

LEGISLATIVE ASSEMBLY

Wednesday, 16th September, 1992

Mr Speaker (The Hon. Kevin Richard Rozzoli) took the chair at 2.15 p.m.

Mr Speaker offered the Prayer.

MATTER OF PUBLIC IMPORTANCE

Mr Speaker advised the House that he had received from the honourable member for Northern Tablelands notice of a matter of public importance, which would be set down for debate at the conclusion of formal business.

QUESTIONS WITHOUT NOTICE

HOSPITAL EMPLOYMENT

Mr CARR: My question without notice is directed to the Minister for Health. Did the advertising campaign for the GIO Australia float promise more hospital jobs as a result of privatisation? Does page 313 of Budget Paper No. 3 show that approximately 1,700 jobs will be lost from hospitals?

Mr PHILLIPS: Once again the Opposition does not know how to read or understand the Budget Papers and what is actually going on within the area of health. This Government has a commitment to increasing funding for health care services. It has done so in spite of cutbacks by the Federal Government, the recession and the fact that people are bailing out of private health insurance and are requiring public health care. Despite that, since this Government came to office in 1988 it has increased the Budget by \$1.5 billion. This year the Budget has increased in real terms by 1.5 per cent - a record \$322 million capital expenditure on health.

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

Mr PHILLIPS: I have here an advertisement which clearly indicates to the people of Port Macquarie, and I would hope the people of New South Wales, just what the record of the Opposition was when it was in government. The graph can be seen year by year going down further and further throughout the reign of the Labor Government. Then a Liberal-National Party Government comes along and immediately the situation changes and now there is record funding for health care. I am willing to put this Government's record on its contribution and commitment to health care in this State up against that of any other State on any day of the week.

Mr Carr: Seventeen hundred jobs, was the question.

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

Mr PHILLIPS: One of the matters we make absolutely no apology for in health care is that if during this recession there is to be extra money put into health, then the health administrators have a responsibility to ensure that we get the most efficiency out

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of the system and offer front line services. That is what is happening. The reality is that at 30th June, 1991, there were 18,673 support staff in the system; on 30th June, 1992, there were 17,800 - a reduction of 873 staff involved in administration, hotel services and all the other types of non front line services delivering health care. In the same period the number of nurses increased from 30,848 to 31,382, resulting in an extra 534 nurses working in the system.

Mr SPEAKER: Order! There is far too much audible conversation in the Chamber from both sides of the House.

Mr PHILLIPS: An increase in medical staff can be added to those figures. The Government makes no apologies in relation to that. In terms of the changes that are occurring, with the decisions that have been taken over the past 12 months about restructuring and contracting out, there is a flowover effect into this year. The system is not sacking people; the gains are being made through redistribution of people or through voluntary redundancy or attrition.

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

Mr PHILLIPS: Obviously there is a flowover effect. The Opposition cannot have it both ways. If it wants to make the system more efficient it must support the Government and let it get on with it, which is about getting dollars into the front line services. If members opposite want to get more money into health care services they had better start talking to their Federal colleagues.

MARITIME SERVICES BOARD CREDIT RATING

Mr ZAMMIT: My question without notice is directed to the Minister for Transport, and Minister for Tourism. Is it a fact that the Maritime Services Board has had its credit rating reviewed by the Standard and Poor's rating agency? Can the Minister advise the House of the result of that review?

Mr BAIRD: The honourable member for Strathfield follows closely all matters of transport reform within this State. We know that budget time is not a time that the Opposition members enjoy, as they are all financial illiterates. They do not understand the Budget Papers; they can never work them out. However, if there were to be a debate in this House about left handed whales they would be here lining up right out through the door.

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

Mr BAIRD: If the Opposition wants to have a debate on the economy, if it wants to debate the substantive theories of managing this State's economy, where are its speakers? The Opposition has trouble finding anybody to speak on this subject. Many of its members would make a speech of a maximum of four minutes, as they do not understand it at all.

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

call the honourable member for Drummoyne to order.

Mr BAIRD: Last night we saw the Leader of the Opposition on the "7.30 Report". He squirmed as he was asked questions because he does not understand the economy or the Budget and he merely returns to his old rhetoric.

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

Mr BAIRD: If one wants to look at the Opposition's financial management one need only look at the Australian Labor Party headquarters.

Mr SPEAKER: Order! There is far too much interjection from the Government benches.

Mr BAIRD: In that project the Opposition sustained a loss of \$10 million yet its supporters think they can manage the State.

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

Mr BAIRD: It is not surprising that members opposite are in opposition. They do not know what they are doing.

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

Mr BAIRD: The difference between the Government and the Opposition is the financial management of this Government, best reflected in the international credit ratings it has achieved. The credit ratings of government agencies in all Labor States are falling like ninepins.

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

Mr BAIRD: In Victoria the credit rating continues to fall. As opposed to that, New South Wales is one of the few States or countries around the world that has maintained a triple-A status, despite the severity of the recession which the Federal Government has induced. Today I can report to the House that the Maritime Services Board has had its credit rating reviewed by the influential Australian ratings authority run by Standard and Poor's. The cleaners have been through the Maritime Services Board to determine its true financial position - never mind the creative accountants. When the Opposition was in government the accountants managed to hide the figures and tried to make out that the railways were losing only \$300 million a year.

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

Mr BAIRD: In fact, the railways were losing more than \$1 billion a year but when the Opposition was in government it would not own up to it. It hid behind creative accountants. The reality is that at a time when many organisations are being downgraded the Australian ratings authority actually lifted the MSB from AA minus to AA. Members opposite, and especially their Victorian colleagues, could only dream of their institutions achieving similar results. When this Government came to power the

MSB had major financial difficulties. It had no prospect of its credit rating being upgraded. While constantly criticised by the honourable member for Kogarah and the Leader of the Opposition, the MSB has achieved these results by reducing its debt, restructuring port charges and cutting operating costs. But, the substantial savings achieved by the MSB are for the benefit of all the people of New South Wales. The Government has turned the organisation around so that not only does it pay its way but it returns a profit for the people of New South Wales. It is the people of New South Wales who will benefit from this upgrading because the Government achieved a record dividend of \$30 million last

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financial year and this year will achieve a further \$35 million. Those results reflect in lower credit charges. As a result of the shift in the credit ratings, the Government will enjoy a reduction of \$138,000 in credit fees. That is quite a large amount in terms of credit ratings.

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

Mr BAIRD: The Opposition had its chance in government and blew it. It had no reforms. This Government is showing the way not only in this State but right across Australia. Making GTEs more efficient has become the hallmark of this Government's achievements. We can all remember what Elcom was like when the Opposition was in government - blackouts were the order of the day; not enough electricity available for our homes. This year the difference is that the government trading enterprises will contribute \$1 billion to the State Budget. When the Opposition was in government that source contributed \$100 million and that difference represents the loss in revenue this State received from the Federal Government and also the downturn in profit and sales. New South Wales would be in serious trouble were it not for the significant reforms achieved by this Government. A difference of \$900 million is very significant. It enables the Government to do what is required in all programs, whether it be in health, law and order, community services, transport or education. The management of this State has proved to be a benchmark for all other States. The credit ratings of the Maritime Services Board reflect the reforms and the efficiency that have been achieved. They have been turned around and used to improve services for taxpayers.

PUBLIC SECTOR JOB LOSS FREEZE

Mr WHELAN: My question without notice is directed to the Premier, and Treasurer. In view of the fact that the Budget Papers show a loss of 7,300 jobs this year and at least 4,400 over the next two years, will the Premier inform the House when his promised freeze on job losses will take effect?

Mr FAHEY: It is obvious that the honourable member for Ashfield and all members on the Opposition benches choose to ignore the fact that the Budget I announced yesterday provides for 18,000 new jobs in New South Wales.

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

Mr FAHEY: These will be real jobs.

Mr SPEAKER: Order! I call the Leader of the Opposition to order for the second time. I call the honourable member for Mount Druitt to order.

Mr FAHEY: Members of the Opposition refuse to accept that the decisions of

this Government concerning government trading enterprises have increased the dividend to taxpayers - from \$129 million to \$980 million this year.

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

Mr FAHEY: The provision of that money will assist the Government in looking after those services for which it has a social responsibility - community services, health and education - for which there is community demand.

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

Mr FAHEY: We would now have been in considerable difficulty if government trading enterprises had not been operating successfully in the private sector. We would have been in difficulty because we are in a recession - a recession which even the Leader of the Opposition admitted last night on the "7.30 Report" was Federally induced. The Leader of the Opposition said, "The Federally induced recession has caused problems in New South Wales". We know that. That is the only honest statement he has made about the Budget since I delivered my Budget Speech yesterday afternoon. Because of that process we need to continue to ensure that our government trading enterprises operate efficiently and return dividends - tax equivalent moneys - to the people of this State. That in turn will ensure that services will be provided. It is abundantly clear for all those who listen and for all those who look at the Budget in its true perspective that what I said yesterday, and previously, is that there will be a retrenchment freeze and a continuation of voluntary redundancy in New South Wales. I note that the Leader of the Opposition, in a job statement at the weekend, supported the continuation of voluntary redundancy. There will also be a continuation of natural attrition, non-replacement and redeployment linked with training.

We have to recognise that we cannot continue to operate in a proper fashion simply by propping up various government agencies in order to ensure that we retain employment. Over the past few years there has been a downsizing of the public sector by about 30,000 jobs. Government trading enterprises contributed in excess of 26,000 of those positions. The Government will continue with voluntary redundancy, natural attrition and non-replacement. The Government will continue to deliver services to the people of this State in a sensible, responsible, and affordable fashion. This Government will not be subjected to the sort of approach that was always adopted by Labor, with orders being given by the unions to hold on to jobs at all costs and not to worry about the deficit. While I am talking about deficits, let us look at the record of Labor's last full year in office. In 1986-87 the deficit, in real figures, was \$1,403 million. This year the deficit is \$1,225 million. Between the time when Labor was last in office and now the difference in the budget deficit is \$178 million - a better result by this Government in a period of recession, which the Leader of the Opposition agrees was caused by the Federal Labor Government. That is a pretty remarkable achievement!

WELCOME HOME FOR PARALYMPIC ATHLETES

Mr MERTON: My question without notice is directed to the Minister for Sport, Recreation and Racing. What assistance has the Government given to Australia's successful paralympic squad? What does the Government propose to do by way of public recognition of the outstanding performances of these athletes?

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

Mr SCHIPP: The honourable member for Blacktown cannot help herself. She would never qualify as a member of the paralympic team. The matter raised by the honourable member for Baulkham Hills is important. Today members of the Opposition have been mischievous and misleading. I thought the Government had bipartisan agreement on the Olympic bid, the Olympic Games and Olympic performances. Today that agreement has been broken. Members of the Opposition, who have nothing to contribute to the budget debate, have been running around putting out misinformation about the Government's plans to welcome the paralympians when they return to Australia.

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

Mr SCHIPP: That matter has not been overlooked. Eight to 10 days ago the Premier contacted the team and, on behalf of members of the Opposition, members of the Government and the people of New South Wales, congratulated them and paid tribute to their outstanding performances at Barcelona. The Premier also asked in that correspondence what the Government could do to welcome them home and honour them.

Mr Newman: Give them some money.

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

Mr SCHIPP: There has been a promise of money. After an exchange of faxes and telephone calls it was suggested, because of complications, that when the paralympians returned - they are not all returning at the one time - a reception should be held when the majority of the team is back in Australia. When the team and its managers arrive on Friday, meetings will be held between the Premier's Department and the public affairs section of the Town Hall to work out what should be done. If a parade is to be held we need to take into consideration the needs of this group of disabled people. For example, we do not know what sort of transport will be required.

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

Mr SCHIPP: Honourable members opposite -

Mr SPEAKER: Order! There is far too much interjection, particularly from members on the Opposition benches. Interjections impede the smooth flow of question time and restrict the number of questions that can be asked and, therefore, answered. I ask for the co-operation of all honourable members. Failing that, I shall take more stringent measures.

Mr SCHIPP: Honourable members opposite -

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

Mr SCHIPP: Honourable members opposite and people in the media are

suggesting that we should have no consultation; that we should set a date, put forward a proposal and say, "This is our proposal and you do not have any input". That would be irresponsible and offensive to the paralympians, their team managers and the organisations they represented. We have suggested the right way to go about that particular procedure: hold discussions next week, work out what is feasible, how it can be done and when it should be done. An important consideration is whether the intellectually disabled athletes will be here in time to join in the celebration. In addition, the Lord Mayor, on behalf of the city council, and the Government have planned a reception to be held at Sydney Square on 30th September. On that same day a lunch is to be hosted at Ryde by the Rydalmere Rehabilitation Centre. The paralympians will be transported to the CBD. They will then form the procession to move to Sydney Square, where the Government will join with the Sydney City Council to pay tribute to these Olympians for about an hour and a half. That is all subject to the discussions which will take place next week. I want to emphasise that. That is an agreement with the Lord Mayor and his planners and the Premier's Department and me. I will be acting in a co-ordinating role on behalf of the Government.

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

Mr SCHIPP: We will hold the most appropriate form of reception in recognition of these people, who have done us all proud. I remind the House that the Australian team finished sixth in the world rankings at the games. They captured a total of 76 medals - 24 gold, 27 silver and 25 bronze. Of the 150 Australian paralympians, 51 were from New South Wales. We want to honour our athletes in the most appropriate form. All this nonsense that the Opposition is trying to stir up can be put to rest, because the matter is well in hand. I thank the Premier for taking the early initiative he took. We will be there to say to these people: Good on you.

COMPUTERISED OPERATIONAL POLICING SYSTEM

Mr ANDERSON: My question without notice is directed to the Premier, and Treasurer. Has the Minister for Police abandoned the computerised COPS system after the expenditure of \$5 million and against the recommendation of the State's senior police? Will the Premier overrule the Minister and ensure the urgent completion of this vital project as recommended by the Select Committee on Gun Law Reform?

Mr FAHEY: If the Minister for Police took a decision of that nature, I am sure it was based on very sound advice and on a very sound premise. The simple answer is that I am not aware of this matter. I shall obtain that information and let the honourable member for Liverpool know the answer in due course.

JUNEE CORRECTIONAL CENTRE

Mr SCHULTZ: My question without notice is addressed to the Minister for Justice. Will the Minister inform the House of the progress of the construction of the Junee correctional centre? Is the Minister aware of Opposition support for this project?

Mr GRIFFITHS: I thank the honourable member for Burrinjuck for his question and acknowledge his commitment to the improvement of correctional management in New South Wales.

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

Mr GRIFFITHS: As honourable members would be aware, Junee correctional centre will be the first privately designed, constructed and managed correctional facility in this country. When the Australian Correctional Services tender was accepted in August 1991, the design construction costs and fit-out amounted to \$56.95 million. The delivery schedule was 101 weeks.

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

Mr GRIFFITHS: Following final contract negotiations that development period was shortened to 93 weeks. This resulted in a reduction in capital expenditure of \$3.84 million. In addition, there will be an anticipated one-off saving in operational costs of \$260,000 as a result of completion two months ahead of the original schedule. I remind the House that the Opposition asked, in a rather stupid press release on 25th June, 1991, "Who will bear costs arising from inevitable delays in construction?" It is no surprise

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that the Opposition makes these predictions, given that every time they instituted a capital works project while they were in Government the costs blew out and it was invariably completed late. I am proud to tell them and this House that, true to form, they were again wrong about Junee. The new accelerated schedule I mentioned has not only been met, it has been bettered. Rather than the delays sprouted by the Opposition, work at Junee has proceeded ahead of schedule, with funds advanced to allow this to occur. This funding came from savings on five other major capital works projects of the department, including developments at Silverwater, Parramatta and Parklea correctional centres. In most cases those savings were made through competitive tendering on subcontracts for projects. This means that savings through using the private sector have resulted in speedier construction at Junee and substantial savings to the taxpayer - something this Government cares about, unlike the Opposition. As a result, the Junee correctional centre is now scheduled for completion in February-March 1993 - a further two months ahead of the revised schedule - and will allow another one-off saving in operational costs of \$260,000.

