom, sovereignty and independence of Lebanon, an international investigation to determine the truth about the assassination of former Lebanese Prime Minister Rafik al-Hariri, an end to the terrorist bombings which have been taking place in recent weeks and which have taken the lives of four innocents and injured many others, the return of Lebanon to a full democracy and for all elections—particularly the upcoming Lebanese parliamentary elections—to be held freely and fairly and without any foreign interference or influence, the end of intimidation directed towards Lebanese Opposition politicians and their protection from personal harm, the unconditional return of all Lebanese political dissidents, and the unconditional release of all Lebanese political prisoners held both in Lebanon and in Syria.

Several speeches by Government members of Parliament, including one by me, followed and appreciation was expressed for the support given by our country. At approximately 3.40 p.m.—8.40 a.m. Lebanon time—Mr Ghazi Aridi, a Beirut parliamentarian and member of the Progressive Socialist Party, took part in a live broadcast. Other speakers included: Mr Steve Stanton from the Australian-Lebanese Gathering, Cedarwatch; Mr Hilmi Hariri, a representative of the Hariri Family; and Mr Michel Farah, Secretary of the Australian Lebanese Sovereignty Board. Four other speakers live from Lebanon were: Mosbah Ahdab, Tripoli parliamentarian and member of the Democratic Renewal Movement; Mr Gebran Tueni, Editor of Al-Nahar newspaper and member of the Qornet Shehwan Gathering in Lebanon; Mr Walid Eido, Beirut parliamentarian and member of the Future Movement; and Mr Pierre Geymayel, Metn parliamentarian and member of the Qornet Shehwan Gathering.

In closing, it was acknowledged that Syria's exit would be a long process, not an event. There are still Lebanese prisoners in Syria. Throughout the rally police and ambulance officers were in attendance and helped

to make this rally a great success for the Lebanese community. I agree with the Premier, who welcomed the decision to withdraw Syrian forces from Lebanon before the May elections in his media statement immediately following the rally on Monday 4 April 2005. I fully support the Premier's statement that this is a welcome development for the region, which hopefully will lead to peace. The decision follows United Nations Resolution 1559, adopted by the Security Council in September last year, recalling all previous United Nations resolutions on Lebanon and reiterating its strong support for the "territorial integrity, sovereignty and political independence of Lebanon within its internationally recognised borders."

The resolution quite rightly notes "the determination of Lebanon to ensure the withdrawal of all non-Lebanese forces from Lebanon." I agree with the Premier's media statement on Monday 5 April that Lebanon should be a sovereign state. The time has come for the people of Lebanon to be able to independently determine their own destiny. As Robert the Bruce said in that wonderful movie *Braveheart*, "You can bury freedom but you can never kill it."

HOME BUILDING SERVICE LICENCE APPLICATIONS PROCESSING

Mr GREG APLIN (Albury) [4.40 p.m.]: The need to put food on the table is often quoted by union leaders as a reason for employers facing financial difficulties to find the necessary payouts for workers whose jobs are in jeopardy. Members of the Government, who are union members, may well sympathise with this call. Earlier this week I heard a union spokesperson being interviewed concerning a company in difficulty, and he reiterated this call for payouts to workers on the grounds that companies should make provision for business risks and not penalise employees. If the Government endorses this view there will be no difficulty in resolving the sorry tale I am about to recount for the elucidation of members of this House.

This is a story of inefficiency, of poor service and of grasping opportunism. It is a sorry tale of initial optimism and bright hope, of young people with a desire to get ahead through hard work, and it involves a big bad boss who thwarts their plans, takes their money and, after failing to provide service, refuses to put food on their table. In this particular case the boss is the Department of Fair Trading Home Building Service and the poor workers are young builder Grant Harris and his wife, Lisa, who applied for a builders partnership licence back in September 2004. They have lodged a complaint with me, as their local member, regarding the handling of their application and the lame response received in February from the Acting Director-General of the Department of Commerce in relation to the matter.

This is how the story unfolds. On 13 September 2004 Grant Harris, a licensed builder for the past 3½ years, lodged an application for a partnership licence with the Queanbeyan office of the Department of Fair Trading. He paid an application fee of \$804 in full, in good faith and in expectation of a timely response. How sad that a wonderful young worker who will generate jobs for others is so poorly served by a Government that takes his money but fails to deliver. In fact the department took the food from his table and ate it. Just over a month later Grant Harris contacted the Home Building Service [HBS] customer service officer to enquire about the status of the application. He was advised that it was "in the system and in line to be processed".

At the end of November he again contacted the customer service officer and was given the same response, with additional information that they could not say when it was likely to be processed. He gave the department a break until 2005, hoping that the new year would see fresh resolutions in place and a clearance of the obvious backlog of over three months. But that was not to be, for on 6 January he was again told the application was in line to be processed and there was no time frame for issuing the licence. This is significant. When he paid his \$804 nobody told him that there was an indefinite time frame, that his family could starve while he waited for months for a simple investigation.

Like most of us would, he reacted to the parroted responses of the HBS and sent a request that the application be cancelled owing to the inability of the partnership to trade and the need to prop it up from family resources. He sent this notification on 6 January and was amazed, but not delighted, to receive a response from the HBS on 10 January indicating that a refund of only \$315 would be forthcoming. This difference to the original fee was explained away by reference to schedule 4 of the Home Building Regulation 2004. Having recovered from the shock of actually receiving written correspondence from the Home Building Service after four months, Mr Harris quite reasonably wrote back asking for consideration of a full refund due to financial hardship brought on by the service's inability to process his application in a timely manner. He sent a copy of the letter to the Director-General of the Department of Commerce.

On 7 February 2005 he received a cheque for \$315, but no letter from the HBS—no response to his request and not a mention of the \$489 that had been retained as a processing fee for not processing the

application. We know it was not processed because when Grant Harris was told on 6 January that his application was in line to be processed it was enough to cause him to cancel the whole sorry saga. Two days later there was a letter from the Department of Commerce, which regretted the delay in assessing his application. The Acting Director-General reiterated previous advice that the licence fee could not be refunded in full because there is no discretion under the legislation to refund the entire fee.

There was a most magnanimous offer that if the licence application was to be reactivated and all assessment requirements met it could be finalised in three weeks. This is extraordinary! Only when the builder faced personal hardship, was unable to trade effectively, had unnecessary strain placed on his family, with his wife forced to join the work force and place their young child in day care, did the department decide it could expedite the processing. As Mr Harris asks: "When is this Government going to realise that builders have to put food on the table also? Over the past four years we have been put in positions of severe financial hardship due to home warranty providers dropping out of the market, reapplying for home warranty eligibility—which took months and cost much in application and accountant fees—and now we have the massive delays in processing by HBS for a simple licence application." Mr Harris asks for a full refund, an understandable explanation of the delay and an apology from the HBS for the inability to handle the workload.