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

Mr GRIFFITHS: These outstanding results speak volumes for the success of the Junee venture. The correctional centre will be completed four months ahead of schedule and below budget.

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

Mr GRIFFITHS: As I have stated, further operations savings will accrue to the taxpayer as a result of the early completion.

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

Mr GRIFFITHS: But did the fact that Opposition members were again caught with their facts wrong stop them? Of course not. Not content with their entree of incompetence, they decided to make a real meal of it. In an article on Sunday, 31st May,

1992, the Opposition again showed that its ability to do the sums is on a par with that of John Bannon. They claimed that the accepted tender was \$7 million more expensive than the cheapest private bid. In fact, it was \$7 million cheaper than the other bids. They claimed that the tender was "Considerably more expensive than the Public Works Department bid". In fact, the Public Works Department did not even make a bid. They claimed that the costs for the correctional centre had blown-out by \$4.7 million.

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

Mr GRIFFITHS: In fact, the contract was for fixed end-cost dollars with any variations not specifically provided for becoming the responsibility of the contractor, not the Government. The so-called blow-out did not and does not exist. Every claim has been completely and utterly wrong.

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

Mr GRIFFITHS: All I can say is thank goodness the Opposition is not running the New South Wales State Bank, and will not be for a long time to come. It is obvious that the efficiencies that result from involving the private sector in the construction of correctional centres have delivered these savings to the New South Wales taxpayer.

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

Mr GRIFFITHS: These same efficiencies will deliver the State's most modern correctional centre four months ahead of schedule.

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

Mr GRIFFITHS: This achievement deserves to be acknowledged by Mr 1 per cent and the member next to him. We have heard from Mr 1 per cent. This achievement deserves credit and I pay tribute to the management and the staff of Australian Correctional Services. Their efforts have shown how tired and half-baked the Opposition is when it trots out its hackneyed harangue against private sector involvement in the provision of public services.

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

Mr GRIFFITHS: I look forward to the Independent members of this Parliament joining with the Government in this commonsense and practical approach to the provision of correctional facilities in this State. I am confident that for many years to come this excellent performance will continue during the private management of Junee to provide the same level of service and benefit to the public of New South Wales. The Opposition should hang its head in shame, as Mr 1 per cent is doing at the moment. This benefit to the people of New South Wales will come despite its worst lies -

Mr SPEAKER: Order! There is far too much audible conversation in the Chamber from both sides of the House. I call the Minister for the Environment to order.

Mr GRIFFITHS: - and its best efforts to undermine what has been achieved at June.

AMBULANCE SERVICE STAFF CUTBACKS

Mr CRITTENDEN: My question without notice is addressed to the Minister for Health. Has the Government received two separate reports recommending immediate increases in the number of ambulance officers by at least 100 positions? Why is the Government cutting the number of ambulance officers by 63 positions? What increase in response times will occur as a result of those cutbacks?

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

Mr PHILLIPS: We really have reached the pits of questions in this place.

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

[Interruption]

Mr SPEAKER: Order! I have now given a general call to order on more than three occasions. For some reason unknown to me members are restless today. Having given three general calls to order, I inform those members who have been called to order
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on one, two or three occasions that they are now deemed to be on three calls to order. Any member who has already been called to order and attracts my attention again will be ordered to leave the Chamber forthwith.

Mr PHILLIPS: As I said, we have reached the pits of questions in this place. The honourable member for Penrith is constantly after me to provide additional funds for the hospital in her electorate. Opposition members queue up to ask me for money for hospitals in their electorates. Let us examine what is happening in the Wyong electorate and at Gosford. Under the administration of this Government two new ambulance stations have been constructed in that district and the number of staff has increased. Also, \$70 million worth of extensions have been built at Gosford and Wyong hospitals. This year the increase provided in the Budget for the Central Coast Area Health Service is \$21 million, a 20 per cent increase.

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

Mr PHILLIPS: No one in this House gets anywhere near a 20 per cent increase in their budget. That increased funding will mean hundreds of additional jobs will be available. I shall inform the honourable member of what is happening on the Central Coast.

Mr SPEAKER: Order! I call the Deputy Premier, Minister for Public Works, and Minister for Roads to order.

Mr PHILLIPS: The Deputy Leader of the Opposition, who is up at Port Macquarie trying to resurrect the disaster the Australian Labor Party has caused up there, has also been to The Entrance and the Central Coast, where he issued a press release. That press release, dated 16th September, stated:

The redevelopment of the Central Coast Area Health Service has now been put on the backburner.

I remind honourable members that that is \$21 million worth of backburner. I just do not understand the Deputy Leader of the Opposition. There are 222 additional beds in the region; 120 beds have been opened at Gosford hospital. What on earth is going on up there? All honourable members opposite want to do is carp, whinge and whine. The Deputy Leader of the Opposition has a standard line on his computer that he throws around at every hospital in the State, and of course he has used it in this instance, "And Gosford hospital now faces the threat of privatisation". The honourable member has no credibility. He has made that statement at every hospital in the State. Speaking about the cutbacks he said, "And the Central Coast will be amongst the hardest hit". The hardest hit, with \$21 million worth of additional funding? His statements defy logic. Let me now refer to ambulance services. Additional ambulance stations have been built in that area. In terms of the total ambulance service, I make no apologies for the fact that restructuring has already taken place to downsize the number of regions and reduce the numbers of administrative staff in ambulance stations. That will continue to flow through. This year the ambulance budget will have a real increase. The ambulance service is doing very well; its budget has been increased and it is restructuring and getting on with the job of catching up with modern management. That is tremendous. The honourable member for Wyong is whingeing and carping when he should be considering the needs of all the other hospitals in the State and giving credit where it is due for what has happened. I have not heard a peep out of the honourable member for Peats about what is happening on the Central Coast.

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ASSISTANCE FOR CONSUMERS

Mr HAZZARD: My question without notice is directed to the Minister for Consumer Affairs, and Assistant Minister for Education. What action is the Government taking to support consumers suffering as a result of the Federal Government induced recession? In particular what has been done to assist families facing hardship as a result of the recession?

Mrs CHIKAROVSKI: I am able to inform honourable members that the Government is in fact assisting hundreds of families that are facing financial difficulties as a direct result of the policies of the friends of members opposite in Canberra. One way of helping those families is through the credit help line program established by my department last year in conjunction with the New South Wales Financial Counsellors Association. The credit help line program provides access to financial counselling services for those across the State who are suffering financial difficulties and do not have access to professional help otherwise. The service consists of a toll-free telephone number staffed by a qualified financial counsellor who provides information, advice and referral. Backup is provided to those who do not have access to a local financial counsellor through another financial counsellor, a part-time solicitor and a part-time administrator. During the past 12 months funds have been allocated to 10 regional financial counselling services to increase their capacity by one additional day per week in order for those services to handle the additional cases referred to them by the toll free help line.

As honourable members on both sides of the House who represent rural electorates will know the 008 help line service has been of particular assistance to people

in rural areas outside Sydney. Many of these clients are small and medium regional businesses which do not have access to rural counselling schemes. They find themselves in difficulty and are accessing the 008 line to help them. The service is able to offer assistance negotiating with creditors and dealing with bankruptcy. I am sure honourable members are well acquainted with the emotional stress and tension resulting from financial problems and the effect that those problems have on families and communities. They will be aware also of the flow-on from those financial stresses into other areas, including public housing, health, family counselling and, of course, the courts. The people who are coming to my department are ordinary, decent Australians who find themselves through no fault of their own in extremely difficult financial situations. They are the ordinary workers and their families, the hard-working owners of small businesses and their employees who have been forgotten and deserted by Labor Party members opposite. Examples of such people are a husband and wife who recently phoned the help line. They have four children and were living comfortably on two incomes plus overtime. When the wife was retrenched and the husband lost his overtime at the factory where he worked, their income shrank from \$1,500 a fortnight to a little more than \$800 - almost overnight. Falling behind with mortgage and credit card payments and with other domestic bills mounting, the family took out two more credit cards to try to cover their expenses. Within months they had amassed a personal debt of \$30,000.

I am afraid that the problems confronting those people are typical of the sorts of problems the financial counselling services have to cope with. I assure them that the New South Wales Government will not ignore their plight, which is more than can be said for some members in this Chamber. I am pleased to advise the House that as part of the \$10 million family support package announced by the Premier yesterday an additional \$300,000 has been allocated to enable the credit help line to operate for a

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further 12 months. I am sure that all honourable members will join with me in acknowledging the excellent but difficult work of the counsellors who work for the credit help line. I am certain that all honourable members will join with me in supporting that service.

ROADS AND TRAFFIC AUTHORITY RETRENCHMENTS

Mr LANGTON: I ask the Deputy Premier, Minister for Public Works, and Minister for Roads a question without notice. Will he concede that the Budget Papers show that 1,572 workers, including 31 from Goulburn, will be retrenched from the Roads and Traffic Authority this financial year? What will be the multiplier effect of that for further job losses in rural New South Wales? How will those semi-skilled workers from Goulburn who are forced out of the Roads and Traffic Authority get another job? Does the Deputy Premier think it is funny?

Mr SPEAKER: Order! The Deputy Premier has the call.

Mr W. T. J. MURRAY: To answer the last question asked by the honourable member for Kogarah, he would have to be the biggest joke of all. He is the man who supported the Roads and Traffic Authority having 13,000 employees. He is the man who complained because for every 15.5 employees it costs the Roads and Traffic Authority \$1 million - and that is \$1 million that cannot be spent on roads. He is the man who cannot understand the Budget Papers. Last night he came out with some statements that showed glaringly his ignorance and inability in that regard. The fact is that the number of people employed at Goulburn will increase. I suggest that the shadow minister should look at the figures and start telling the truth rather than cold-blooded lies. Yesterday the honourable member for Penrith asked an incredible question about budget

funding for her electorate. The fact is that in the past two years under this Government, compared with the last two years in office of the Labor Government, funding for the Penrith electorate has increased by 26.5 per cent. I am sure that many other electorates would have liked as large an increase as that.

CATTLE TICK DIP SITES

Mr BECK: I ask the Minister for Agriculture and Rural Affairs what action the Government is taking to address the problem of contaminated cattle tick dip sites in the northeast of Australia?

Mr ARMSTRONG: Cattle ticks present a multimillion dollar threat to the beef and dairy industries in New South Wales. Since the early 1900s ticks have been controlled by an eradication program. As part of that program more than 1,600 cattle tick dips have been built in northeastern New South Wales and along the Queensland border. The first chemical used in these dips was arsenic and that was replaced in 1955 by the organochloride pesticide DDT. In 1962 DDT was phased out but, as both of these chemicals are very persistent in the environment, residues of both tickicides remain at most sites. In May 1991, as a result of fears about contamination held by the public and the Government, the Government announced the formation of the cattle tick dip site management committee, known as Dipmac, to provide long-term solutions for cattle dip site contamination.

The Dipmac committee reported to the Government in March with a set of 24 recommendations covering issues such as public health, the environment, dip site clean-up, development controls, information support systems, communications and resources.

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The Government then formed a working party consisting of senior officers from New South Wales Agriculture, the Environment Protection Authority, the Department of Health, the Department of Planning, and Treasury to formulate a response to the report which would become the Government's blueprint for addressing this issue. Honourable members will note that the serious consideration given to this issue by the Government, through both Dipmac and the interdepartmental working party, is indicative of the fact that we were concerned not only with finding the right solutions but also with being capable of effecting the implementation of these solutions.

On 11th August the Premier released the Government's response to the Dipmac report. At the same time he announced that the Government has given agreement in principle to the provision of funding of the order of \$900,000 for a program of management and clean-up of dip sites. In addition, he announced an allocation of \$565,000 in the 1992-93 Budget to enable early commencement of remedial works and to fund the establishment of a project team in New South Wales Agriculture. More than \$300,000 of the \$565,000 will be spent on remedial works. In terms of the role that my department will play in addressing the problem, I am happy to announce that it will have a major responsibility in that a project team will be established to manage and co-ordinate the implementation of the agreed recommendations contained in the report. New South Wales Agriculture will also have specific responsibilities in implementing the recommendations. Among those recommendations is the pursuit of chemical companies to provide data on the environmental fate of present tickicides; the development of a categorisation of sites in order to assess the need for action; the obtaining of accurate information on the location of dip structures to guide consultants in their detailed sampling; the determination of rehabilitation and management plans on specific used dip sites; the provision to Dipmac of a display of the location of dip sites, together with relevant summary descriptions; and the development of a database.

There have been some claims that the Government was deliberately delaying responding to the Dipmac report because the problems raised about dip site contamination were too complex. The issues involved certainly are complex but when consideration is given to the co-ordinated and detailed approach the Government has taken to solving the problems, and to the effort and funding that have been committed to implementing these solutions, there can be no question about the Government's ability and determination to tackle and solve complex issues such as this. It will be my recommendation to the committee charged with the responsibility of implementing these recommendations that the program should commence as quickly as possible - certainly in those areas where residences have been established. This has been an ongoing problem for some time. It is significant that this Government has the courage to bite the bullet. It is significant that, despite the fact that there was considerable comment about this issue in the early 1980s, the previous Government did nothing about it. The matter is one of both environmental and economic considerations, but the decision by this Government will result in a better quality of life for people living on the North Coast. Significant also is the fact that on an important public matter such as this the Leader of the Opposition, the Deputy Leader of the Opposition - who is gallivanting somewhere up the coast - and the honourable member for Bathurst - who is probably playing billiards out the back - are not here to perform their functions and duties as members of this place.

PETITIONS

Serious Traffic Offence Penalties

Petitions praying that laws relating to road accident fatality or injury be re-evaluated, received from **Mr Mills, Mr Newman and Mr Shedden**.

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Shellharbour and Kiama School Bus Services

Petitions praying that the House recognise the need to establish a school bus service servicing children of the Shellharbour and Kiama local government areas enrolled at the Illawarra Christian School and Wollongong Community Christian School, received from **Mr Harrison and Mr Rumble**.

Newcastle Rail Services

Petition praying that the rail line between Civic railway station and Newcastle railway station not be closed, received from **Mr Gaudry**.

State Rail Authority Heritage Buildings

Petition praying that heritage buildings in the Newcastle region be allowed to be used by arts and crafts people and that Newcastle Contemporary Artists Incorporated be given approval to occupy a building on the Honeysuckle land for use as a gallery of contemporary art and cultural workshop, received from **Mr Gaudry**.

Central Coast Bus Timetables

Petition praying that the House and the Minister for Transport intervene to reinstate the Busways Central Coast direct bus service to Wyong railway station, received

from **Mr Crittenden**.

Wollongong School Bus Services

Petition praying that the House take urgent steps to require private bus companies in Wollongong to co-ordinate school arrival and departure times and ensure services are not overcrowded, received from **Mr Sullivan**.

Endangered Fauna and Wilderness Legislation

Petition praying that the House repeal the Endangered Fauna (Interim Protection) Act, the Wilderness Act, and wetlands legislation SEPP 14, received from **Mr Jeffery**.

Endangered Fauna (Interim Protection) Act

Petition praying that the Parliament rescind the Endangered Fauna (Interim Protection) Act, received from **Mr Jeffery**.

Brothels

Petitions praying that the Government will take no steps to legalise brothels and will close all existing brothels by enforcing the Disorderly Houses Act, received from **Mr Griffiths and Mr Harrison**.

Pornographic Publications

Petition praying that the House ban crime-inciting, demeaning or degrading publications, prohibit the possession of material depicting all forms of child pornography and paedophilia, and prevent the usurping of State censorship rights, received from **Mr Jeffery**.

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Central Coast Bus Timetables

Petition praying that the Busways Central Coast timetable for services to Buff Point Avenue, Buff Point, be reviewed, received from **Mr Crittenden**.

Lidcombe Hospital

Petitions praying that because of dissatisfaction with the rationalisation of health services the House prevent the downgrading and possible closure of services at Lidcombe Hospital, received from **Mr Davoren and Mr Shedden**.

Canterbury Hospital

Petition praying that the House take action to ensure that Canterbury Hospital is upgraded to allow it to satisfy the present and future health needs of the Canterbury area, received from **Mr Davoren**.

Aged Health Care

Petition praying that the House ensure that admission to public hospitals is based

on medical need, that hospitals are located conveniently for elderly people, that community health services needed by elderly people living at home are expanded, that a moratorium is placed on the closure of hospitals, and that the privatisation of hospital and other health services is stopped, received from **Ms Moore**.

Rachel Forster Hospital

Petition praying that the House direct the Central Sydney Area Health Service to maintain the services and facilities of the Rachel Forster Hospital in their present form and location, received from **Ms Moore**.

Hospital Waiting Lists

Petition praying that funding cuts to health services and hospitals cease and that funding be provided to ensure that waiting lists for hospitals and operations are eliminated, received from **Mr Gaudry**.

Central Coast Area Health Service

Petition praying that the House reject any proposal to amalgamate the Central Coast Area Health Service with any other area health service, received from **Mr Price**.

ASSENT TO BILL

Royal assent to the following bill reported:

Children (Care and Protection) (Child Employment) Amendment Bill

DROUGHT RELIEF

Matter of Public Importance

Mr CHAPPELL (Northern Tablelands) [3.10]: I move:

That this House notes as a matter of public importance the plight of the 73% of New South Wales which is currently drought declared and in particular the rural community in the Western Division of the State.

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At present 73 per cent of this State is drought declared. Our primary producers, rural suppliers, country towns, businesses and families in approximately three-quarters of the State are suffering varying degrees of financial and personal trauma and family and social upheaval as a consequence of drought. The tragedy for them is in real terms but every member of the New South Wales community is affected. There is an urgent need for drought-breaking rain. In many areas it will not rain until at least autumn next year, except perhaps for summer showers. Other areas that rely on summer rainfall expect good rain soon - let us hope and pray that they get it. Even in those areas where rain may revive a crop and replenish ground water supplies, economic survival cannot be guaranteed. Many of our rural and agricultural areas not only are suffering the effects of drought but also are suffering - as is the rest of the State - from the general recession applying throughout the economy, and they are suffering even more because of depressed commodity prices. Those depressed commodity prices are having an impact because of Australia's overseas trade policies and international agricultural commodity trade policies

over which we have no control.

I should like to bring to the attention of the House some figures produced from a recently published survey by the Australian Bureau of Agriculture and Resource Economics. Those figures show that over the past 18 months the rural economy in Australia generally, as in New South Wales, has experienced a severe decline. This is a result of weak commodity prices and severe drought throughout most of our State. At the very best we can expect moderate recovery in the medium term, but that must be qualified by saying, "if it rains". Falling interest rates, a low rate of inflation and lower levels of input costs have contributed to ensuring that farm costs may remain low throughout the rest of this year and maybe even into next year. However, low farm costs do not tell the whole story. The 1991-92 statistics on farm incomes are expected to show a fall in real terms to their lowest value for at least 30 years, and that is if farmers produce crops and livestock in the coming summer season - provided it rains. In 1991-92 our cash receipts are expected to decline even beyond the disastrous 1990-91 figures by a further 13 per cent - an average fall of more than \$18,000 per farm - and that is even if it rains.

Total costs in broadacre farming are estimated to have fallen 6 per cent, or \$8,000, per farm average during the past financial year and are expected to fall a further 14 per cent in the 1991-92 financial year. Because farm costs represent business income to many agricultural supply businesses and agricultural businesses throughout rural New South Wales will fall by similar, if not greater, amounts in this coming year. This is not anecdotal evidence; it is derived from real facts evidenced in rural newspapers about continuing closure and failure of businesses, and bankruptcies. We are aware of the stresses faced by those businesses. Unfortunately, throughout New South Wales more will fail because farm average business profit will remain negative. Throughout the 1992-93 financial year the forecast average loss of broadacre industries will be \$25,000. This represents a modest improvement on the corresponding loss of \$29,000 for the past financial year. However, over the past two years this is a total loss of \$54,000 per average broadacre farm and puts into perspective the measure of economic burden facing our rural producers.

The spectre of drought with which most people in this State would readily identify is through television media depicting great expanses of barren, flat dust bowl, perhaps with a few gaunt cattle or staggering, starving sheep; a farmer or his fellow farmer, his wife, putting out a minimum survival ration of hay or grain, and lopping branches off a few stunted trees in an endeavour to feed stock to keep them alive. Such is often the case in the far regions of the State. However, drought affects different parts of the State in different ways and for varying lengths of time, even after the rains have come. The Minister for Agriculture and Rural Affairs will deal in more detail with the

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Western Division and the southern areas of the State. He knows them better than I. Though my half a dozen trips or so in the past 18 months over the western areas of the State have left me in no doubt at all about the devastation in those areas, I can speak personally about the plight of people facing drought in some of the higher lands in the eastern part of the State.

I know of people who have walked off their land in the Western Division with little or nothing to their names following a lifetime, and often generations, of involvement in rural production in the western parts of this State. Those people have had to remove their children from boarding school, have had to sacrifice a way of life, a career, a business and, in some instances, tragically have lost a life. Such are the pressures and risks to life on the land. Those engaged in the production of our rural commodities

realise the risks. One can feel nothing but compassion for those facing yet another drought. We should all seek to be part of solving the problem that we all face. When our primary producers, businesses that supply them, and surrounding towns suffer, everyone suffers. When the rural community suffers, so too do people in the metropolitan area and everyone in the State.

I will comment briefly about the progress of the drought in my area of the State. Perhaps to the television viewer seated in comfort somewhere in the metropolitan area the effects of drought in livestock production areas on the Tablelands are a little less dramatic, even though those viewers still feel compassion for those suffering the effects of the drought. Though some areas of the State might not look quite as severely drought affected, animal production may have been seriously affected. In areas where farmers do not grow cash crops such as wheat or some other grain but grow pastures upon which to produce their wool, lambs and beef, farmers depend on the feed on the ground, through the rain and the good season, to keep them afloat, particularly in times of depressed commodity prices such as we are experiencing at the moment. Those areas rely very heavily on improved pastures, so that pasture degradation from drought results in not just a reduction in nutritional output from those pastures but also in pastures dying back. Allowance must be made for weed infestation despite the investment of many thousands of dollars in establishing and developing the best possible pasture for that particular farming enterprise. In times of drought, weeds intrude into the pastures and take over; and when the drought has passed pastures have to be weeded so that pastures can be redeveloped.

Weeds, of course, are introduced in feeds that must be brought on to the property to keep stock alive. One of the most significant costs that results from a drought is the pasture re-establishment work that must be carried out for long after the drought has gone. Obviously, in a drought, the condition of livestock deteriorates, productivity falls, stock reproduction falls and the output of the farm in every measurable way diminishes and very often runs into negative returns. Supplementary feeding costs can go through the roof; just at the time when the rural producer needs feed most, so also does everyone else, and because less feed is available stock feed prices are forced up. Some people would say the average feeding costs on the average farm throughout the Northern Tablelands is in the order of \$1,000 a week. The farmer must maintain these feeding programs for as many weeks as is necessary to keep stock alive, always hoping there will be rain, that spring will bring a flush of green and hand feeding can be abandoned for a while. On the larger farms that cost can be multiplied many times. I know of someone who has paid up to \$70,000 in feed supplementation for his stock during this very winter. That is money that would usually have gone into pasture development, or fencing, or paying the bills or the mortgage on the very land from which the production comes and upon which we all depend. As much as 30 to 40 per cent of normal business activity of those who service farms through the supply of fertilisers,

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carrying out aerial agriculture or ground spreading or the supply of other commodities for the farm, can be curtailed due to downturn in farming enterprises. That is why so many of those rural businesses have either failed or are suffering extreme stress.

Merino lambing percentages in my own area might be down from almost 100 per cent to 60 per cent; and cross-bred lambing might be down from 140 per cent to 90 or 100 per cent. Productivity, measured in any way, is down. The effect of a drought can drag on for much longer than just the months when the grass is brown or even dead. The effects of drought can continue for three or four years of good season after the rains before a farm enterprise can get back on its feet and be at full productivity. The plight confronting 73 per cent of this State is grave indeed. The activities that have flowed

from the commitment and initiatives of the Minister for Agriculture and Rural Affairs have been of tremendous assistance to all farmers throughout the State. They have relied upon the many millions of dollars that have been channelled from the Government's coffers to provide direct assistance to stressed farmers. Because the Federal Government does not have an acceptable drought policy - it has totally ignored the needs of our farmers - that degree of State assistance has been all the more essential. Any of us who have been around the rural areas, whether out in the Western Division or in any other part of the State, know how desperately that support has been needed.

Of tremendous assistance has been the thoughtful and caring support of so many of our farmers by the rural counsellors. I am very pleased to see a new rural counsellor has just been appointed in my own area, based in Inverell but serving all the tablelands area. An officer in his position can lend so much support by his encouragement and advice - propping up the people who are so stressed in carrying on their farming enterprise. But even those measures are not enough. There needs to be a national system of drought management to ensure that the great productive industries of this country are supported through the bad times. It is not a matter of providing hand-outs to the farmer; it is about keeping together whole industries upon which this country and this State depend, industries upon which all in our rural communities, regardless of lifestyle, business or profession, depend so much. It is up to the State as a whole community to support the farmers in their hour of greatest need. [*Time expired.*]

Mr MARTIN (Port Stephens) [3.25]: The Opposition is very much aware of the problems being encountered in country areas of New South Wales, particularly in the Western Division. The Opposition has great sympathy for farmers who are in dire straits, who are concerned about their livelihoods, their futures and their families. I was raised on a farm and I have seen floods and fires. The honourable member for Bathurst has a fine record in rural New South Wales. The honourable member for Broken Hill, whose electorate covers three-eighths of the State, is very aware of the problems that have been and are still being encountered in rural New South Wales. Drought is a slowly creeping problem. Australia has always been a very arid country. I now reside in an area adjacent to the Newcastle earthquake. Natural disasters happen quickly. However, droughts are a creeping, insidious problem, requiring decision-making about whether to hang out for another day in the hope of rain in order to get that person and farming enterprise over the line. The financial difficulties become even worse when farmers hang in there in the hope of good rains that will see their problems fixed. They cannot make quick and accurate commercial decisions to cut their losses. And so that insidious creep comes on and on and the farmer becomes like a gambler, making decisions that see him going deeper and deeper into debt.

The Opposition is mindful that depressed wool and wheat prices make it very difficult for farmers to look forward to recovery and a rosy future. Families in the Western Division are true Australians; they battle extremely hard to make this country

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a better place. But their breeding stock is getting worse and worse. That is why it is important to have positive responses from the Government on what can be done to help maintain that nucleus of breeding stock, be it in the form of transport assistance for drought-affected stock or other solutions to look after that industry. We must work towards drought-proofing all properties. I wonder whether what we are doing for on-farm storage of feed and water and all other initiatives in an attempt to drought-proof properties is enough.

When it comes to managing the Western Division the Government has a lot to answer for. Recently some horrible events have taken place because of the

Government's relaxation of controls in the Western Division, to allow clearing, to allow a much lower standard of management of that fragile land. Those red, light soils are so fragile, and changes to the regulations have resulted in degradation of the land. Coupled with the drought and farmers battling to survive, the Government is doing untold and long-term damage to the Western Division. The Opposition will work tirelessly to ensure that whatever can be done is done to assist those people. Some very serious questions must be asked about the Rural Assistance Scheme. The Minister will probably react predictably when I say that last year \$30 million was taken from the Rural Assistance Scheme to balance the State's Budget, at a time of massive problems in the Western Division and at a time of great need for drought assistance. Treasury reclaimed that \$30 million and the Deputy Premier and other members of this Parliament tried to laugh it off. But a *Government Gazette* published at the end of March revealed that the \$30 million went back to Treasury. The Government said that money could not be used for drought relief. Who runs this State? Who is responsible for the appropriation? What is the Government about? Is it about Eastern Creeks, balancing books and creative accounting, or is genuine about helping people who desperately need help? That is what the Opposition is about.

What is being done about freight assistance, and fodder? What is being done to ensure that country people get a living wage? What is being done for their families? What is being done about rural jobs? This Government has a poor record of abolishing jobs in small country towns, and the multiplying effect of unemployment is a lower standard of living and, all in all, a pretty miserable life for people in New South Wales. What is the Government doing about soil conservation in this State - which is highly relevant to land degradation? What is it doing about drought, what is it doing about the downgrading of soil conservation, and what is it doing to keep our land vital? The Government has a lot to answer for. The honourable member for Tamworth introduced a bill into this Parliament to address soil conservation issues, but he has been unsuccessful in having that bill dealt with. Yet it is important that it be addressed. If soil conservation is not addressed, this Government should hang its head in shame.

I turn now to water usage. In December 1991 the River Darling was infested with blue-green algae. What is the Government doing about water usage? It is approving big, glossy projects, but is doing nothing to ensure that sufficient water flows down the western river system - a vital source of water - to maintain existing businesses and keep agricultural industry alive. The Government must do whatever is necessary to keep stock alive and maintain the viability of agriculture in the Western Division. Is the Government treating the Western Division fairly in relation to water usage? Is it sharing water equally? Is it appropriately auditing what is happening with the water - which is the lifeblood of the agricultural industry? The Government must consider what is happening in the cotton industry, and relate that to what is happening with the pastoral industries, with people on fringe agricultural land; and then consider whether it is doing the right thing by the people of New South Wales and being fair to them. Is the Government just

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playing a dead hand to that whole problem? Copeland Dam is designed to fill one year in seven. The volume of water involved in current freehold water rights far exceeds the amount of water that is flowing down the Darling River system. We should seriously ask ourselves, as parliamentarians, whether we are being straight and fair with rural New South Wales? Is the National Party, which supposedly represents country interests, really caring for those people? The answer is no.

We have a major problem. We want to hear the solutions to how the problem will be fixed. By the time the Hunt report came down, alterations to western land

management had already been gazetted. That is a terrible indictment of a government that is not in command of what has to be done for the Western Division and for people who are affected by drought. We should consider the new national drought policy, the number of applications for rural assistance that have been received, how many have been successful and how many have not been successful. What drought assistance has come from the Commonwealth? Yesterday's Budget Papers revealed an improvement in funding for drought relief and drought assistance, but that money came from the Commonwealth, to be generously given to the people of New South Wales by the State Government. We have to be honest. We have to bite the bullet, instead of playing politics against the Federal Government. Simon Crean is doing an excellent job for disaster relief funding, having increased the funding dollar ratio for rural assistance from one-for-one to two-for-one.

The Federal Government has provided additional funding to New South Wales, but what is the State Government doing? At a time when the State Government should be doing everything possible to ensure that funds are made available for drought relief, it is playing politics, State versus Federal. The honourable member for Northern Tablelands sought to play party politics about drought funding. Though the Federal Government has been positive in its drought relief funding, obviously some people will say it is not enough at a time when people are in hardship; but Federal funding has increased dramatically and we must give credit for that. The Government should ensure that credit goes to the Federal Government where it is due. I asked question No. 8 in *Questions and Answers* of 29th April, 1992, in relation to rural assistance applications. I asked how many applications, in all categories, had been received by the Rural Assistance Authority in the period 1st July to 30th November, 1991; what was the average time taken to process those applications; how many applications were being processed; what was the average amount of assistance granted, per application; and how many applications had been refused?