SCHOOL ZONES ALARM SYSTEM

Mr PAUL CRITTENDEN (Wyang) [4.45 p.m.]: Every member of this Chamber who also holds a driving licence would acknowledge that one of the difficulties a driver faces is when he or she is driving through variable speed zones and is required to adjust the speed of the vehicle. This is especially so around school traffic zones. Often when driving in an unfamiliar area it is easy to overlook the location of a school. The former Minister for Transport introduced flashing yellow lights at some school locations as a trial measure, but I am pleased to report to the House that Mr Kevin Tattersall has invented a school zone alarm system. The device is being marketed by his father-in-law, Mr Owen Virgin, a Gorokan resident and a constituent of mine.

Installation of the device would involve some cost, but Mr virgin hopes that these small devices will be able to be purchased for approximately \$30. The proposal is that every school zone be fitted with transmitters at a cost of approximately \$1,000, so we are obviously talking about a considerable amount of money. The last time I checked there were approximately 2,200 public schools in New South Wales and, of course, there are also a number of private and Catholic schools. It is a fact that not all drivers wear a watch and some older vehicles are not fitted with a clock, and people on low incomes find it difficult to pay traffic fines they have accidentally incurred. I hope that this invention can be progressed. The safety of schoolchildren, both on their way to school and when leaving the school grounds in the afternoon, is paramount. On the other hand, motorists need to be more aware of school zones.

I congratulate Mr Virgin on taking the initiative in this matter. I understand he is scheduled to appear on the ABC television program, *The New Inventors*, in the very near future. I hope that this important matter can be progressed because the school zone alarm system would undoubtedly prevent motorists from incurring traffic fines and mean that schoolchildren can live in a safe environment. The device flashes and emits a warning every six seconds as motorists drive through the zones. Obviously there is a cost involved in installing the device, but, as we have seen on many occasions, prevention is better than cure. It is essential that this issue be given a fair and frank hearing because the device will be extremely beneficial to our community.

MR JAMES WICKS DISABILITY ACCOMMODATION

Mr ANDREW FRASER (Coffs Harbour) [4.50 p.m.]: I raise a matter on behalf of my constituents Mr and Mrs James Wicks and their extended family. On 8 March Mr Wicks wrote to me as follows:

Dear Mr Fraser,

My name, is James Wicks, and I am 52 years old and have lived in Coffs Harbour for 28 years. On 5/10/04 my life changed forever when I fell from a ladder in my home, sustaining C6 level Quadriplegia. I am now dependent upon a wheelchair for all mobility, and require assistance with all of my personal care.

Prior to my accident I was an independent and active man, with my own business, as a motor mechanic. My wife Rosemary and I have three children aged 19, 23 and 25, and I am very involved in my local church and community life. I am currently undertaking a period of rehabilitation at Moorong Spinal Unit in Sydney, and up until now was looking forward to returning to my home and family which I believed was possible.

Now however, I have been informed that a Nursing Home is looking like my only real option for care. As a 52 year-old, I am too old to be considered a priority on the Attendant Care Scheme, a program run by the Department of Ageing, Disability and

Homecare. I have been told that the age limit for priority is 50. I have great difficulty understanding the difference between a 49 year-old, and a 52 year-old man. As Home Care NSW have closed their books, the only other "option" I have is Nursing Home which surely I am too young for! There does not appear to be any services for someone of my age—still a young man.

My wife and I have been married for 33 years, and would be absolutely devastated should I have to go to a nursing home, I have had no brain injury, and am intelligent and caring man who just wants to be able to go home. My wife is unable to provide adequate care for me at home as she herself has been diagnosed with health problems.

As my local member of parliament, I am asking for your help in this matter, Please do not hesitate to contact me if you have any further questions about my situation.

Since Mr Wicks raised the matter with me I spoke to Mr Ray Munroe of Coffs Harbour, a member of the access committee who is a paraplegic. Mr Munroe, who is a great bloke, has raised dire concerns with me. There are a large number of quadriplegics and paraplegics in Coffs Harbour who require fairly regular care, yet Coffs Harbour hospital does not provide spinal unit services. A nurse tends to about 12 of the approximately 30 spinal patients in the Coffs Harbour local government area. However, these people are unable to access a basic right: home care to assist their families to keep them at home in an atmosphere which I suggest would be far more conducive to their recovery, both mental and physical, than a nursing home or other health care institution.

It is an absolute disgrace that these people, especially Mr Wicks and his wife, Rosemary, cannot access home care, which can be provided at a relatively low cost by comparison with the cost of full medical care, either in a spinal unit, rehabilitation unit or nursing home. Separating the family would also be undesirable. There is a great possibility that the separation would not just be at the local level because the nursing homes on the North Coast are pretty well booked out; they have long waiting lists. If Mr Wicks were to go into a nursing home, he would have to go to one in Sydney.

I asked the Premier a question about this today, and he said he would look into the matter. I say to the Premier: I will not rest until decent attendant care is provided for Mr Wicks and other people in my electorate with a similar disability. These people deserve what I believe to be a basic right, something they have contributed to through taxes all their lives. As Mr Wicks said, he was self-employed until his accident, which was a simple household accident. It could happen to any of us. I do not think any of us would appreciate being faced with the prospect of ending up in a nursing home simply because we could not gain access to home care. I implore the Government to allocate funding for home care not just for Mr Wicks but for all people who are in a similar situation.

ANTI-ISLAMIC CONFERENCE

Mr PAUL LYNCH (Liverpool) [4.55 p.m.]: I draw the attention of the House to concerns expressed by many of my constituents regarding an anti-Islamic conference that is scheduled for May this year. The concerns were raised with me by members of the Islamic House of Liverpool, whom I met on 18 March this year, and by a delegation from the Islamic Council of New South Wales, whom I met on 29 March. The delegation included Omar Chehade, one of my constituents who is well known to me, and Kemal Ismen, now chairman of the council, who is also well known to me and has been for many years.

The immediate concern of my constituents was prompted by media reports in the *Daily Telegraph* and the *Age* of 9 March and the *Daily Telegraph* of 11 March concerning an anti-Islamic Christian conference in May. Media reports indicated that the theme of the conference was how Islam was allegedly destroying Australian's Christian values. The conference was reportedly planned for 28 May at the Southern Cross Bible College at Chester Hill. The conference is organised by the Festival of Light, which is convened by the notorious Fred Nile. Original media reports claimed that Minister Tony Abbott was listed to appear as the main speaker. Two days later the *Daily Telegraph* reported Minister Abbott as doing no such thing, and also reported his office as being furious that his unconfirmed presence had been advertised.

The media reported that the promotional material for the conference was posted to the public inside issues of the newsletter *Family World News*. Accordingly to its web site, *Family World News* has as its editor in chief Fred Nile. Many of the articles on the web site are from what I would describe as the lunar Right. Certainly there is a pathologically anti-Islamic extremism in much of that material. For example, the latest issue on the web site, dating from July 2004, reports on the annual conference of the Festival of Light, held on 29 May 2004 at Morling College. Amongst other gems, it contained the following paragraph:

Rev. Dr Stuart Robinson, author of the prize winning book, "Mosques and Miracles" spoke on "what is happening in the Islamic world". His presentation was praised by people who had worked and served in overseas countries. Based on his information one

commented: "Now I see what Moslems believe and how they act. We believe in right and wrong—they believe in honour and shame. This was most helpful.

This is simply hateful, discriminatory nonsense. It is a fervid, dishonest fantasy. It is accompanied by other rantings about Muslims taking over Europe and using devious tactics to convert Christians to Islam. They also spend some time on terrorists of an Islamic background. That is about as fair as assessing all Christians by the standards of the orange men of Antrim, or the Dominican inquisitors in the Albigensian crusades against the Cathars. Some of us no doubt also remember Nile's rantings about women wearing headscarves. On the basis of his arguments about having heads covered and the evils flowing from it, one would also have to ban Santa Claus.

A number of obvious points can be made about Nile's grandstanding in the conference. One is that no-one apart from Christians are able to attend the conference. I suspect that means his own extremist, fundamentalist and often sectarian brand of Christianity. Nile is not prepared to debate with Islamic scholars. Frankly, I think he is scared to confront them, as he is likely to be intellectually humiliated and exposed for hawking falsehoods and hatred. I also think it is pretty obvious that Nile feels under threat from Families First and is trying to whip up whatever hysteria he can to maintain a level of support for his party in forthcoming elections. In that sense, the Islamic community in Sydney is simply collateral damage resulting from his tawdry political opportunism.

There is, however, an even more fundamental objection to Nile's misbehaviour and to the conference. By targeting Muslims the conference threatens the harmonious fabric of our society. Our society is largely a harmonious one. Our diversity of cultures, religions and ethnicities is extraordinary. Their cohesive diversity is, in fact, a great achievement of contemporary Australia. It can only exist if based not just upon tolerance but also upon mutual respect. It is that mutual respect that is under assault by extremists like Nile. I also note that denial is not just anti-Islamic. A recent issue of *Irish Echo*, in a column entitled "Hurler on the Ditch", referred to him attacking the Irish. Nile's comments also reflect complete ignorance of Australian history. His behaviour is a repeat of the early years of European colonial history in Australia when protestant masters flogged Irish Catholics for not attending protestant services or for trying to celebrate their own religion. Australia needs to go forward; it cannot be dragged back 200 years by Nile.

This comes with the background of events in Victoria. In December last year the Victorian Civil and Administrative Tribunal decided that two pastors of the Catch the Fire ministry were guilty of vilifying Islam under the Victorian Racial and Religious Tolerance Act of 2001. The two pastors were David Scott and Danny Nalliah. They claimed a whole series of absurdities. I should note that when the Islamic Council of Victoria received the favourable verdict they were congratulated by Uniting Church, Catholic Church and Anglican Church members in what one is tempted to describe as a proper expression of Christian sentiment. Not surprisingly, Fred Nile spoke on 15 October expressing his concerns about this case and warned against the passing of antidiscrimination legislation on the grounds of religion as an attack on freedom of speech. I have a very different view to that of Fred Nile about these matters and it is precisely because of offensive behaviour by people like him and the church of fire that we need effective antidiscrimination legislation.

CRONULLA ELECTORATE LAW AND ORDER

Mr MALCOLM KERR (Cronulla) [4.59 p.m.]: This afternoon I speak on the topic of law and order in the Cronulla electorate. Members will recall when Tracie Sonda was mayor of Sutherland she received a lot of publicity with the Shiresafe Street Camera Program, no doubt at a cost of millions of dollars to the ratepayers. Ratepayers, of course, could reasonably expect that she had a strong, detailed plan when she came out with this—

Mr Kerry Hickey: It is a shame they are trying to get rid of you; you are a good member.

Mr MALCOLM KERR: I appreciate what the Minister said in terms of my being a good member, but I would like to continue with my statement.

Mr Kerry Hickey: If you need help with numbers, let us know.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! The honourable member for Cronulla should be heard in silence.

Mr MALCOLM KERR: I was talking about Tracie Sonda, who installed cameras at great expense and, one would have expected, in pursuit of a strong, detailed plan. To the great credit of the present council, it

has on its web site an audit of what has happened with those cameras. It makes very disturbing reading. I do not plan to read out the whole of the report because I think the House would be shocked and traumatised if I did, but I will read some of it because it has great significance to ratepayers. The audit examined 15 principles. It found only three had high compliance, one reasonable compliance, and one for which it was not able to establish the level of compliance; the remainder were partial or minimal. The important one was the Sutherland Shire Council Shiresafe Street Camera Program. The audit report states:

Will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code of Practice.

The audit found that the purpose of the program had not been clearly defined at the outset and stated that breaches had occurred in the use of the cameras for the purposes for which they had been established. Principle 2 of the report states:

The Programme will be operated with due regard to the privacy and civil liberties of individual members of the public.

Under the Level of Compliance the audit report states:

Incidents have been observed where due regard to privacy and civil liberties of individual members of the public have been breached.

Then one examines what those breaches would be. I see the Minister is very concerned about that, as he should be. I am sure he has offered government assistance in examining those breaches. Turning now to law and order, I am sure honourable members will recall that there was a riot in the Cronulla mall on Australia Day. One of the problems that was examined and identified by a conference that took place after that riot was the low level of fines for people found drinking in areas designated as alcohol free zones: they were fined only \$20. I spoke against that and said it was a ridiculously low fine and did not act as a deterrent; it was not a sanction. If somebody has an unauthorised drink in a railway carriage it incurs a fine of \$400. That is at least a better deterrent.

Police are entitled to know about the Schuberg report in relation to promotions, and the Government should make it public. When one considers this whole area of the cameras and the low fines, is it any wonder we have problems? At least two aspects were meant to be dealt with. Fines for unauthorised drinking of alcohol and the cameras were to be for prevention of crime, but they do not seem to be working. I thank the Minister for his offers of assistance for me personally and his endorsement of my membership in this Chamber.

MOBILE MEN'S SHED

Mr NEVILLE NEWELL (Tweed—Parliamentary Secretary) [5.04 p.m.]: This afternoon I inform the House of another loose end that was left in our community when the former National Party Federal member for Richmond lost his seat at the last election. The Mobile Men's Shed is the initiative of and is facilitated by The Family Centre, South Tweed Heads. Only last month the Minister for Youth and Community Services visited my electorate to announce substantial funding of \$710,000 towards the Tweed Mobile Family Resource Service; \$500,000 to provide a family visitation service, facilitated by St Josephs Community Centre, and \$477,000 to provide the Tweed Homemaker Service, facilitated by The Family Centre, which provides practical support and home management, and aids in developing strong functioning families. This is New South Wales State Government funding of \$1,187,000, along with nine new Department of Community Services [DOCS] workers, this year alone.

The Minister officially opened The Family Centre's new premises, and visited the construction site of Wallum Community Centre down the road at Banora Point. This has been built with another \$1 million in State Government funding through DOCS. The former Federal member for Richmond secured Commonwealth funding for the Men's Shed. The project kicked off in March 2002 and is about to fall off the cliff, so to speak, by the end of this month, due to the lack of continued funding by the Howard Government. The idea for this innovative and unique service was formulated from meetings and discussions held in 2000 by The Family Centre staff, who determined the needs of men in the Tweed and how best to engage them in their local communities. After a series of meetings, often involving 20 or so participants, a forum was born where men could speak to other men who were dealing with similar situations involving changed relationships, access to children, work-related matters, et cetera.