The answer is that there were 2,946 applications in the period 1st July to 30th November. The answer was that on average initial decisions on applications are generally given in three to four weeks. However, the period may be extended due to the need to obtain full field inspection reports, and it had to be appreciated that non supply of critical information by an applicant can also cause delay. There were 801 applications pending at 30th November. The average approval amounts of assistance measures were: natural disaster relief schemes (loan) \$27,713, and for special conservation schemes (loan) \$20,140. For the rural adjustment scheme, parts A and B, the items and amounts were: interest subsidy grant part A (State) (per annum) \$14,360; interest subsidy grant part A (per annum) \$9,771; interest subsidy grant part B (carry-on) (per annum) \$5,696; and training/advice grant (per annum) \$978. The grant for the rural adjustment scheme part C was \$19,635. The crunch is that 1,166 applications have been refused. If that is because of the drought, we must look seriously at how we are assessing these people. We must determine whether we are being cold, hard Greiner-type economic rationalists or whether we care for the people of New South Wales. Unfortunately, we are not doing enough for people in New South Wales who are suffering great hardship.

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Mr WINDSOR (Tamworth) [3.40]: I speak in this debate as a practising farmer, one who is experiencing drought in his own area. My electorate of Tamworth is in the 73 per cent of this State that is suffering drought conditions. Our city cousins and parliamentarians who have city electorates do not appreciate the significance of the effect of a drought on country communities, farmers and the State's economy. Yesterday the Premier handed down the Budget, which organises the finances of this State. One of the

greatest rectifiers of Australia's economic problems is the ability of rural people to work under adversity and to produce. We, as parliamentarians, are obliged to ensure that adversity that is artificially imposed on rural producers does not break their backs, particularly at this time of drought. Droughts have obvious economic consequences on rural communities. In the short, medium and longer term the cumulative effect of these economic conditions can be fairly disastrous for farmers.

About 30 per cent of rural producers in New South Wales will find it difficult to survive this economic and natural disaster drought. The Government, to its credit, has been attempting to assist, where possible. Interest subsidies are available on commercial borrowings through the rural adjustment scheme, with costs being shared between the State and Commonwealth governments. This source of funding can be used as carry-on finance to keep a property operating. The honourable member for Northern Tablelands mentioned earlier that it can be used also to restock and to re-establish pastures. In a sense, the answer to a natural disaster is a natural fix. Rain is badly needed. We must assist the rural community so that when climatic conditions improve it is in a position to contribute to the economic well-being of Australia. Enormous costs are incurred in a period of drought. As I mentioned earlier, I do not believe that our city cousins realise the significance of a drought or are aware of the impact that its costs have on farmers in the long run. I compliment the Minister for Agriculture and Rural Affairs for a number of things, but particularly for establishing rural counselling agencies throughout the State.

Recently Graham Maslem, the Chief Executive Officer from the Rural Assistance Authority, visited my electorate to look at the specific problems of the egg industry. That industry is not suffering from the drought, but it is suffering from an economically induced problem. In a sense, the problems of restocking the egg industry are similar to the problems associated with a drought. I am sympathetic to the statement made by the shadow minister for agriculture about soil conservation. Vast areas in the Western Division of this State are covered by leasehold land. During the past six months there have been massive hikes in charges for those leases. If the Government has some compassion for those suffering from the drought - and I believe it has - it should practise what it preaches and alleviate those massive cost increases, some of which are up to 100 per cent in the Western Division. [*Time expired.*]

Mr BECKROGE (Broken Hill) [3.45]: It is not often that the New South Wales Parliament comes to a halt and takes the time to consider the worth of those on the land. The honourable member for Tamworth referred to his city cousins. I welcome the opportunity to take part in this debate as I know a little about what goes on in the Western Division. I have travelled around that division and spoken to many of its people. It is very sad when there is no rain, when there is a drought, and when people have no prospects for the future. Many people are suffering stress and trauma. The farmers and graziers are not the only ones involved; people in the towns who provide goods and services are also involved. The general scene is depressing. It is nice to know that there are people in government who are prepared to acknowledge the worth of the farmers, who contribute to our national wealth. The Western Division is in its worst plight ever, not only because of the drought but also because Australia, like its major trading partners, is in a recession.

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Prices obtained for sheep and wool are showing no signs of improvement. The drought in the Western Division is a prevailing condition. Rain in that area is an unusual event. Over the years generations of people who have lived on the land in the Western Division have had a *modus vivendi*: they manage their properties as best they can with

the knowledge that drought is prevalent. It does not matter if a farmer is the best manager in the world; external factors do not help at all. Ralph Hunt, Chairman of the Western Lands Advisory Board, has made quite depressing comments about the Western Division. He reported that 41 per cent of stock has been lost in the past 18 months; farm income in the Western Division in 1991 was down 58 per cent compared with 1989; farm business profits have gone down 300 per cent; and average debt levels have risen 66 per cent. Last week I drove to Nyngan, Walgett, Lightning Ridge, Brewarrina, Bourke and Cobar. It was depressing speaking to people on the land. For example, the Thompsons at Wallmaringle told me that this year they have had no lambs and that another farmer had only 40 per cent lambing. That does not bode well for the future. This year's season was better than last year, which does not say very much. The national flock has to be maintained if this country is to reap the benefits of export income.

It is really important that people in the cities understand the needs of people on the land, who are not all whingeing cockies who expect hand-outs. They are people with the greatest of pride who hate the idea of hand-outs, but who in some cases have surreptitiously had to accept hand-outs to pay power bills, in order to exist. That is sad. I am pleased to speak to this motion, as we remember the drought and the effect it has, and I urge these people to keep on keeping on. I would also like to say to the Government: well done for your efforts so far, but we are watching closely.

Mr ARMSTRONG (Lachlan - Minister for Agriculture and Rural Affairs) [3.50]: I thank the honourable member for Northern Tablelands for bringing this matter before the House, and I appreciate the input from all members who have spoken. The honourable member for Northern Tablelands outlined the drought in New South Wales most adequately. He is to be complimented for his appreciation of the situation. The honourable member for Port Stephens, who led for the Opposition and who is, I understand, the shadow spokesman for agriculture, expressed sympathy for farmers and for townspeople labouring under the effects of drought. That is appreciated. He said that he supported very strongly the notion that "the breeding stock have to be transported, or whatever can be done, out of drought areas". I am delighted that he said that, because that is totally contrary to the policy of his Federal colleagues and the Federal Minister for Primary Industries, who is determined to abolish traditional drought relief in this State, in Queensland, and in eastern Australia.

The Federal drought policy has been extended to the States on the condition that they abandon the transport subsidisation scheme, which has saved a lot of stock and many farmers in the past. The Leader for the Opposition has today bought himself an argument with his Federal counterparts. I offer him every support in bringing them around to a commonsense attitude, and I look forward to his success in getting his message through to Canberra. I look forward to his telling this House of his success or otherwise. He spoke about the necessity for on-farm storage of feed and water - correctly so. The Federal Labor Government has virtually written off or taken out the depreciation rates for the construction of fodder storage facilities, for the storage of fodder and indeed, for the implementation of additional water storage facilities. The Australian Labor Party has done away with those benefits and has ignored drought-stricken farms in this State for many years.

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The Leader of the Opposition did not mention income equalisation deposits, because in the very far west of this State - which is where everybody understands the major drought to be at the moment - in many cases the farmers do not have the capacity to grow or store fodder. The land is not suitable for it, it cannot produce it. They have

the capacity in good times to produce and save money. That is why income equalisation deposits were introduced under the former Liberal Party-National Party Government. What did the Australian Labor Party do when it came to office? It virtually made that system unworkable. It changed the system once and it is still unworkable, to the extent that western farmers, with whom everybody has expressed sympathy today, have found the IEDs, as they are known, to be unworkable and unusable. The Australian Labor Party has an enormous amount to answer for, and should hang its head in shame. I thank the Leader of the Opposition for raising those points today. He spoke about the Government's record on soil conservation in this State. We are leading Australia in total catchment management and land care groups. The Government has given a lead to the rest of Australia. It has been commended by virtually every other government, and certainly anybody who has taken an interest in these matters in the last few years would acknowledge that.

The Minister for Conservation and Land Management, and Minister for Energy, the Hon. Garry West, is maintaining an absolutely full service for soil conservation in this State while a sensible and practical restructuring of his department is being carried out. The Opposition referred to the increase in funding from the Commonwealth for drought relief. This is as a result of submissions made by this Government to the Commonwealth Government, pointing out the extremity of the drought in the west. Indeed, the Commonwealth has given, as a one-off package, \$7 million to be used for the relief of extreme drought, and a 75 per cent interest subsidy. In doing that, the Federal Minister for Primary Industries acknowledged the input of New South Wales. He said the only reason he was prepared to give 75 per cent was because this State had contributed \$18.5 million. He acknowledged that. The member who led for the Opposition does not know that; once again he has not done his homework. You were caught out there, Bob. If you had read Federal *Hansard* you would know that the Federal Minister for Primary Industries virtually congratulated this State on its input. [Time expired.]

Mr CLOUGH (Bathurst) [3.55]: For the past five minutes I have had confirmed my thoughts about the approach of the Minister, as part of the Government of this State. While we argue the point about who is responsible - the Federal Labor Government or the State Liberal Party-National Party Government - the people who are desirous of our support, particularly those living in the Western Division of New South Wales, are suffering. Nobody seems worried too much about that fact, but it is okay for us to score points off each other. I think that is a reprehensible approach to the matter. The people in the west expect better of their representatives in this Parliament. I listened very carefully to the honourable member for Tamworth and to the honourable member for Broken Hill, and although I represent an electorate that has a proportion of rural activity, mine is not an electorate that significantly suffers the plight affecting those people living in the Western Division.

In case anybody thinks I have had no experience in those areas, I inform the House that I was stationed in the Western Division for a number of years, and that I was stationed in areas of Western Australia that make the Western Division in New South Wales look like a summer resort. I believe that we are missing the boat with regard to what we should be doing for farmers. There is a point of view that appears to be fairly widely held on both sides of this Parliament that the State finishes at the Nepean River.

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That is not the case. Hundreds of thousands of people who live in the country are dependent on the farming community for their very livelihood - the small shopkeepers, the storekeepers and other people who provide services for the farming community. The honourable member for Tamworth touched on a very pertinent point. He said that the

lease fees charged by the Government are still being applied to people who are in debt. One of the saddest things I have ever encountered as a member of Parliament was when I was elected to represent the electorate of Bathurst in 1981. We were in the middle of a very bad drought. I had a constant stream of people coming to me who, I would say, had never voted Labor in their lives. I could not expect that they would vote for me, but they were coming to me as an interloper in their electorate because they were distraught. They had no money, they were going to lose their farms, they were going to lose their homes and they were in deep trouble.

It is an absolute disgrace that governments, both Liberal Party-National Party governments and Australian Labor Party governments, have not grasped the nettle of what to do in the rural community. We talk about the rural assistance scheme; we talk about carry-on finance and restocking finance. But those measures are all based on a loan structure. It does not make any difference how one interprets funding if it is based on a loan structure. The farmer still owes the money. Under the old rural assistance scheme when I was making inquiries, people were only given assistance if they could not get it from their normal banking channels. In those days the rates were prohibitive. I suggest to the Minister for Agriculture and Rural Affairs that we look at doing a number of things that would help these people. There would not be one ounce of opposition if lease fees were remitted while the drought continues. There will certainly be support from the committee that I chair in the Australian Labor Party for an approach to the Federal Government to meet some of the revenue loss from those fees. Let us do something practical to help these people.

If those people become eligible for a loan under the rural assistance scheme, a percentage of that money should be applied as a non-repayable grant. Above all we should examine the situation in the Western Division to find out whether the projects being carried out there are suitable. I spent eight years on the northeastern goldfields of Western Australia, where sheep farming is the principal pastoral occupation. In that region sheep farming is gauged not on the number of sheep per acre but on the number of acres per sheep. That area was always in drought. It never received more than seven inches of rain, even in good years. The stocking of properties in the west should be examined carefully. The Government should forget about giving farmers loan after loan and instead remit their lease fees to show the people in the bush that someone in the Parliament has concern for them.

Mr CHAPPELL (Northern Tablelands) [4.0], in reply: I thank honourable members for giving me the opportunity to bring this matter of public importance to the attention of the House. I thank particularly those members who participated in the debate. Even those who intruded false information and false logic did so in a spirit of concern for the majority of people in rural communities. I should clarify a few matters. It was said that increased lease rentals are impacting severely on some people. Of course that is so. Those lessees who can demonstrate hardship are entitled to a 50 per cent rebate of those rental fees - a substantial benefit to those affected by increases in land rentals. The honourable member for Bathurst said that not too many people are concerned about those who are suffering from the effects of drought. If that is so, why have members from both sides of the House expressed grave concern for those affected by drought throughout New South Wales? Is it not appropriate that those honourable members who represent country electorates should put on the record and bring to the

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attention of the Parliament and the people of New South Wales that a plight of massive proportions faces rural communities, particularly those in the Western Division? It is so much hogwash to say that honourable members are not concerned or that in this debate only two honourable members expressed any concern for those people; but it is what

one would expect of members opposite.

In the course of the debate it was said that things have been fixed up by the new national drought policy. Honourable members know that is not so. As the Minister said, the Federal Government has insisted upon the abandonment of the transport subsidy for livestock. The question to be answered is: what about the benefits for fodder storage, protection against future drought, water storage and money storage in the sense of the income equalisation deposits referred to by the Minister? Those practical measures need to be addressed so that individual landholders and property managers can be protected against drought. In itself that will not be enough. Irrespective of the progress people make in their farming enterprises, there will always be those who come in at the bottom end, who have borrowed up to buy a farm in the first instance. They will not have been able to build up a store of fodder, water or money to protect themselves against drought, which can never be predicted with any degree of certainty other than that one knows that at some time another drought will occur. When the next drought occurs all of those people possibly will endure great hardship. They need to be assured that a drought policy and strategies are in place that will operate both nationally and at a State level to assist them through the drought. It is hollow to suggest that simply by having the Federal Government approve the granting of a few million dollars late in the piece, after great pressure has been exerted by this Government and the Minister for Agriculture and Rural Affairs, the Federal Government will be absolved from further responsibility for instituting a national drought policy.

A sincere and long-term strategy needs to be developed that will work for the benefit of people, whether they are caught by circumstances after a lifetime of running and developing their farms or they are newcomers who have been caught short by circumstances, having just put their future in hock by borrowing money to buy a farm and establish a rural enterprise. No matter what stage people have reached in their rural trading enterprises, they all need to know that they can rely upon a drought policy in the event of a serious downturn in their circumstances. Unfortunately the honourable member for Port Stephens tried to divert the debate to issues about soil conservation and water management. I concede the importance of those issues that affect rural communities and must be addressed, but the performance of this Government in that regard is commendable. The Government is working towards the long-term protection of the State's rural industries, individual farmers and the environment in which they work - their land and the circumstances within which they must produce the commodities upon which we all rely.

I shall go through some of the facts that paint the complete picture of the seriousness of the drought in New South Wales. I commence by saying that 73 per cent of the State's land mass at present is officially drought declared. About 30 per cent of farmers will not survive under the present circumstances. That may be a result of the past high interest rate regime from which many farmers are still suffering. Everyone is pleased about the reduction in interest rates over recent months, but many people still suffer from negative income and are locked into inordinately high interest rates. They have no way out of that situation and it will drive them to the wall. As a consequence of falling commodity prices, high interest rates and drought, large falls have occurred in property values. Those reductions in property values impact upon equity when someone goes to the bank to try to negotiate a mortgage. All of the ravages of the drought have

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had different effects in the various regions. From time to time farmers have managed to have their properties taken out of the list of drought affected areas following good falls of rain. However, just when they start to get smiles on their faces and see a light at the end of the tunnel, the drought sets in again.