The Family Centre workers applied for funding to take this forum and meeting place for men on the road in the form of a refurbished caravan, which was painted by Kingscliff TAFE students. Hence, the Mobile

Men's Shed was born. The shed has travelled across the entire Tweed shire, visiting markets, shopping centres and community events such as World Environment Day and Harmony Day. The trained volunteers who travel with the shed offer support, literature and referrals to a wide range of men, as well as facilitating groups of years 7 and 8 male students at Tweed River High School and year 11 male students at Kingscliff High School. The funding has now run out. The co-ordinator of the Men's Shed, Rob Grimes, has applied to both the Federal Attorney-General and the Department of Family and Community Services, which funded the project at \$189,490 for the previous three years under the Stronger Families and Community Strategy. To date there has been deafening silence. I call upon Mr Costello and the Federal Government to re-fund this innovative project.

A "Save the Mobile Men's Shed" rally will be held in Chris Cunningham Park, Tweed Heads, next Tuesday, April 12, from 11.00 a.m., with a sausage sizzle, entertainment and guest speakers. I lend my support to this worthwhile project that provides assistance to men in particular and to the Tweed community in general. I am proud that the New South Wales Government has, since 1988, funded The Family Centre community projects to provide a variety of high-quality family and community-based services to the residents of the Tweed. Indeed, with well over 60 per cent of the centre's ongoing budget coming from New South Wales State Government sources, The Family Centre in recent times, due to the hard work and vision of its employees, management committee and volunteers, has been in a position to lobby, receive and provide Federally funded services such as the Men's Mobile Shed project.

As has been pointed out, the Mobile Men's Shed project is unique in Australia and, as such, continued funding will ensure that it will continue to evolve and provide recognised and targeted services to men. Members will no doubt agree with me when I say that a holistic approach is required to this problem. The New South Wales Government continues to provide ongoing funding to services such as The Family Centre, and I understand that on behalf of the Men's Shed The Family Centre has already made two formal applications for funding to the Commonwealth. I therefore call upon the Commonwealth to again come to the party in partnership with The Family Centre and to continue to fund our Mobile Men's Shed. I add that the Governor of New South Wales, Professor Marie Bashir, has been in contact with me regarding the Men's Shed. Although she cannot, by law, endorse the Men's Shed or support it in lobbying the Federal Government for funding, she did, I understand, express high praise for the project via correspondence to the Men's Shed.

I understand that funding applications have been lodged with the Federal department and the Federal Attorney-General's Department but, at the eleventh hour, there was no response. In conclusion, I acknowledge the fine work of the Men's Shed co-ordinator, Rod Grimes, and his band of volunteers, who make the Men's Shed a living reality. Indeed, I am acutely aware of the shed's presence in front of Tweed city shopping centre, near my office, when it visits. One cannot miss its positive message now and, hopefully, in the future. Again, I call on the Federal Government to come to the party and to continue funding this very worthwhile project.

DENILIQIN CABINET MEETING

Mr ADRIAN PICCOLI (Murrumbidgee) [5.09 p.m.]: I express my appreciation to members of Cabinet, who will visit Deniliquin next Monday, and to welcome them to my electorate. I look forward to seeing the Premier and all members of Cabinet, including the Minister for Mineral Resources. I express this sentiment in a bipartisan manner because I usually speak in this Parliament in the spirit of bipartisanship and in the best interests of those I represent. It is essential for Cabinet members to visit country areas to gain first-hand knowledge of issues that affect those areas. Many of my constituents are anxious to speak to Cabinet members—although I cannot vouch for the tone they might use when speaking to some! Nevertheless, it is part of a robust democracy that people in Australia can speak their mind, without fear or favour, to the Premier or, indeed, the Prime Minister if he were to visit Deniliquin.

I am sure on Monday Cabinet members will be told by residents that they have been ably represented by me over the past six years and will continue to be represented by me during the next two years, until the boundary changes take effect. At that time, unfortunately, Deniliquin will no longer be in the electorate of Murrumbidgee. I am sad about that because I have enjoyed, and will continue to enjoy, representing the people of that community. They are fantastic. During the past 10 years residents in that area have had to endure so much and it is a great testament to their strength that they have been able to sustain their town. I seek to make this private member's statement in a bipartisan manner—

Mr Wayne Merton: As you often do.

Mr ADRIAN PICCOLI: As I usually do, but I would like to make some sensible suggestions. I know that the Minister for Mineral Resources has the close ear of the Premier. They are very good friends. The

Premier often visits him at Cessnock, and shares a cup of tea with him at least every couple of weeks. I know the terrific job that the Minister for Mineral Resources does and his good relationship with the Premier, who is a great advocate of his. It would be wonderful if the Cabinet could make an announcement about the best practice water policy that the Minister for Energy and Utilities has implemented across the State. It may work in Sydney, but it does not work in country New South Wales. I do not know if it works in Dubbo, but I know that residents in the shires of Berrigan, Deniliquin, Hay and Griffith are angry because this policy will force up the price of urban water and make it difficult for councils to manage their budgets. Such a change would not cost the Government a cent; it could be done with the stroke of a pen. This is the type of responsible decision making we would like from the New South Wales Cabinet.

The Minister for Industrial Relations has already foreshadowed changes to the Occupational Health and Safety (Workplace Fatalities) Bill and we would welcome an announcement to that effect on Monday while Cabinet visits Deniliquin. Indeed, last night a meeting was held in the town about this bill. The meeting highlighted the depth of anger being felt in the community about this bill. Those concerns could be assuaged if the Minister were to announce withdrawal of that bill. Also, over the 10 years of the Labor Government about 100 public sector jobs have been cut from Deniliquin. A reasonable first step would be the announcement on Monday that at least half that number—50 jobs—will be reinstated in the town. Such an announcement would receive a terrific response. I could mention many more initiatives, but time does not permit. However, I look forward to those announcements being made on Monday.

Mr KERRY HICKEY (Cessnock—Minister for Mineral Resources) [5.14 p.m.]: As one resident of Deniliquin said to me this morning, because I have very close ties to this area, "Thank God this reign is over and we are finally going to be represented by the voice of the bush—Country Labor."

BONDI VIEW RACIAL VILIFICATION ALLEGATION

Ms KRISTINA KENEALLY (Heffron) [5.15 p.m.]: It is my sad duty to advise the House about a front page cover of a monthly newspaper known as the *Bondi View*. The publishing editors of this newspaper are Lee Cass and Caroline Cass. I am particularly concerned about an apparent and serious incident of racial vilification in the April edition, which was distributed to thousands of homes in Sydney's eastern suburbs. The concern relates directly to my electorate as I have the distinction of representing one of the largest communities of Russians in Australia. They are mainly based in Redfern and Waterloo. The Russian residents I represent arrived in Australia in several waves of migration, starting in the late 1970s. They had the misfortune of being persecuted in Russia for their religious beliefs and were granted refuge in Australia. They have built lives for themselves and worked hard to put their children through school. Most of them are Russians of the Jewish faith.

Now they find themselves the subject of vilification in this country on the basis of their ethnicity. The offensive cover of the April edition of the *Bondi View* indicates a Russian doll covering a motel on Campbell Parade at Bondi Beach with a gigantic dollar sign above the doll's head. It renames local shops and popular takeaways as Hungry Russkis, Odessa Real Estate, Russian Leisure Centre and Litver's Surf Shop. It is clearly an attack on the Russian community—and makes ugly references to them. This cover is clearly offensive and I understand that this is not the first time that this so-called newspaper has singled out Russians for criticism. Indeed, today I spoke to Rabbi Ullman, the leader of the Russian Jewish community in New South Wales, who is deeply offended by this cover.

I understand that the Russian community is already considering its options, but it is believed that the actions of the *Bondi View* may even constitute serious racial vilification under the Anti-Discrimination Act. The offence of serious vilification involves "public acts which incite hatred towards, contempt for or severe ridicule of a group" by means which involve the threat of violence or the incitement of violence. The maximum penalty for the offence is \$5,500 or six months imprisonment for an individual or \$11,000 for a corporation. Public acts specifically include the writing, printing, distribution or dissemination of written material. Lesser acts of vilification not involving the threat of violence can result in an award of damages of up to \$40,000 by the Administrative Decisions Tribunal.

At the very least, I believe the *Bondi View* should publish an unreserved apology to Sydney's Russian community on its cover page. I am sure that every member of the House will join me in deploring this shameful publication. I value my close relationship with the Russian community in Heffron. In the past 12 months alone I have worked closely to address community safety issues with the Russian community in Waterloo. I have also advocated on behalf of many Russian residents, relating to housing, public transport and council-related matters.

I often stand in awe of the Russian residents in my electorate. Many of them have lived through repressive regimes and the tyranny of communism. As people of the Jewish faith, many have survived the

Holocaust, and they remember their family members who did not. Their strength, optimism and joy at living in Australia inspire me. They often tell me that Australia is the best country on earth and that they love living here. They love living in Sydney. As a young woman who has only known living in freedom and democracy, I can only admire and respect their strength. But this publication, the *Bondi View*, has singled out and vilified Russian residents on the basis of their ethnicity. This community was granted refuge here on the basis of religious persecution, and the *Bondi View* should stand condemned.

BRIDGEWAY HOUSE, PARRAMATTA

Mr WAYNE MERTON (Baulkham Hills) [5.20 p.m.]: Last Monday I visited Bridgeway House in north Parramatta with my colleague the honourable member for Willoughby, the shadow Minister for Mental Health. One of my constituents, Mrs Lyle Berton of Northmead, who is a volunteer at the centre, had brought to my attention her concerns in relation to Bridgeway. Mrs Berton informed me that consumers and carers had received advice last month that some community rehabilitation services might be moving. They were informed that it was proposed that the staff currently based at the Bridgeway site be relocated to Granville. They were advised that other components of the rehabilitation service would be relocated to the pavilion on the eastern side of Cumberland Hospital, and that such a move would enable the service to work in a more cohesive and collaborative way. Both consumers and carers totally dispute this. Parents, volunteers and consumers of this community living skills centre have warned that the closure of Bridgeway House would be a disaster for the mentally ill.

I am informed that Bridgeway House was set up some 14 years ago as a rehabilitation service for people discharged from Cumberland Hospital. It provides life skills to customers and gives them the confidence to live independently and return to a normal life. One of the parents and volunteer carers informed me that they have feared for the future of Bridgeway House for some time as some of the services were curtailed. Last Monday I spoke with both carers and consumers of Bridgeway House. They told me that they are extremely angry and sad at the Government's decision to close Bridgeway House. One of my constituents, Anne Breen, has a son attending Bridgeway House. Sean Breen has been at Bridgeway for the past two years, and the proposal to shift services to the Cumberland Hospital campus will have a devastating effect on him and on other consumers of Bridgeway.

The whole purpose of community based mental health services is to allow the mentally ill an opportunity to lead a purposeful life in the community. Bridgeway House is an exceptional example of this, and it is a tragedy that such a service will not be allowed to continue. I have a very real concern for the people of Bridgeway House, which not only has provided a secure and protective environment but also is an invaluable part of their rehabilitation process. Both the residents and their supporters are devastated with this decision. The consumers believe that being forced to return to the pavilion in Cumberland Hospital would be a backward step in their rehabilitation process. It is simply unacceptable that there is little to no support for people with mental illness to live within our community. The closure of a facility such as Bridgeway House will have a devastating impact not just on consumers but on their families and health care professionals. I am advised that the Government is proposing to move the consumers from Bridgeway House on 6 May 2005.

This is a devastating decision not only for the consumers of Bridgeway House but for their supporters, their carers and people in the community who have a vital interest in mental health matters. No doubt mental health is one of the greatest issues facing the community. Almost one million people in New South Wales have experienced some form of mental illness at some time. This devastatingly high figure should cause everyone some concern. Either for commercial expediency or for another reason unknown to those committed to helping these people who are often in bad circumstances, the Government has decided that the Bridgeway House concept should close. That means that these people will be returned to the hospital from whence they came. They left hospital because they believed they were on the way to rehabilitation and that they were making progress. To return to that environment will be a devastatingly bad step; it will undermine their confidence and their rehabilitation. I call upon the Minister to review this decision because the community is concerned about mental health. It is a big issue daily on an electorate basis when people with mental illness come in. Frankly, we have nowhere to send many of these people whose situation is grave. I ask the Minister for Health to review the situation urgently. Hopefully, he will reverse the decision so that this much-needed community mental health facility will remain.

BUS DRIVER AND TRUCK DRIVER SAFETY

Mr GRAHAM WEST (Campbelltown—Parliamentary Secretary) [5.25 p.m.]: I draw the attention of honourable members to driver safety. On Wednesday a delegation of Busways drivers came to see me. A number of issues were raised, including their negotiations with the Bus and Coach Association regarding entitlements and new contracts. I know that the Minister is investigating these and working with them to

improve their entitlements. During the meeting a number of other safety issues arose, one of which is ensuring that all buses have two-way radios installed so that drivers can assist other drivers who may be experiencing difficulties. I have written to Busways on that issue. Another disturbing trend is the number of incidents in which bus drivers and passengers were subject to rocks, bottles and other objects being thrown at moving buses. Bus drivers are the backbone of many communities. They stop the bus to help when people need to get their groceries or a pram on board. They wave a friendly goodbye to people and send them on their way, ready for work with a smile.

Yet they are the same people who are being attacked by rocks, thrown mainly by young people who should know better. The drivers are keen to ensure that the community works with them to ensure that young people and children especially understand that the throwing of rocks and other items is not a game but a serious incident that can cause major accidents and potentially fatalities. In this regard, at the request of the drivers, we are organising to sit down with a number of local schools and organisations and look at how we can improve education regarding this important safety issue. It is a sad testament that some drivers are considering reviewing the routes they use, especially when these communities rely on them to get to basic services. I am sure that by working together with the community, through the schools, we can help to address this issue and protect driver safety.