In two years sheep and cattle numbers have fallen by 41 per cent. In the Milparinka district in the Far Northwest of New South Wales sheep and cattle numbers have fallen by 70 per cent. The gross value of wool production in the Western Division in 1989-90 was \$320 million; in 1991-92 it was \$115 million - a reduction of 64 per cent. That sets the parameters of this issue: the social, economic and personal consequences are tangible and palpable. This Parliament must express great concern in words and deeds. Everyone will agree that throughout the tenure of office of the present Minister for Agriculture and Rural Affairs he has made a sterling effort on behalf of rural industries and producers by facing up to the responsibilities of government in so far as the establishment of rural drought and survival policies are concerned. He has put enormous pressure on his Federal counterparts and his counterparts in other States in an endeavour to ensure that New South Wales has a real and workable drought relief policy.

Despite all of the huffing and puffing at the Federal level, there is no national substantial and survivable drought relief policy. We must continue to pursue that policy. I know that the Minister will continue to do so with great vigour, because he simply will not give up on his attempts to establish a permanent national drought relief policy to support all people in the State. This issue does not affect only the farmers. People in the metropolitan areas and those who know about drought only from what they see on television screens need to have it affirmed that this issue does not affect only the farmers, though they bear the most direct brunt of the effects of drought. We are talking also about agricultural machinery suppliers, rural town businesses; all the agribusinesses that survive on rural income derived from farm products. Those who live in rural towns and who run local businesses - for instance, boarding schools - rely on income produced in rural areas. Every person in this State is affected. This State deserves for its farmers and for its rural communities a genuine and long-lasting national drought relief policy which has teeth and will work. I am not talking about hand-outs; no one is calling for those. It should be a policy that will allow our great rural industries to survive in times of greatest stress.

Motion agreed to.

HEALTH CARE COMPLAINTS BILL

Bill introduced and read a first time.

Second Reading

Mr PHILLIPS (Miranda - Minister for Health) [4.11]: I move:

That this bill be now read a second time.

It is with great pleasure that I now outline the provisions of the Health Care Complaints Bill. The purpose of the bill is fourfold: first, to facilitate the maintenance of standards of health services in New South Wales; second, to promote the rights of clients in the New South Wales health system by providing clear and easily accessible mechanisms for the resolution of complaints; third, to facilitate the dissemination of information about clients' rights throughout the health system; and, fourth, to provide an independent

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mechanism for the prosecution of disciplinary action against health practitioners who are registered under health registration Acts. The bill will establish the Health Care Complaints Commission to receive and deal with complaints relating to health services, and the Health Conciliation Registry which will be responsible for the conciliation of

complaints referred to it by the commission. The commission will be established as a statutory authority and will replace the Complaints Unit of the Department of Health.

The commission and the registry will be independent of each other. The commission will be directly responsible to the Minister for Health while the registry will be responsible to the Director-General of the Department of Health in his capacity as the Health Administration Corporation. New South Wales was the first Australian State to acknowledge the need for an independent mechanism to investigate health care complaints with the establishment of the Complaints Unit in 1984. The decision to provide the unit with a legislative base through the establishment of the Health Care Complaints Commission is another landmark in the handling of complaints relating to health services in Australia. Since the inception of the Complaints Unit it has developed rapidly, and today its role is far more complex and active than when originally established. In part this has resulted from changes to the Medical Practitioners Act introduced in 1987 which provided for the investigation of complaints against medical practitioners by the Director-General of the Department of Health - a function which in practice has been carried out by the Complaints Unit. The change is also due to the unit's philosophical commitment to a complaint mechanism that focuses on accountability and public interest. The decision to establish the Health Care Complaints Commission results from the findings of the Royal Commission into Deep Sleep Therapy in relation to the Complaints Unit. The report of the royal commission stated, among other things:

A body with powers which affect the rights of individuals should have its powers defined by and should be accountable to Parliament;

The unit's structure should be changed so that it contains a prosecuting and investigating arm and a complaints and conciliation arm; and

The unit should be an independent statutory authority.

The decision also reflects this Government's recognition of the fact that public confidence in the present health complaints system, coupled with the need to delineate properly the responsibilities of the Complaints Unit, the New South Wales Department of Health, health professional registration boards and the Minister for Health in this system, demands that the respective roles of these bodies be formalised in legislation. I would now like to outline the main features of the legislation. The Health Care Complaints Commission will be headed by a commissioner appointed by the Governor and will be under the direction and control of the Minister for Health, except in respect of the investigation of a complaint, the prosecution of a complaint, the terms of any recommendation of the commission and the contents of the report, including the annual report. The commission's function are clearly delineated in the legislation. These are:

To receive and deal with complaints relating to the professional conduct of health practitioners, complaints concerning the clinical management and care of individual clients by health service providers, and complaints referred to it by a health registration board.

To assess complaints received and refer them for conciliation or investigation in appropriate cases.

To make complaints concerning the professional conduct of health practitioners and to prosecute those complaints before the appropriate bodies including registration authorities, professional standards committees and tribunals.

To report to appropriate persons on any action the commission considers ought to be taken following the investigation of a complaint if found to be justified.

To monitor, identify and advise the Minister on trends in complaints.

To publish and distribute information concerning the means available for the making of a complaint and the way in which complaints may be made and dealt with.

To provide information to health service providers and professional and educational bodies concerning complaints, including trends in complaints.

As provided for under clause 11, the commission will have two distinct divisions - a complaints and preliminary inquiry division, and an investigation and prosecution division. A complaint to the commission must be made in writing and may be by the client concerned, a parent or guardian, a person of his or her choosing, the Director-General of the Department of Health, or the Minister for Health. Though a person may withdraw a complaint, nothing will prevent the commission from continuing to deal with the matter. As is the practice at present, all complaints received by the commission will be referred to the preliminary inquiry division for assessment. During this stage all complaints will be screened in order to determine whether they come within the commission's jurisdiction, whether they should be referred for investigation or conciliation, or whether the complaint should be dismissed in accordance with clause 38. Clause 38 clearly details the reasons for which the commission may dismiss a complaint and includes the power to dismiss frivolous and vexatious complaints.

It should be noted that the commission will not be required to investigate a matter that occurred more than two years before the complaint was made. Importantly, this will not preclude the commission from investigating complaints which fall outside its time frame, provided the complainant has good reason for the delay. The commission will be required to carry out its preliminary assessment within 60 days after receiving the complaint. If, following preliminary assessment, it appears to the commission that the complaint raises a significant issue of public safety or public interest, or a significant question as to the appropriate care or treatment of a client, or appears to provide grounds for disciplinary action against a health practitioner, the complaint may be referred to the investigation and prosecution division for investigation. The complainant will be required to verify the complaint by statutory declaration prior to the referral of the complaint for investigation. If the complaint does not raise issues of professional misconduct or public safety and public interest, and provided the complainant has taken all reasonable steps to resolve the matter with the consent of the provider and the parties, the matter may be referred to the Health Conciliation Registry for conciliation.

The principle of co-operation between the investigatory body and registration boards in decisions concerning the investigation of complaints, first established under the Medical Practitioners Act 1987, is to be extended and reflected not only in the provisions of the Health Care Complaints Bill but all health professional registration Acts. Consequently, when the commission receives a complaint concerning a health practitioner, including a complaint of overcharging, it will be required to notify the appropriate health registration board of the complaint. Similarly, when a registration board receives a complaint relating to a health practitioner, it will be required to notify the commission of the complaint. Following notification the commission and registration board will be required to consult in order to determine what course of action should be taken in relation to the complaint. Where the board or commission believes that the matter warrants investigation because it raises issues of professional misconduct or a significant issue of public safety or interest, the complaint will be directly referred to

the investigation and prosecution division for investigation.

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However, if the complaint does not raise issues of this nature and the board or commission is of the view that the matter should be conciliated, the complaint will be referred to the Health Conciliation Registry in accordance with division 6 of part 4. Again, a complaint may only be referred for conciliation if the complainant has attempted to resolve the matter with the provider concerned and both the complainant and provider agree to conciliation. Where the commission and a registration board disagree on whether a matter should be referred for investigation, both bodies will retain the ability to refer the matter for investigation, thus creating an internal checking method for all decisions which may result in disciplinary action. A registration board will not be allowed to take any action concerning a complaint once it has been referred for investigation or conciliation. Details of this co-operative framework are outlined in clauses 22 to 28 of the bill and in schedule 2, which provides for cognate amendments to various legislation, including health registration Acts.

I should now like to outline the provisions of the bill relating to the conciliation of a complaint. When a matter is referred to the registry for the conciliation, the registrar will be required to appoint a conciliator to the matter. In addition, the registrar will be required within 14 days of the referral to advise the complainant and health practitioner in writing of the arrangements for conciliation as provided for under clause 44. As outlined under clause 46, the role of the conciliator will be to conciliate the complaint by bringing together the parties to the complaint for the purpose of promoting discussion, negotiation and settlement of the complaint; by undertaking any activity for the purpose of promoting that discussion, negotiation and settlement; and, if possible, by assisting parties to the complaints to reach agreement. A conciliator will not have the power to impose a decision on the parties, to make a determination or to award compensation. Neither party to a complaint will be entitled to be legally represented. However, clause 47 empowers the registrar to permit a party to be accompanied by an adviser. This is designed to ensure that parties who may otherwise be disadvantaged are catered for. For example, persons of non-English speaking backgrounds may require the assistance of an interpreter, or frail or disabled individuals may benefit from the assistance of a carer or guardian.

At the conclusion of the conciliation process, the conciliator will be required to prepare a report to the registrar on the outcome. In accordance with clause 50 the conciliator will be required to state whether the conciliation process was terminated after reaching agreement or without reaching agreement and may recommend that the commission investigate the complaint. A copy of the report will be forwarded to the parties to the complaint, the commission, and the appropriate registration board. It is important that information concerning professional standards of health practitioners which becomes available during the course of conciliation remains available for use by the appropriate registration board for education of the profession. Thus, in accordance with clause 52, the registrar will be required to provide six-monthly reports to the appropriate health registration boards on all conciliated matters involving the health profession for which they are responsible. These reports are to include the number of complaints conciliated, the background to each complaint, the nature of the issues conciliated and any issues of a general nature arising out of each complaint relevant to the professional or educational standards of the profession concerned. Information which may identify the parties will not be provided.

The success of the conciliation process requires that it be privileged. Therefore,

as provided for under clause 48, evidence of anything said or admitted during the conciliation process is not admissible and cannot be used in proceedings in a court or before a person or body authorised by law to hear and receive evidence. Source

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documents and documents which have not been created for the purposes of conciliation will not be subject to this limitation and may continue to be used in any legal proceedings. In addition, the commission will not be allowed to use evidence or anything said or admitted during conciliation as a ground for exercising the power of investigation, despite a recommendation from a conciliator that a matter be investigated. It will be an offence for a conciliator - except in accordance with clauses 50 and 51 - or a party to the conciliation process to disclose information obtained during the conciliation process. The maximum penalty for this offence will be 10 penalty units. A conciliator will not be guilty of an offence for concealing information concerning a serious offence raised in the context of conciliation. It should be emphasised that participation in conciliation is to be voluntary. Nothing will prevent the parties from resolving a complaint outside a conciliation process. However, should this occur, the complainant will be required to notify the registry that agreement has been reached. This requirement is necessary to ensure that resources are properly directed.

I should now like to outline the procedures related to the investigation of a complaint and its prosecution before a disciplinary body. The purpose of investigation is to obtain information concerning a complaint and determine what action, if any, should be taken. To ensure that the commission can conduct an investigation properly it will be provided with powers of entry, search and seizure. These powers are consistent with those previously provided to the director-general under sections 39 and 39AA of the Medical Practitioners Act 1938. The commission will only be allowed to exercise these powers with the consent of the owner or occupier of the premises, except under the authority of a search warrant issued by a magistrate. Consistent with the current practice of the Complaints Unit, the commission will be empowered to obtain expert reports on the subject of the complaint to assist it to determine what action, if any, should be taken in respect of a complaint.

In order to protect the supply of expert reports and the candour in which opinions are expressed, all reports requested in accordance with clause 57 will be privileged. Upon completion of the investigation of a complaint, and in accordance with clause 66, the commission will be empowered to dismiss the complaint and terminate the matter by sending a letter of explanation or clarification to the complainant: where the complaint was made against a health practitioner, commenting to the health practitioner on the matter the subject of the complaint; where complaint was made against a health facility recommending a change in clinical practice or referring the complaint to the appropriate registration board, or, where there is no registration board, some other appropriate body or person, with a recommendation concerning any disciplinary action it believes should be taken.

Where the complaint was made against a health practitioner the commission will be empowered to intervene in any proceedings taken before a professional standards committee and to intervene in any proceedings taken, or prosecute the complaint before a health tribunal. In accordance with clause 68, prior to referring a complaint to a registration board the commission will be required to consult with that board on the terms of any recommendation. This provision is particularly important where a board's disciplinary structure provides for the referral of complaints to either a professional standards committee or a tribunal for hearing following investigation, as is the case with the Medical Board of New South Wales, the Nurses Registration Board, and the Chiropractors and Osteopaths Registration Board. Consequently, if the commission is

considering referring a complaint to a professional standards committee for hearing, it
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will be required to consult with the appropriate board. If the board is of the view that the matter should be referred to the higher body - that is, a tribunal - the matter will be referred to the tribunal. If on the other hand the commission is of the view that the matter should be referred to a tribunal but the board believes it should be referred to a professional standards committee, the matter will be referred to the higher body, which is a tribunal. This is consistent with existing health registration legislation and continues what is essentially an informal system of review of the decisions of these bodies.

The commission will also be required to provide a practitioner the subject of a complaint with the opportunity to make submissions on the grounds of this proposed action before referring the matter to the appropriate registration board in accordance with clause 67. The practitioner will have 14 days within which to make his or her submission. This provision will also apply where the commission considers there are grounds for adverse comment in respect of a health practitioner or facility. Where it is decided after an investigation to make comment to a health practitioner or recommend a change in clinical practice for a health facility, the commission will be required to prepare a report concerning the complaint. This report must include both the reasons for the commission's conclusion and any action recommended. A copy of the report is to be forwarded to the Director-General of the Department of Health, the appropriate registration board and the Minister. Under clause 71 the commission may request the Director-General to notify it of any action taken or proposed as a consequence of the report. Where the commission is not satisfied that sufficient steps have been taken within a reasonable time, the commission may make a report to the Minister after consulting with the Director-General.

Just as it is important to protect the candour with which expert opinion is provided to the commission, so too is it important to protect the commission. Accordingly, as provided under schedule 2, the Defamation Act 1974 is to be amended to provide a defence of absolute privilege for the publication of a report by the commission under clause 70. The Defamation Act will also be amended to provide a defence of absolute privilege for a publication to or by a conciliator for the purpose of conciliation, for reports made by a conciliator in accordance with clauses 50 and 51, and for expert reports provided to the commission under clause 57. Natural justice requires that a health practitioner or facility be advised of any complaints made against them to the commission and the outcome of that complaint. Consequently, there are a number of provisions within the bill which require the commission to notify a provider about the complaint. Upon the receipt of a complaint the commission will be required to notify the health practitioner or facility in writing of the complaint, its nature and the identity of the complainant, unless this is likely to prejudice the investigation of the complaint, place the health or safety of a client at risk or place the complainant at risk of intimidation or harassment. In addition, the commission will be required to notify the health practitioner or facility of the outcome of preliminary assessment and, if so referred, the outcome of any investigation. The commission will not be required to give notice of the referral of the matter for investigation if this will prejudice the investigation of the complaint, place the health or safety of a client at risk, or place the complainant at risk of intimidation or harassment.