Another important issue relates to the safety of long-distance truck drivers. In 2004, 103 people were killed in truck accidents, or 19.7 per cent of road deaths in New South Wales in 2004 were in truck accidents. Worrying statistics coming out of the industry are that three out of every four truck drivers record fatigue as the greatest problem facing the industry. Driver fatigue has been further identified as a major cause in almost 25 per cent of truck-related accidents, and 30 per cent of drivers working in the long-distance industry consistently report that they are forced to resort to illegal stimulant use to stay awake while behind the wheel. A more worrying statistic is that the transport industry superannuation death claims analysis indicates that the suicide rate for transport workers is at least three times the national average for males. Despite these risks, many drivers are being forced by employers to work hours that place them at further risk for lower rates of pay.

Drivers are being forced to drive further and for longer. They are being underpaid and putting their lives at risk to meet the demands of their employers. The road transport industry, by its very nature, is defined by intense competition for a limited amount of work. Most of that work comes from major retailers, which have demanding time schedules for the delivery of goods, particularly fresh produce. It is the responsibility of these major retailers to ensure that the timetables they set for the delivery of goods and the rates of pay for contracts deliver safe outcomes for the community and for truck drivers.

The union has provided me with a number of case studies, which are quite disturbing. In one case study a driver regularly delivered goods to major retailers such as Coles, Woolworths and McWilliams wines. The first truck he was allocated by his employer was not detectable by Safe-T-Cams. The second was detected so the driver altered the lights so it would not be. When he told management it said it did not want to know. It quickly became clear that the amount of work the driver was expected to do was not legal, so he kept three logbooks and presented different ones to inspectors as best suited his purposes. All three were falsified. He was regularly required to do unpaid local work and was given the impression that if he did not do the local work his employment would be affected. On most occasions he would be given unpaid local work immediately after finishing an interstate trip. Once he was forced to do 37 hours interstate, local and loading work without a break. Clearly, this is unacceptable and it is the responsibility of major retailers to ensure that this practice is eliminated from the industry. I understand that the Minister is looking at better regulation in this regard.

WAGGA WAGGA SPEECH THERAPY SERVICES

Mr DARYL MAGUIRE (Wagga Wagga) [5.30 p.m.]: I draw to the attention of the House and the Minister for Health the lack of available speech therapy services in Wagga Wagga. I have received correspondence from Mrs Janet E. Watson of Wagga Wagga, who wrote:

I would like to draw your attention to the difficulty parents of hearing-impaired children and others with speech impairment have obtaining speech therapy in the Wagga Wagga area. This example of my daughters' efforts hopefully will serve to demonstrate in some way the problem.

In February 2004 my grandchild was booked into Community Health for speech therapy deemed necessary due to a hearing impairment from infancy. No appointment to commence was forthcoming. She attended a Paediatric appointment in June and commenced medical treatment for her hearing problem after being diagnosed with marked speech delay. At this time she was reviewed by Early Intervention, but due to her only having one disability was not eligible to remain in their care. Shortly after

this an assessment by Community Health was undertaken proving the need for speech therapy. No group was then available until September/October—

There was a 26-week delay before this child was able to get intervention. Mrs Watson went on:

In the interim my grandchild commenced private speech therapy at her parents' own expense which proved helpful however not near enough to address the severity of the problem. Finally in September she commenced eight weeks of speech therapy (1/2-1 hour per week). This particular group comprised of my grandchild and one other child. Why?

The Paediatrician and Ear Nose and Throat Specialist commented on difficulties obtaining placements. From the end of October through to February 2005 there were no further groups. On contacting Community Health at the beginning of February 2005 she was informed there are no funds or speech therapist available in this term. Her parents are continuing privately at great cost to themselves, as Medicare does not cover therapy.

The cost-effective way of providing this service is obviously in the group session with educators providing these very caring and nurturing parents with the skills to implement each day. This situation is not good enough, allowing these children to slip through the gap, missing this early learning phase to easily correct this problem, is criminal not to mention the anguish to the individuals concerned. I hope this gives some insight into a desperate need in our community.

From time to time in this House I have raised the need for health provision in the Riverina. Wagga Wagga is the hub delivering services to a region that extends across more than 25,000 square kilometres. When it comes to speech therapy, this is just one example of hundreds of children who are not getting the delivery of services they need. Kurrajong early intervention provides a wonderful service only for those up to the age of five years. After that, most parents, like these parents, have to rely on private facilities. I pose the question again: When will this Government come to terms with the fact that kids with disabilities in country New South Wales are being severely disadvantaged in accessing services that one would regard as fair and reasonable?

Children who need speech therapy will be denied the ability to communicate—what we do in this House every day. They are being denied that because of the lack of funds, the lack of services, the lack of therapists, or the lack of commitment by the Premier and his Minister. This needs to be addressed. Correspondence like this from Mrs Watson is written from the heart. I am speaking from the heart today. I visit places such as Kurrajong early intervention and the special classes. I want some action to finally resolve this issue. I want those places funded so that kids like this can learn to communicate in the same way as everybody here. [*Time expired.*]

TULLAMORE IRISH FESTIVAL

Mrs DAWN FARDELL (Dubbo) [5.35 p.m.]: Today I discuss Tullamore—to be sure, to be sure—a matter close to the hearts of many: the Irish. How do I know this? During the Easter break I was fortunate to officially open the second annual Irish Festival in Tullamore and witness a whopping 30 per cent increase in crowd numbers. Most of those who passed through the gates were from outside the district, underlining the drawing appeal of this event. For a community of about 700 it was an outstanding achievement and a tribute to the hard-working organising committee. There are only two Tullamores in the world: the one in Ireland is green and well watered, the other is in my electorate. These days it is a somewhat dry agricultural town where the only physical echoes of Ireland are in the names of families and properties—Carey, Crowley, Kilmarnock and Kinvara. The other similarity is the love of a good party.

This year the festival was alive to the sights and sounds of Irish pipe bands, Irish dancing, a spectacular street parade, kids entertainment and 28 different stalls. Honourable members will be interested to hear that Murphy's Law took out second place in the now famous Tullamore Irish Cup run over 357½ yards. About 70 per cent of this community has strong Irish links and an ancestry that can be traced back to the Emerald Isle. So, to hold an Irish festival and celebrate the good humour, resilience and creativity of that heritage in this New South Wales town is as natural as Guinness. If there is a downside to such a wonderful festival it is the lack of support from major sponsors. The people of Tullamore and the surrounding district are good consumers. They buy groceries, purchase clothes and shoes, use modern telecommunications and bank their savings. In other words, they fill the tills not only of small businesses but also of many major corporations and retail chains. It is a great pity the favour is rarely returned by the big end of town.