Consistent with these provisions, the bill provides for the protection of complainants who have made a complaint to the commission or a registration board. In accordance with clause 81 it will be an offence to persuade a person not to make a complaint or to discontinue a complaint made to the commission or a registration board.

It will also be an offence to dismiss or refuse employment to a person because he or she has made a complaint to either the commission or a registration board. The maximum penalty for an offence under this clause is 50 penalty units or 12 months' imprisonment. It should be stressed, however, that any person, including a complainant, who provides false or misleading information to the commission will be guilty of an offence under clause 82. An offence under this provision will carry a maximum of 20 penalty units. The Health Care Complaints Commission will not be responsible for investigating breaches of any piece of health legislation referred to in clause 36. The Director-General of Health, under the Minister, is primarily responsible for the enforcement of these Acts. Accordingly, the commission will be required to refer complaints of this nature to the Director-General of the Department of Health for action.

Accountability will be maintained through obligations imposed on the director-general under this provision to notify the commission of the outcome of the complaint. Similarly, the commission will not be empowered of its own motion to investigate matters concerning clinical management or care in relation to the provision of health services where a complaint has not been made. However, the commission will be allowed to request the approval of the director-general or the Minister to conduct an investigation if, for example, it identifies a trend in complaints against a particular facility or group of facilities. Should the commission be refused such a request it will be allowed to report this in its annual report. This applies equally to matters raised in the media. The accountability of a body like the Health Care Complaints Commission is of utmost importance. The commission will be subject to a number of mechanisms which enable complainants and health practitioners who are dissatisfied with the handling of their cases to either complain or appeal against the commission's decisions. These include the Ombudsman, the Independent Commission Against Corruption, and the appeal bodies delineated under individual health registration Acts. In addition, the commission will be required to provide an annual report to Parliament. Among other things the commission will be required to include details of the number and type of complaints made during the year, the outcome of those complaints, the number of complaints not dealt with at the end of the year, and the time intervals involved in the complaints process.

Many organisations have been consulted during the drafting of the Health Care Complaints Bill. These include the Medical Services Committee, the New South Wales branch of the Australian Medical Association, the New South Wales branch of the Australian Dental Association, and the two major medical defence unions. All health registration boards were invited to examine and comment on the legislation prior to its finalisation. The Consumer Advisory Committee to the Complaints Unit, which will continue to advise the commission once established, was also consulted on the legislation. This legislation more than adequately addresses concerns raised by these bodies during the past 18 months, particularly in relation to the structure of the commission and the registry. The introduction of the Health Care Complaints Bill heralds a new era in the resolution of health complaints focusing on quality and standards of care, and the patient as a consumer of health services. The model for assessing, consulting and investigating health complaints embodied in the bill has been considered favourably by a number of other jurisdictions reviewing the options for handling health care complaints, including the United States general accounting office. I believe it is a model which will be adopted by other jurisdictions in the future, not only for health care complaints but for the assessment and investigation of complaints relating to other professional groups. It is my pleasure to commend the bill to the House.

Debate adjourned on motion by Mr Mills.

MEAT INDUSTRY (GAME MEAT) AMENDMENT BILL

Second Reading

Debate resumed from 3rd September.

Mr MARTIN (Port Stephens) [4.40]: The Opposition will oppose this legislation on a number of grounds. Opposition members will refer to a variety of issues to enable those who read this debate to appreciate the issues involved and establish why the Opposition disagreed with this legislation. The Opposition has serious doubts about this legislation. It has been introduced flippantly, under the guise of permitting marketing of kangaroo meat for human consumption; but it does not relate to kangaroo meat only. The Minister's second reading speech referred only to kangaroo meat but it becomes obvious from reading the legislation that there is a desire to include within its ambit other forms of game and other Australian native animals. The first deception was in the presentation of the legislation. Rightfully so, Her Majesty's loyal Opposition must point out the weaknesses in the legislation. The Opposition's main objection relates to hygiene. The legislation was initially before the Parliament in 1990. At that time a member who was a former meat inspector was reluctant to speak until he was goaded into doing so. On that occasion he could speak only about meat inspection in an abattoir.

Kangaroos are shot in the open field, often at dusk. I have seen kangaroo shooting in western New South Wales. After the kangaroos are shot their carcasses are thrown into a heap, or put in the back of utilities or some other shooting vehicle where they remain until the vehicle is loaded. Eventually they find their way to the chillers. The time between shooting the animals and the carcasses arriving at the chiller can be 10 to 14 hours. Hygienically that is not acceptable. A recent *Government Gazette* set out the regulations for vehicles carrying pet food. However, this bill lightly passes over the transporting of game meat, saying that it should be able to be carried in game meat vehicles. The transportation of game meat has been taken far too lightly. Something is drastically wrong. There has not been public discussion or adequate public input, and the Australian public has not been given assurances that they will receive hygienic products. Therefore the Opposition objects to the legislation. Kangaroos are killed by a shot from a vehicle travelling at some speed. The carcasses are then taken to the chiller, often a low temperature vehicle located in areas without running water. The animals are placed in the chiller, either gutted or as a whole carcass. Often it is many hours before they are refrigerated. They are then transported to an abattoir where there is running water.

If the traditional western New South Wales method of killing and processing kangaroos is any indication of the method intended to be used to process kangaroo meat for human consumption, it could take three or four days before carcasses are delivered to an abattoir and put through a meat inspection process. I would imagine the abattoir process would be the same for kangaroo carcasses as for carcasses of any other domestic animals - skinned, processed and examined. At that stage, the Government is suggesting, the product is ready to be packaged and distributed for human consumption. That is not acceptable to the Opposition from a hygiene point of view. Does the Minister really think that a person in the western division of New South Wales would be paid a sizeable sum for kangaroos shot for human consumption? If the answer is yes, what figure is an acceptable figure for that carcass? What would be the expected increase above the price of carcasses that currently go into pet food? I appreciate, as I said earlier today in another debate, that at the moment a kangaroo carcass is bringing more than a

sheep carcass. Everyone accepts that in New South Wales kangaroos have to be culled. That

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has been accepted across the conservation spectrum. The community accepts that kangaroos are killed and processed for pet food. However, the Opposition is concerned that, hygienically, kangaroos are not suitable for human consumption.

Since 1980 accurate records that have been kept show an average of 7 per cent of kangaroo carcasses are rejected following inspection. Page 140 of the *Australian Zoologist* reveals the following reasons for their rejection: poor or improper refrigeration; inferior quality carcasses downgraded for pet food; contamination; bone taint and related inadequate refrigeration; withdrawal by the management; gunshot wounds in the carcass; bruising, abscesses, septic wounds, arthritis, pleurisy, hepatitis and jaundice. We must guarantee hygienic processing to ensure the health of the public. Honourable members would recall not so long ago an extensive debate in this Parliament about meat substitution rackets. That nearly cost us our beef trade with North America. I do not want to see kangaroo meat anywhere near other domestic meat if there is any chance of meat substitution. I am sure some will say, "We would not do that"; but it has happened in the past and it is dangerous for Australia's trade. This legislation will make it possible for kangaroo meat and other domestic meat to be displayed side by side. The Opposition opposes this legislation because of the likelihood of meat substitution rackets. I return to the matter of hygiene. It is remarkable that domestic beasts cannot be killed other than in a licensed abattoir in the county of Cumberland and in many other parts of New South Wales, yet this legislation is advocating the shooting of kangaroos in the field without giving guarantees concerning the quality of meat to be offered for human consumption. That does not stack up. There are a number of other reasons why we should not be exploiting kangaroos. Page 129 of the *Australian Zoologist* states:

. . . since 1788, six species have become extinct, seven are endangered and 10 have restricted ranges with small populations that are highly vulnerable to human activity. Only nine of the remaining 25 species are listed as widespread and abundant, however, large numbers of some are deliberately killed each year.

Without guarantees regarding the proper management of our macropods we will be playing a dangerous game. For that very reason we cannot afford to pass this legislation. A selective shooter will shoot an animal that will give him the best return. This selectivity does not line up with good wildlife management. The selection of the biggest animals, males only, or specific animals for the greatest economic return leaves a lot to be desired. From 1955 until 1969 we exported kangaroo meat extensively. That trading ceased in 1969. Importing countries stopped it for the following reasons: poor meat quality, contamination with salmonella, contamination with dirt and vegetation and the infestation of parasitic worms. This legislation does not address the issue of public health. Until we can get it right we have no right to believe we can follow the example of South Australia, Western Australia or Tasmania. Nothing prevents honourable members opposite from eating kangaroo meat; they could do so at will. However, kangaroo meat should not be offered for sale in butchers' shops without the public health issue being addressed. Many aspects must be worked out if we are to have a highly geared kangaroo industry. Who owns these kangaroos? Are they owned by the farmer on whose property they are farmed, or are they publicly owned? This issue must be clearly defined before we embark on such a program.

Mr Armstrong: Tell us who owns them.

Mr MARTIN: The Minister, who has interjected, has asked me to say who

owns them. I worry about you sometimes. I worry about your sense of propriety. I assure you that you do not own them. You have not thought about this matter and, until you do and until you get it right, the Opposition will not support the legislation.

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Mr ACTING-SPEAKER (Mr Chappell): Order! The honourable member for Port Stephens will address his remarks through the Chair.

Mr MARTIN: Many people are under the impression that kangaroos are badly infested with worms. I have had formal agricultural training so I can assure honourable members opposite that these are mainly subcutaneous worms. They are usually found around the stifle joints and in the meat under the skin. These worms do not deeply infest the meat as would be the case in other animals. I am sure the Minister for Agriculture and Rural Affairs - whom I am sure would love to eat kangaroo meat - would like to try to convince other people that they should eat kangaroo meat. What other parasites have been found in kangaroo meat? Tapeworms have been found in the bile ducts of kangaroos. I appreciate that people are not likely to eat kangaroo liver but, by the same token, tapeworms have been found. There have been reports of hydatid disease in kangaroos in Western Australia. Humans would not contract this disease unless they were in direct contact with an affected dog. It is horrific to witness anyone or any animal with this disease. The Opposition will not put people at risk of contracting this disease. We must be able to guarantee a palatable product for the people of New South Wales. Under this legislation not one member opposite could guarantee that. Not one member opposite could say that he or she would be happy that the kangaroo meat bought from a butcher shop in New South Wales will be wholesome. This legislation has such great holes in it that it cannot be amended; it has to be rejected. Many problems will have to be addressed - problems relating to the preservation of wildlife, hygiene and the intention of this Government. Why did the Minister not mention emus in his second reading speech? His own department has prepared discussion papers and the Minister had the option of including emus in this legislation.

Mr Armstrong: You cannot get an oven big enough for the drumsticks.

Mr MARTIN: That is the problem. I usually have great difficulty quoting from publications such as the *Reader's Digest*, but there is a good article on kangaroo meat in the September edition. The article refers to the fact that people should be able to eat kangaroo meat, but it skims over hygiene, describes the paddock slaughter of those animals and deals also with the trauma and problems of killing kangaroos in the field. On previous occasions when this matter has been before the Parliament, members on both sides have said they believe that we should be able to eat kangaroo meat. There are people who reject that thought. If it were left to a conscience vote, I am sure the majority would reject it. The former member for The Entrance was one of the strongest Government advocates against eating kangaroo meat.

Based on what I hear about the Government discussions that take place behind closed doors, as well as knowing what occurs among my own colleagues, the great weight of opinion supports the notion that at this time the legislation is not supported, because it is too light, too open and it is too weak to support. My colleagues will speak at great length about wildlife protection. We are all well aware of the lobbying, and of the numbers being offered for killing. There is a cull system. The kangaroos that are culled notionally find their way into the pet food trade and are not wasted. It will not make any difference at all if that meat is offered for human consumption, except that it will likely cater for a boutique market - definitely not in the western suburbs, unless

people are put into such poverty they have to eat kangaroo meat as they ate rabbits in the Great Depression. There is no other answer to support the Government's proposal that we should eat kangaroo meat. That is why the Opposition will be rejecting the legislation.

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Dr KERNOHAN (Camden) [5.1]: I support the Meat Industry (Game Meat) Amendment Bill. The honourable member for Port Stephens indicated there are various aspects and views on the Opposition side of the House. I will deal with certain aspects and leave it for my colleagues to deal with some of the matters raised by the honourable member for Port Stephens. The use of kangaroo meat for human consumption is, and can be, a very emotive issue.

Mr Harrison: And other native animals.

Dr KERNOHAN: And other native animals. I received a letter from the International Wildlife Coalition. I said I would bear it in mind; that I would read it and consider it. The coalition said that wildlife should be valued for its own intrinsic worth; that there is no need to kill kangaroos for luxury purposes. I do not think that kangaroo meat necessarily comes within the context of a luxury purpose. The fact that it is considered our national symbol has been raised at various stages in the past. Let us look at the reality of the situation. Kangaroos have been used as a source of food by Aborigines for between 50,000 and 60,000 years. It is used now for pet food or it is left to rot in the sun. One thing I hate to see is waste, any commodity going to waste. How many other countries have an animal, regarded as their national symbol, which is considered a pest in most areas. In many countries the only national symbols ever seen are in national parks or zoos, whereas in this country they are roaming free over the great majority of the country, on both public and private property.

You might ask why kangaroos are pests. The answer is that in many cases their habitat has been improved by farmers clearing for grazing and pasture improvement, but, more importantly, by providing permanent water supplies, which allows kangaroos to multiply in such proportions that they can become a nuisance. There is bipartisan recognition of this fact. It has been agreed that at times it is necessary to reduce the number of kangaroos. The Minister mentioned this in his second reading speech and it was also mentioned by the honourable member for Port Stephens. If kangaroo meat was used for human consumption there would be no increase in the killing of kangaroos; there would be no more kangaroos killed than are presently culled. The quotas on kangaroo killing are set by the Federal Government and are tightly controlled by the National Parks and Wildlife Service. The New South Wales kangaroo management program provides:

The Kangaroo Management Program is based on the premise that society does not regard farming and grazing lands as single use areas only, but as parts of a multiple land use system in which native animals (in this case, kangaroos) have a right to occupy lands constituting part of their traditional range or lands which have been modified by people to suit human needs. The program is designed to ensure the continued survival of populations of kangaroos on leasehold and freehold land outside the nature reserve system . . .

The management program places control on a scientific basis to ensure non detriment to the species by regular population monitoring and, on this basis, setting of an annual commercial harvest level for each species. A licensing system is used to control total numbers taken legally, and can be legitimately manipulated to direct culling operations to areas of greatest need.

The situation is monitored and the culling is controlled. There will be no increase in the number of kangaroos killed if they are used for meat. The kangaroo population has doubled since 1988. The estimated kangaroo population in 1989 was 9.11 million, compared with 5.52 million beef cattle - just a little more than half the number of kangaroos - and 360,000 dairy cattle. The only domesticated species with a larger population in 1989 were sheep at 45 million and broiler chickens at 17.37 million. The kangaroo quota in New South Wales for 1992 is 2.096 million, an increase on the previous year because of the conditions, but the numbers are there. Two very different

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letters bringing out two very salient points on this issue were published in the *Sydney Morning Herald* on 12th September, 1992. One was from Dr Tim Flannery, Senior Research Scientist for the Australian Museum, Sydney South. He wrote:

Zoologists generally support the idea that kangaroo meat should be sold for human consumption. This is because they hope that if farmers benefit from the sale of kangaroos, they will begin to regard them as a resource rather than a pest. The additional income should allow farmers to lower their stocking rates of cattle and sheep, thus reducing soil erosion. Kangaroo culling is well managed, so the industry has a sound ecological base. Indeed, the kangaroo industry may be the only sustainable resource use for parts of western New South Wales. In short, legalising the sale of kangaroo meat makes good ecological sense.

The other letter was from Ann Kanters of Dunedoo. This was a slightly more emotive and more interesting letter because the author wrote that she is presently raising an eastern grey kangaroo joey but if, when that animal is raised and released, it leaves the 100-acre property on which she lives, it may be shot. She wrote:

When rearing a kangaroo you can't help but form a bond of love for these gentle creatures. Similar to bringing up a child, you raise them to be independent so that when they leave the nest they are prepared for the real world.

That is an emotive statement. She continued:

So if my gentle joey is shot after months of tender loving care, time and money, I would rather she be utilised for her meat and her pelt - better than being left to rot in a paddock somewhere wearing an NPWS tag.

That is an interesting comment for someone who is obviously a lover of wildlife. I shall speak now about the use of kangaroo meat as food. Kangaroo meat has been available for years in South Australia and Tasmania, where its use is well monitored. There does not appear to have been many reported problems, so the hygiene systems in those States must be reasonable. Kangaroo meat provides the possibility of expanding our export markets. Surely this State should capitalise on that prospective export income. New South Wales needs every ounce of export income it can get. Having in mind the prices being received for our traditional agricultural products on world markets and the problems with those markets, surely it would be of benefit if we could produce a quality product that is unique and for which there is no competition in export markets. That would assist our balance of payments and Australia as a whole. What is Australia's national food? Does it have one? If one asks, one is told that Australia's national food is pavlova or lamingtons. Recipes for those foods can be sent anywhere and they can be made anywhere in the world - Australia does not earn anything from them. We have not been able to convince people, especially in America, that they should eat slices of bread slathered with something that looks like black axle grease. I understand that witchetty grub soup is now available in tins; kangaroo tail soup has been on the market for years.

In Finland people eat reindeer, that country's national symbol. It is an expensive product. In South Africa ostrich steaks and ostrich omelettes are sold. The advantage with reindeer and ostrich is that they can be relatively easily farmed, compared to the kangaroo. There is nothing to prevent emus being farmed. Recently I went to Alice Springs, where I enjoyed buffalo, crocodile, camel and kangaroo meat, as well as witchetty grubs. It was interesting to try those different foods. All restaurants catering for overseas tourists should have kangaroo on the menu. We should make it our national dish - not just gourmet kangaroo, which has an inbuilt pouch in which to put the oysters for carpetbag kangaroo. Sales in tourist restaurants would provide value-added income.

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When Sydney hosts the Olympics, kangaroo meat should be available in some form at the Olympic village restaurant. It is good quality, lean, polyunsaturated red meat.

Mr Gibson: They would all hop in to it.

Dr KERNOHAN: I agree with that. Some nutritionists regard it as highly desirable because it is high in protein and low in fat. This would be a good opportunity to improve our export markets. We could have a slogan: roo is good for you. In terms of quality it is good for you and is highly nutritious.

Madam DEPUTY-SPEAKER: Order! It being 5.15 p.m., pursuant to sessional orders the debate is interrupted.

PRIVATE MEMBERS' STATEMENTS

Mr JAMES COUTER HOMEFUND LOAN

Mr GIBSON (Londonderry) [5.16]: I bring to the attention of the House, and especially to the Government, the predicament of a fellow in my electorate, Mr James Couter. James Couter is one of the many people who, unfortunately in his case, decided to get a HomeFund loan. James took out the loan from City Central in 1989. At the time he was told that the loan would be at an interest rate of 13.5 per cent over a 24-year period; that, being an affordable loan, it would be reviewed every three years; the total amount that could be taken out of his salary would be 20 per cent of the family income. He was told that the repayments would increase by 6 per cent a year. When James first took out the loan he was paying \$751.62 a month in repayments. In July the loan was reviewed. Gauged on the combined family income, the \$751.62 has now been increased to \$1,170.21, which means that the Couter family is paying about \$300 a week off their home loan. Under normal circumstances that would not be too bad. Looking at facts and figures, that is the amount the family should be paying, and based on the amount of the loan, that is the amount this family should be paying. However, this case is a little different.

The Couter family is trying to live on \$254 a week after making the \$300 a week repayments. On 10th July James Couter wrote to the HomeFund review section of the Department of Housing and asked whether he could have three months lead time before being required to pay the \$400 a month increase. Within seven days he received a reply from FANMAC saying that this would not be possible, that he must pay the \$1,170 a month. He was told also that the first payment was due on 20th July and that if he did not pay it he would have to face the consequences. The family said that they could not meet the payment. Mr Couter was finding it extremely difficult to pay. As I said, on the surface it seems that the family should be paying \$1,170 a month. But there is a bit of a twist to the case of James Couter. In 1988 he had a heart transplant operation. At

the time of that transplant he was given 10 years to live. He has already survived more than three of those years, which means he has approximately seven years to live. The worry of having to pay this \$1,170 a month has become too much for James Couter. His doctors are very worried that because of the stress factor, though this man has had a heart transplant, he may not see out the next six or seven years.

Mr Couter came to see me to ask if I could do something for him. I contacted FANMAC, the Department of Housing and various other places, but I got absolutely nowhere because they stick religiously to the rules. In most cases they cannot be blamed for that attitude, but surely in this case there should be some compassion to a person such

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as James Couter. As I say, this man had a heart transplant operation, and that is still a rare operation. He is not asking for charity. All he is asking for is a restructuring of his loan. He wants the loan extended to 24 years, that is, the original term, rather than the 15 years of the present term. Instead of paying \$1,170.20 a month he wants to pay about \$700 or \$800 a month because that would make it easier for him and for his family. He is being charged 13.5 per cent interest on the loan, and that is a joke. Today the State Bank is offering loans at 6.95 per cent. However, Mr Couter is not worried about the interest rate and is willing to pay the higher rate. If he passes away in four, five or 10 years' time, his family will take over the repayments.

Surely things can be made a little easier in this one unusual case for a person to restructure a loan. Surely the Government can show its compassion in order to help this man - who, as I said, has had a heart transplant operation - to live out the five or six years that he may have in a little more comfort and with some ease. The Government should show compassion. This man is not asking for charity. He is asking for the period of his loan to be extended. He is willing to pay the same amount of interest. In the long run FANMAC and the Government will get more money from this family than they would have otherwise, because the loan will be paid off within 15 years. On behalf of James Couter I ask the Government to examine this case, to show some compassion and to extend the period of this loan. As I say, this man is seeking only to have the loan restructured; he is not looking for charity.

Mrs COHEN (Badgerys Creek - Chief Secretary, and Minister for Administrative Services) [5.21]: The honourable member for Londonderry has raised a specific case with regard to FANMAC and the Department of Housing. I suggest that he should refer it directly to the Minister, who has expressed an interest in dealing with it. I will notify the Minister of the honourable member's statement.

CHILDREN OF LOGGING PROTESTERS

Mr FRASER (Coffs Harbour) [5.22]: I wish to draw to the attention of the House an incident that occurred in my electorate on 8th September. I travelled to Dorrigo to speak to some loggers concerning a blockade at Wild Cattle Creek. The blockade is being conducted illegally by a group of people known as the Wild Cattle Creek State Forest Protection Society. After the meeting with the loggers I was invited to go into the forest to look at the protest site. At first I was not keen to do so, but decided that I should. When I arrived at the protest site I was dismayed by what I saw. The protesters - 10 or 15 in number - had been camped in the forest for about a week. To say the least, they were living in what I would describe as Third World conditions. There was no sanitation, no toilet facilities, and no running water, yet they had quite a number of children with them. When I arrived, there were two people atop tripods in the middle of the road. One of them was a 12-year-old boy, a lad by the name of Alex Wolfe. I asked him his age, and he told me, and I asked him what school he attended.

He told me that he was a distance education student, that he was studying in the university of life. To my mind, to have a 12-year-old child as part of a protest, perched five to six metres above the roadway with two concrete pipes embedded in that road, is nothing short of insanity. It is scurrilous for the protesters to use a child of that age.

As I said, there were many children at the protest site. I observed that those children were dirty; in fact, absolutely filthy. They were poorly clothed, had runny noses, and many of them were totally frightened about what was going on around them in their immediate surroundings because of the police presence. I questioned the parents,

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or those I assumed to be the parents, about their rights to have children living in squalor. They maintained that their children were well looked after. I suggest to the House that if my children were living in such conditions of squalor, the Department of Community Services would be at my backdoor requesting that some action be taken. It is of great concern to me that the department has not visited these protesters in the forest and seen the squalor and absolute filth in which these people live. I was told by loggers in the area that the protesters had defecated on the road between the camp and the tripods and that the children were barefooted in these conditions. The children's faces were painted and they were absolutely filthy. Their clothing was threadbare in the main. I do not believe anyone should condone people taking children to such a site, living in flimsy tents and generally in very poor conditions, in subzero temperatures, at night, in the forest.

We must look at situations such as this with a view to protecting these children from the conditions to which their parents subject them. I am concerned also about the educational qualifications of those who are supposedly giving the children some form of correspondence or distance education. It appeared to me from looking at the camp that the children do not have access to normal education facilities or to a normal course set down by the Department of School Education, despite the claims by the 12-year-old lad that he had access to such a course of education. I believe that his mother, and the other protesters as well, are totally negligent. I call on the Minister for Community Services and the Minister for Education and Youth Affairs to urgently investigate the conditions of these children and the ability of their parents to be parents. I do not believe the actions of the parents and the squalor in which they are living are acceptable to any society; they are Third World conditions.

Mr WEST (Orange - Minister for Conservation and Land Management, and Minister for Energy) [5.27]: I am pleased to advise the honourable member for Coff's Harbour that I will convey his concerns to the Minister for Community Services and to the Minister for Education and Youth Affairs so that they will be aware of the details. This is a difficult issue and I believe the honourable member has done the right thing by raising it in this House. I know that the honourable member has had discussions with the Minister for Police and Emergency Services about the actions taking place in the forest. I understand that the Minister has given certain assurances and has guaranteed the safety of the community in that area. I believe that action by the Minister for Police and Emergency Services needs to be matched by commitments by his colleagues, the Minister for Community Services and the Minister for Education and Youth Affairs, and I will bring the issue to their attention.

WYONG ELECTORATE SCHOOL TRANSPORT

Mr CRITTENDEN (Wyang) [5.28]: The matter I wish to raise tonight is of grave concern to parents of school-age children in my electorate who use buses to travel to and from school. In May the bus company that services the electorate, Busways Central Coast Pty Limited, introduced a new timetable that almost fully integrated school

services with regular passenger services. In June I received a complaint from a constituent, Mrs Jacqueline Ford of Gorokan Drive, Gorokan, to the effect that her children, while travelling home from school one afternoon, were unfortunate enough to be on a bus with two inebriated adults who apparently caused some problem on the bus. I wrote to the Minister for Transport about the matter and received a reply from Mr D. L. Page, the Parliamentary Secretary assisting the Minister for Transport, that the driver had stated the people in question had been drinking but were not abusive to the children. However, Mrs Ford, in her letter to me, stated:

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My daughter Barbra, got off the bus crying and Kylie and Terry were also very upset.

It would appear that the State Government has become a sycophantic mouthpiece for the bus company. The Minister's statement smells of a political compromise. The Minister's reply was in the following terms:

Busways stated they have alerted all of their drivers to the fact and if there were ever any problems between passengers and the school children to have the children come down to the driver and sit near him.

Obviously, Mrs Ford was concerned with the reply because Kanwal Public School Parents and Citizens Association became aware of the matter. In a letter dated 1st September to the Minister for Transport, the secretary, Ms Kathy Smith, stated:

Most of the buses that transport children are so full that it would be extremely difficult for many children to move forward to be near the driver. Also when there are so many children on a bus, it is impossible for them all to be near the driver.

The Minister for Transport in his response stated:

Dedicated school services are only provided where there is a full bus load of school children.

The facts seem to contradict that statement. The association stated further in its letter:

As all but one of the buses which transport children to and from our school are full we cannot understand why any of these school services have been combined with Regular Passenger Services. We believe we should have dedicated school services in these circumstances.

The school has been advised that all buses servicing Kanwal Public School can carry adult passengers. Following the tragedy surrounding the abduction and death of Ebony Simpson, all right thinking parents of young children have become more aware of the need to protect their children. I do not believe it is a coincidence that these representations follow so closely those tragic events. The matter concerned Kanwal Public School because on 27th June the secretary of the local parents and citizens association wrote to me in the following terms:

As you are aware there have been recent incidents on the bus routes servicing Kanwal School and many parents are very concerned with having to send young children on buses where they do not know what people will be with their children.

Clearly the parents are concerned. As recently as yesterday afternoon Central Coast radio station 2GO reported on an abduction attempt near Wyee. The report stated:

A seven year old boy was apparently approached by a man in a black car as he rode his bike near his family's property on Binbrook Road.

No one would dispute that school conveyance is a vexed issue. The Public Accounts Committee is investigating the matter. The policy as stated in the Minister's reply of 7th August should be applied equally to every school in New South Wales.

Mr BAIRD (Northcott - Minister for Transport, and Minister for Tourism) [5.33]: I have noted the comments of the honourable member for Wyong. Members of the Opposition are always generous with government funds. New South Wales is the most generous State with regard to school transport funding. The shadow minister for education, the honourable member for Riverstone, well knows that while his compatriots up north spent \$70 million on school transport this State has spent \$300 million. In a
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period of recession the honourable member for Wyong is seeking to improve his image in his electorate by canvassing school transport funding. The honourable member is being totally irresponsible. He is pork-barrelling at a time when he knows that his compatriots in Labor States do not have anywhere near the amount of funds he is seeking. When the Opposition was in government it did not adopt these initiatives. Labor is all care but no responsibility. This issue may have local interest, but if the honourable member were more responsible, he would have a different perspective.

CAR PARKING SPACE LEVY

Mr SMILES (North Shore) [5.34]: I bring to the attention of the House the concerns of a number of my constituents about the opportunity for car parking facilities in recognition of the \$200 car park levy that applies to the central business districts of Sydney and North Sydney. As the electorate of North Shore is close to the city, it has particular challenges associated with flow-through traffic contributing to the successful use by commuters of various modes of city transport. My constituents wish to explore opportunities for increased parking within the electorate. My electorate recognises that Neutral Bay has established itself as a strong transit interchange location, with major bus services generously servicing Military Road bus stops on the way to the city. Neutral Bay is the last stop before the Cahill Expressway and the new reserve bus lane.

I ask the Government to inquire into the amount of bus terminal airspace in Neutral Bay. The bus terminal has a land mass approaching two acres. It is ideally located adjacent to the main road and established bus stops. High rise is not an unfamiliar feature in this area. I have been told by car parking experts that there may be an opportunity to construct a car park in that air space to house at least 3,000 motor vehicles. The Government, of which I am proud to be a member, has indicated that the \$200 parking space levy will go towards construction of further car parking facilities on the periphery of the city. Neutral Bay could prove the most favourable location for the construction of such a car park, on both environmental and general pollution grounds. I ask the Minister for Transport to give consideration, in the short and medium terms, to allocating funds to this proposal from revenue raised as a result of the imposition of the \$200 levy. Many of my constituents are favourably disposed to the construction of a car park facility in the future of the type I have suggested.

Mr BAIRD (Northcott - Minister for Transport, and Minister for Tourism) [5.38]: I thank the honourable member for North Shore for his contribution and continuing interest in transport matters within his electorate. As the Budget Papers made clear, revenue collected from the parking levy will be set aside in the Public Transport

Facilities Fund. This fund initially is to be used for providing car parking spaces at metropolitan stations and bicycle parking facilities. It is estimated that \$5.5 million will be raised by the levy in the first year. It will provide more than 2,000 car parking spaces including 200 at East Richmond, 400 at Sutherland, 500 at Glenfield, 200 at Hornsby, and 500 at Gordon. Bicycle storage facilities will be constructed at most suburban stations. This initiative will encourage more people to catch public transport. It is a plus in terms of the environment and will reduce the overall cost of road usage. Obviously any proposal for Neutral Bay will not be funded from this year's Budget, but certainly it has significant potential. I have been advised by the State Transit Authority that at present 10,000 passengers travel by bus each hour along Military Road during the morning peak on their way into the city, to Chatswood and North Sydney. Obviously, if a car parking facility is provided, road traffic would be significantly reduced at such a busy time and the busways could be used to gain access to the city. Though complaints have been made about the specially allocated bus lane, it does carry between 7,000 and

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8,000 people each hour compared with only 2,500 by the lane allocated to motorists. It is a project worthy of consideration for the future and I commend the honourable member for his contribution.