At many of the spectacular regional events I attend, the list of sponsors is heavily weighted towards the small and local, who are suffering enough trying to exist. Small businesses put in more than their fair share and deserve our heartfelt congratulations. Without them many country events would cease to exist—as the honourable member for Northern Tablelands will appreciate. Why is it that so many national corporate and retail giants see no need to return a little of the healthy sums they rake in from rural communities every year? It is perplexing—especially when events such as the Tullamore Irish Festival bring hundreds to the district and boost

business. Thankfully the festival was assisted by a healthy grant from the Department of State and Regional Development and funds from Parkes Shire Council and Country Energy. As usual, there was good support from regional media and local franchises. There was some corporate sponsorship but on the whole the response was disappointing or token. Despite this the festival continues to thrive.

Gate-takings this year put the crowd at 1,700, although to most observers—myself included—it looked well over 2,000. It is always hard to single out a few organisers for recognition but I would like to acknowledge the contribution of Michael McMillan—an Irishman—Terri Paul, David Bell, Lynn Edwards, Gary Crowley and, of course, the unflagging Robert Edwards. To the many other committee members and volunteers who made the festival possible I say well done. Profit from the event, which is likely to be more than \$12,000, will be poured into capital purchases such as a cool room, portable shelter and table and chairs. In future the committee hopes to fund projects that will enhance local communities.

It may not be long before a full-time co-ordinator is needed two months of the year to bring the whole festival together. So we are now talking job creation. If I were the chief executive officer of a major chain I would like to get in on some of that action and I would like my company's name associated with that level of enterprise. I can only hope that when the call goes out next year it will be greeted with more enthusiasm and generosity by the big end of town. I also hope to see some members of this House in Tullamore in 2006. I suggest they all pencil in the Leprechaun Lounge for next year.

AGL SUBCONTRACTORS MANLY GAS LINE MAINTENANCE

Mr DAVID BARR (Manly) [5.40 p.m.]: I wish to speak about a gas line problem at 7 Tower Street Manly that indicates an appalling lack of quality control by AGL over the conduct of one of its subcontractors. On Friday 18 March the owner of unit 8 reported a gas leak to AGL, which sent a subcontractor, "Kieran", to respond. Kieran disconnected the gas, inspected beneath unit 8, left unit 8 disconnected and said he would return on Monday 21 March to repair or replace the gas line from the meter to the kitchen of unit 8. The owner paid a bill of approx \$250 but was left without gas for the weekend. Kieran returned on 21 March around 11.30 a.m. and was joined by a sidekick at about 1.30 p.m. The chair of the body corporate, Mr Brian Davies, asked Kieran on at least three occasions what the job was costing and Kieran's response was that he would have to work it out. Mr Davies asked him to put the figure and details under his door as he was going out. He also told Kieran that if there were problems other than the gas line to unit 8 to let him know and that quotes would be called.

That was not done but Kieran did ring him at 8.00 p.m. to quote a figure of \$2,800. Mr Davies thought that this was very steep and queried it the next day with AGL. The response was that whatever the subcontractor said it would be correct. On 22 and 23 March Kieran spent another two days apparently continuing to work—nobody was there to check—although when another body corporate executive committee member spoke to him by mobile phone Kieran was sometimes not "on site", but "would soon be or would return later." Therefore, he was not on-site working all the time. Unit 8 was still without gas. Kieran contacted the managing agent on 22 March advising her of the cost, \$2,800, and said that Mr Davies and another had approved it. That was not true. The managing agent advised him he would have to have a detailed quote in writing.

On the afternoon of 23 March Kieran telephoned the managing agent to say the job was completed. On the evening of 23 March and the morning of 24 March everyone in the block enjoyed gas again. Remember that unit 8 had been without gas since 18 March. However, later on Thursday 24 March someone, believed to be Kieran, intruded into the meter room, switched off each meter, disconnected the new pipeline from the meter of unit 8 and turned off the tap at the gas main at the bottom of the building. So on Thursday 24 March the managing agent tried to contact Kieran through AGL to check whether he really had finished the job and, if not, to return to do so. However, the managing agent spent 90 minutes on the phone to AGL, which appeared not to know of the job or have any record of it and failed to send anybody to respond. Kieran was not answering his mobile phone and a senior AGL staff engineer, "Gary", had his message bank full.

Late that afternoon the body corporate called one of their own plumbers to restore the gas. He carried out tests, found a few minor leaks and seepages in the meter room which he sealed as a sufficient short-term repair, and restored the gas to all other units. He did not reconnect unit 8 because it appeared to him that the work had been left uncompleted by the previous tradesperson. The cost was \$280. On Good Friday 25 March unit 8 was still without gas and remained so for the rest of Easter—11 days without gas. The owner left to spend Easter elsewhere. On Tuesday 29 March the body corporate called one of its plumbers, who restored the gas to unit 8 at 8.30 a.m. On Wednesday 30 March at 8.00 a.m. Kieran and his sidekick appeared uninvited, turned off all gas connections and notified AGL that he regarded 7 Tower Street as a safety hazard.

The query of Mr Davies is that if the drama was as serious as AGL's subcontractors claim, why did they not act on the matter on the first day they were there, Friday 18 March? They notified the managing agent that the gas was reconnected on Wednesday 23 March. They said nothing then about a bigger problem. Again, from Good Friday 25 March to Tuesday 29 March inclusive, five days passed without any further action on their part! And they come strolling back wearing shirts with the AGL logo on Wednesday 30 March! It was only by a chance spotting of them by Mr Davies that he realised they had been there on the morning of Wednesday 30 March. If nobody had called them they were trespassing.

The gas has been put back on but no thanks to AGL. AGL has failed the residents of No. 7 and breached its own customer charter, including the point claiming, "We will commence services or work to remedy the disruption within 2 business days where supply is interrupted and it is within our power to remedy the disruption." AGL should take responsibility for the actions of its cowboy subcontractor. His turning off of all gas connections on 30 March constitutes criminal trespass. AGL has allowed a subcontractor to ride roughshod over its customers. This is a serious issue and raises the question as to how often this happens. I will refer this matter to the Minister for Fair Trading and to the Minister for Energy and Utilities.

NORTHERN TABLELANDS ELECTORATE REFUGEE SETTLEMENT

Mr RICHARD TORBAY (Northern Tablelands) [5.45 p.m.]: I wish to draw the attention of the House to the situation in my electorate regarding the settlement of refugees, specifically those entering Australia under special humanitarian program visa subclass 202. Last year's Federal budget provided for the extension of that program to regional areas. The aim of the program is to ease the settlement of needy and traumatised people and, thereby, lead to their ability to become independent, productive and happy members of rural communities. I am fortunate to be patron of both Armidale and Inverell Sanctuary organisations. The Armidale organisation was formed in May 2003 and has settled two Sudanese families in the city. One family has six children and the other has five. The Inverell branch of Sanctuary, which was formed last year, has brought in one family of eight from Sudan and is discussing further relocations with some Sudanese abattoir workers currently working in Inverell who want to bring their families, now living in Newcastle, to the town.

Active Sanctuary members from both of these centres find and furnish rental houses in preparation for the arrival of the refugee families and help to ease them into the community. Through the scheme the families pay back the cost of their airfares to enable other refugee families to come to the area. Sanctuary raises the airfares required to bring the families from overseas and then provides them with the settlement assistance needed. Each family differs in the type and extent of support required, depending on their background and the extent of the trauma, and possibly torture, suffered.

All families need to be provided with government and other services such as Centrelink, Medicare, schools and adult education, medical, banking, and real estate facilities, and religious and recreational organisations. Some families feel able to manage with almost no help after a few weeks whilst others need support for a year or so. The refugees who have come to our area have been warmly welcomed and supported by the Sanctuary committee and members and, in fact, by the larger community. It appears that rural communities like ours are particularly receptive and that refugees feel safe and may be less challenged than in large, bustling cities.

The Armidale and Inverell Sanctuary organisations have identified the urgent need for two services which currently are either not provided or are inadequately provided. Both these services are provided in metropolitan areas. The first is English as a second language [ESL] for new arrivals. Currently there are nine refugee children enrolled at the only two schools in Armidale that provide English language teaching—Armidale City Public School and Armidale High School. Another seven children will arrive shortly and, of course, many more will arrive in the longer term. Three students are receiving language assistance at the Macintyre High School in Inverell and funding for this runs out in June, but the school intends to try to continue using its own resources.

Armidale City has an ESL teacher for one day per week. She has 24 students on her caseload, 12 of whom have a small amount of English whilst the remaining 12 speak little or no English. The situation at Armidale High is just as inadequate. Those students who speak little or no English have little ESL teaching and spend most of their other lessons struggling to understand what the teacher is saying. That is in sharp contrast to the provision in metropolitan areas, where newly arrived refugee children are able to access intensive English classes before moving on to the general curriculum. Newly arrived refugees, for example, at Holroyd High School in Sydney have intensive English classes for up to four terms before entering mainstream classes and become competent English speakers before they are faced with learning the Australian curriculum.

The second urgent need that I draw to the attention of the House is the ability to access the Early Health Assessment and Intervention Program. Whilst that is readily available to metropolitan refugees, Armidale and Inverell refugees have access only to the general town medical services and not the comprehensive and specialised early medical check and, if necessary, intervention. If such had been provided, serious health problems in one of our families would have been identified and addressed much earlier. That would have avoided the suffering, delay and exacerbation of the health problem that the three children have unnecessarily suffered from and which has potential long-term effects. I urge the Government to assist in the provision of these health and education services, which will deliver the long-term benefits of the refugee settlement policy to regional areas.

WORONORA RIVER VALLEY FIRE TRAIL

Ms ALISON MEGARRITY (Menai—Parliamentary Secretary) [5.49 p.m.]: On a previous occasion I have briefly referred to the long and highly contentious debate in my community about the preservation of a fire trail in the Woronora River valley. Over the years this saga has been the subject of ordinary meetings of council, extraordinary meetings of council, court challenges and counter court challenges, and a level of community anguish that has at times boiled over into personal disputes and, regrettably, apprehended violence orders. Residents had breathed a great sigh of relief when the former Sutherland Shire Council decided to formally give the 700-metre gated fire trail environmental protection.

Some time ago the paperwork was forwarded to what was formerly the Department of Planning and is now the Department of Infrastructure, Planning and Natural Resources [DIPNR]. But an injunction was brought by the developers of the Woronora Heights residential estate, prohibiting any further assessment by the department. Section 94 funds had been collected for the purpose of constructing a road access from the new estate. However, it is imperative to note that the money was never specifically attached to the upgrading of the fire trail in question. To cut short this section of a very long story, by the time the court action was finally resolved a council election had occurred and the new Sutherland Shire Council had had a distinct change of heart.

To the shock and outrage of the residents, council decided to convert the fire trail to a bus link between Bundanoon Road, Woronora Heights, and The Crescent, Woronora. However, it took a series of meetings, extraordinary meetings, motions and rescission motions, to even come to this decision. It is of great significance that the final decision was only made on the casting vote of the Mayor, Kevin Schreiber. As noted on 16 December, 2004, in the *St George and Sutherland Shire Leader*, a newspaper widely read in my community, one of the biggest demonstrations in the history of the shire took place outside the council chambers on that occasion. More than 300 men, women and children turned out on an afternoon of terrible weather. In fact, many were drenched while the speeches were taking place.

Protest signs loomed large and residents were very angry about the council's change of heart. Police had to block off the northern end of Eton Street to allow the crowd to march to the council chambers forecourt. Some of the posters had slogans such as "Protect the Wonnie"—for Woronora—"Koalas Not Cars" and "We're on the road to nowhere—let's keep it that way". The newspaper article noted that, whilst enthusiastic, the crowd was well mannered, as indeed are most people in the shire. The residents listened to the speeches and it is no exaggeration to say they were shocked and angry. I have referred to court challenges and counter court challenges. In fact, two residents' associations have taken the council to the Land and Environment Court in an attempt to stop council's progress on this issue.

In the time available to me I want to address two of the great furphies in this debate. The first is that the debate has been presented as a civil war between those in Woronora Heights and those in the Woronora Valley. However, the Woronora Heights Residents' Association President, Howard Boorman, was surprised at the limited scope of the debate in the council meeting and said that it ignored 90 per cent of Woronora residents who were opposed to the upgrade. Another gentleman, in a contribution to the letters page of the local newspaper of 17 March 2005, said:

Being a resident of Woronora Heights myself ... I certainly do not want it open. The seclusion of the area is what makes it so appealing.

He also stated:

I am writing in protest about the claims made by some people that the majority of residents in Woronora Heights and Woronora want the fire trail opened ...

It will cut Woronora Heights in two because of higher traffic volumes on Bundanoon road and this road is hard enough for pedestrians to cross now.

From another perspective, I have been driving trucks and coaches for almost 30 years and I for one will not let anyone in my family catch a bus down the hill. It is far too steep and dangerous.

He concluded by saying:

We don't need it open or want it open.

The second great furphy in this debate is the expectation that this bus-only way will somehow relieve traffic congestion, which causes a great deal of grief for many residents in Woronora Heights and Engadine. I am at a loss to understand how this bus-only way will achieve that. It would be much more productive, for instance, for the community to turn its mind to ways in which we can improve access to the Princes Highway. I applaud the councillors who have remained true to the wishes of the residents, and I point out to those with different views that there is no overwhelming demand to change the current arrangements. It is not a NIMBY case. I call upon the council to advise DIPNR that it wishes to retract its direction and wants to go with the original proposal. It is not surprising that people regard this as the foot in the door to a full road access.

Private members' statements noted.

COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Reference

Mr ACTING-SPEAKER (Mr Paul Lynch): I report the receipt of the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that having considered the Legislative Assembly's message of 6 April 2005 regarding the Committee on the Independent Commission Against Corruption, it has this day agreed to the following resolution:

That:

- (a) the review under section 32 of the Protected Disclosures Act 1994 be referred to the Committee on the Independent Commission Against Corruption, and
- (b) the review is to determine whether the policy objectives of the Protected Disclosures Act 1994 remain valid and whether the terms of the Act remain appropriate for securing those objectives.

Legislative Council
7 April 2005

CHRISTINE ROBERTSON
Deputy-President

The House adjourned at 5.56 p.m. until Tuesday 3 May 2005 at 2.15 p.m.