HMAS *NIRIMBA* SCHOFIELDS LAND USE

Mr J. J. AQUILINA (Riverstone) [5.40]: As the Minister for Transport would be aware, located in my electorate is the chief naval training base for Australia, HMAS *Nirimba*, and Schofields Aerodrome. HMAS *Nirimba* is due to close at the end of 1993. Consequently, discussions have taken place in relation to the future of the land occupied at present by HMAS *Nirimba* and the adjoining Schofields Aerodrome. Senator Robert Ray appointed a consultative committee to look at alternative uses of the land following the closure of the airport. That committee comprised the local Federal member Russ Gorman as its chairman, myself as deputy chairman, representatives of the Department of Defence and a number of State and Federal departments, including two representatives from the New South Wales Department of Planning and a representative from the New South Wales Department of State Development. Extensive advertisements seeking recommendations were placed in metropolitan local newspapers. A large number of submissions were received and deliberated on by the committee over a period of 18 months. A major consultant was employed to analyse the various submissions that were received and to prepare a number of working party reports so that the committee could finally make a recommendation to Senator Ray about the eventual use of the land.

On 6th July the committee reached unanimous agreement that the land should be used as an education precinct. This proposal received a favourable response when it was discussed with the Premier, in his former role as the Minister for Further Education, Training and Employment. Subsequent to the committee's recommendations a meeting was held between the Hon. Roger Price, Parliamentary Secretary of the Department of Defence, and the Hon. Virginia Chadwick, Minister for Education and Youth Affairs, and Minister for Employment and Training. Everyone seems to agree that the ideal proposal is for the site to be used as an education precinct comprising a campus of the University of Western Sydney, a major TAFE facility, and two senior high schools - one administered by the Department of School Education and the other by the Catholic Education Office based at Parramatta. I was horrified to learn that on 27th August the Minister for Transport, whom I advised I would be speaking on this topic today, but who left the Chamber when I commenced to speak, wrote a letter to Senator Robert Ray overturning the unanimous decision of the committee and strongly suggesting that the Schofields Aerodrome should be retained and upgraded to a general aviation airport. The Minister said in his letter:

Further, neither the Department of Transport nor the Air Transport Council were approached for comment by the consultant engaged by the Committee to prepare the District Planning Study.

It is a blight on the senior officers of the Department of Planning and Department of State Development that they were not able to carry forward the message of the Department of Transport or the Air Transport Council in their deliberations on that committee. It is a further blight on the Minister's department that it was not able to perceive what was being proposed from the various advertisements placed in the newspapers. The actions of the Minister in going behind the committee are grossly contemptible of the wishes of the committee and the local community and are regarded as highly objectionable by the

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people of the western suburbs. It should be made quite plain to the Minister that the retention and upgrading of Schofields Aerodrome will not be condoned under any circumstance. An education precinct and the airport cannot co-exist. We strongly recommend that the education precinct go ahead - *[Time expired.]*

"BELLA VISTA" RESTORATION

Mr MERTON (Baulkham Hills) [5.45]: I mention a matter of extreme importance to the constituents of my electorate, particularly members of the Hills District Historical Society. In 1799 Captain Joseph Forveaux was granted 300 acres of land in this area and by 1800 had bought land to the total of 1,770 acres, 1,000 acres of which were used for sheep grazing in the Toongabbie area. He sold it to John Macarthur in 1801 when he was transferred to Norfolk Island. Elizabeth Macarthur called it her "Seven Hills Farm" and used it to raise sheep when her husband was back in England in 1801, trying to clear his name after facing charges for wounding his commanding officer, Colonel Paterson, in a duel, and again in 1808 when he was implicated in the Rum Rebellion. Richard Fitzgerald was the overseer in Macarthur's absence. By 1820 the acreage increased to 2,430. Macarthur sold it in 1821 in exchange for land at Camden and it was regranted by the Governor over a period of time from 1823-1840. In 1835 Matthew W. Pearce was granted 170 acres of this land to supplement his other grant, Kings Langley. William Thomas Pearce developed it and the farm was regarded as the best orchard in the Toongabbie area. The "Bella Vista" farm was a complete farm and remained in the possession of the Pearce family for 108 years. It was described as the largest orchard in the colony. The farm had its peak of production in the 1890s and it was still producing wool as late as 1920. In 1887 the Governor, Lord Carrington, visited "Bella Vista" at the invitation of the New South Wales Fruit Growers' Union. The Metropolitan Water Sewerage and Drainage Board bought this land in 1974 as a future water reservoir site. Included in that purchase was the "Bella Vista" complex. During 1979, "Bella Vista" was placed under an interim conservation order by the Heritage Council of New South Wales.

The building is neglected and in need of urgent restoration. Contracts for the purchase of the property were exchanged between the Water Board and Department of Planning on 30th June, 1988. Since that date the department has had the occupation of the premises to carry out certain interim repairs, but the reality is that the building has not been restored; it is in a dormant state. The Norbrik company is anxious to complete its dealings with the Water Board in relation to this property. It has agreed to dedicate certain curtilage and to restore the homestead and historic buildings at an estimated cost of \$4 million. The "Bella Vista" buildings date back to 1801 and will present a unique landscape as well as local tourist opportunities to Baulkham Hills. The conservation order has lapsed and the Department of Planning is obviously reluctant to spend money

on a property it does not own. It is a proud symbol of our great heritage and a constant reminder of those pioneering days when the wool industry was developed by people like John and Elizabeth Macarthur. It is of further personal significance to me because it is near to my family's farm, which has been occupied by them since the turn of this century. I am concerned at the delay in the completion of the contract by the Department of Planning; I am concerned that the two government departments are not able to reach agreement in relation to a very interesting and essential part of our heritage.

Our generation is not the real owner of this property, it is merely the custodian of it for future generations. Tragically, on too many occasions custodians have destroyed the legacies of our past. "Bella Vista" stands as a challenge to the people of New South Wales, particularly those in The Hills area, to take positive action to ensure
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that these priceless buildings are preserved. I ask the Minister for Planning in the other place to ascertain whether the land can be transferred to the Department of Planning to enable positive steps to be taken to preserve an essential part of our heritage. We are the trustees for future generations of Australians and only by preserving these buildings and carrying out their restoration can we discharge that duty.

DISTINGUISHED VISITORS

Mr ACTING-SPEAKER (Mr Hazzard): I draw the attention of the House to the presence in the Speaker's Gallery of a parliamentary delegation from the United Kingdom, led by Mr Alan Howarth, C.B.E., M.P.

PROPOSED PERIODIC DETENTION CENTRE AT WALLSEND

Mr PRICE (Waratah) [5.51]: I wish to speak about the periodic detention centre that is proposed for my electorate, specifically at Wallsend. Again I express publicly my personal concerns and those of my constituents about its establishment. The principal concern arises because of a recent conflict of advice received by Newcastle City Council in its dealings with the Department of Corrective Services with regard to an application. In a council public access session it was revealed that in spite of assurances in writing from the Minister and the department, the department intends to provide periodic detention during the week and not over the weekend. I can understand the reason for concern; this is a sensitive matter. Reaction to the proposal from the school community has been tremendous. Although the Minister's reply to my expressions of concern earlier this month indicated that there were only 30 people at the parents and citizens association meeting, I can assure him that last Monday I was literally besieged by parents when I attended the opening of the nearby Maryland Public School. They expressed concern that in a few years time their children, when they were old enough to go to high school, would have to walk past the correction centre. They had grave concerns about the functioning of the centre not only at weekends, but also possibly during the week.

Despite my being told by a departmental officer to the contrary, the Minister has said that his department is not prepared to conduct a public meeting. The relatively small number of people at the public meeting is not an indication of the depth of feeling within the community. The area accommodates many young families. Those who are familiar with that particular part of Newcastle would know that the surrounding suburbs are home to many young children. The local high school is under some pressure because, by the Government's own requirement and policy, of the need to attract pupils. The zonal system no longer applies and children have to be attracted to the school through the availability of programs and subject-matters. Given the relative isolation of Wallsend

High School, the decision to locate a correctional centre adjacent to it is doubtful indeed. I know of no other high school similar to Wallsend High School that is located close to a gaol of any type.

The community has also expressed great concern about the periodic detention program. As honourable members are well aware, in recent days there has been significant publicity about magistrates and judges expressing concern about the inability of the department to cope with the detainee situation. That is not a small matter. Hundreds of detainees are not called upon to satisfy fully the requirements of their sentences; some are not put in gaol. Periodic detainees include persons convicted of such offences as driving under the influence, petty theft, some drug-related crimes, assault, culpable driving, manslaughter, and break and enter. Public confidence with regard to

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community safety and security, and the mental state of aged people who will live adjacent to the centre, will not improve should the proposal be implemented. This particular site is situated in close proximity to a hotel. I suggest that this would be a source of considerable temptation for some detainees who have been convicted of driving under the influence. There is also the problem of limited transport. The area has almost no public transport service - certainly none on weekends. The department would have to provide transport as well as parking facilities, which may well interfere with the successful operation of the local pony club. Two similar centres operate in the Hunter Valley - one at Tomago, the other at Muswellbrook. Both of those centres are relatively remote. *[Time expired.]*

Mr GRIFFITHS (Georges River - Minister for Justice) [5.56]: I shall address a number of the matters raised by the honourable member. First, there has been detailed consultation. I placed an officer in that area for one month to listen to all of these concerns. I went to the area and spoke to a group of 30 people who seemed to be the most concerned. What the honourable member and his constituents have to understand is that though, generally speaking, periodic detention is undertaken on weekends, the detainees live in the community from Monday to Friday. Some may be constituents of the honourable member; some may live next door to him. They are not a threat to the community. I give the honourable member an absolute assurance that there will be no weekday periodic detention centre at that location. And I remind the honourable member that the school operates Monday to Friday. The Government has given a commitment to council, and council has indicated it will support the department if 13 conditions are met. They will be met. No weekday periodic detention centre will operate in the area and, for the protection of the patrons of the pony club, a screen will be erected around the centre to ensure that the weekend activities of the centre are not visible to the public.

Though the detainees have been found guilty of offences, the judges and magistrates have also found that they can live in the community Monday to Friday. I acknowledge, however, that the concerns expressed by the honourable member are genuine. I shall remind the honourable member of his assertion that the department is not able to control periodic detainees when I call for his support next week when the Government will introduce legislation to strengthen the periodic detention provisions - legislation that has been in force for 21 years, during which time no government has been able to come to grips with the problem. This Government has come to grips with it and will introduce legislation to address the matter. If problems arise from the implementation of this proposal, I guarantee that detailed consultation will take place. I guarantee also that the department will meet all the conditions laid down by the council. *[Time expired.]*

GLENN INNES AFFORESTATION CAMP

Mr CHAPPELL (Northern Tablelands) [5.58]: I raise a matter of concern to the constituents of my electorate which falls within the jurisdiction of the Minister for Justice. For many years visitors to the Glen Innes community have been deprived of a public transport system that will enable them to visit, in some cases, family members who are inmates of Glen Innes afforestation camp, which lies approximately 40 kilometres to the east of Glen Innes on the Grafton Road. The current taxi fare to the camp from the township is \$53 each way. If the taxi delivers someone to the prison in the early part of the day and later returns to pick up that person, the cost of the two round trips is approximately \$106.

Over many years a group of people in the community have provided a volunteer service. These people have, at their own cost, driven visitors to the prison farm. In many instances they stay there all day, picnicking in the area or in the area adjacent to

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it, waiting to take those families back into town. That activity - an enormously generous-spirited one - continues. For many years the number of inmates has been about 100. It is now about 150 with a ceiling of 200. Many volunteer drivers have retired because of age or have left the area, so the number has dwindled and the situation has become more difficult. Clearly, this is a problem. It is beyond the means of many people who have already travelled great distances to get to Glen Innes to pay massive taxi fares. Families sometimes prevail on the good nature of volunteers, if they know how to contact them. It is extraordinarily difficult for many families to face up to the circumstances involved, let alone the costs. This has been a deterrent for some families who have wanted to visit their loved ones in gaol. Isolation and other aspects of deprivation have added to the trauma of the people in gaol. A lot of these people, who are in gaol for the first time, are low-risk prisoners and it is traumatic for them being there, let alone not having access to their families. Of course, this only adds to the trauma.

I have raised this matter today to ask the Minister to determine whether the prison authorities can organise a bus to run on visiting days - predominantly Saturdays and Sundays. The Minister might be able to work with volunteers in the local community who have provided that service, or with the local council - to whom I have spoken - about providing such a service. It is important for the welfare of prisoners and for the good management of the prison farm that those people, particularly those who have travelled a long way and have already paid large sums of money on public transport, be given some support. For instance, it costs well over \$300 to fly to Glen Innes. Those people would then have to pay another couple of hundred dollars to visit the prison farm on Saturday and Sunday which, clearly, is a heavy imposition. I ask the Minister to look sympathetically at this matter to see whether he can resolve this problem. I am not asking his department to provide the full cost for the provision of this bus, as the bus could be utilised in conjunction with the local community. Perhaps a trusted inmate of the prison farm could run the bus as part of the inmate's rehabilitation process. I welcome the support of the Minister in trying to resolve a difficult community problem - one which, as I have said, has received generous support from a number of people in the community over the years.

Mr GRIFFITHS (Georges River - Minister for Justice) [6.3]: I thank the honourable member for Northern Tablelands for raising this matter. The question of communication and contact with families is at the very centre of the Government's rehabilitation program. Once I leave the Chamber I will direct my department to provide a bus every Saturday and Sunday, departing at 8 a.m. from a preordained point to take

families to the correction centre and returning at 4 p.m. This will take immediate effect this weekend.

WALGETT HIGH SCHOOL CYCLICAL MAINTENANCE

Mr BECKROGE (Broken Hill) [6.4]: I raise a matter that has concerned me greatly since I visited Walgett last weekend and inspected Walgett High School. I have correspondence that goes back to 1985 about the issue. Walgett High School is begging the region to provide funds for cyclical maintenance. It is a shocking indictment of our system that we are allowing children to be taught at this school. The science department of Walgett High School has the most unsatisfactory laboratory I have ever seen. It is unsatisfactory from the teaching point of view and from the safety aspect. The kinds of problems children are facing in this laboratory will come as a shock to everyone. The teacher's desk has a sink and a tap, but for some time there has not been a bottom to the sink. The school has had to completely renovate the benchtops because they cannot be replaced. Electrical outlets have had to be removed from the benchtops because they are

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in such an unsafe condition. The laboratory experienced problems with goose-neck taps which did not turn off properly. Some time back the people who came to repair them pinched the pipes so no water comes out of the taps. That solved that problem! The gas taps should be removed from the benchtops and relocated to positions around the room.

As I said earlier, the teacher's bench should be fully upgraded and provided with a sink, gas and water facilities. The mastercocks for gas and water under the teacher's bench should be repaired. After years of frustration the school has said it will become involved in a self-help scheme. It has advised the region that it is prepared to pay half the costs. Teachers at that school have actually painted their own classrooms to keep things bright and to keep students interested. Walgett High School is not an easy teaching post, but teachers at the school have always tried to keep morale high and maintain the standard of education. They have done their best in difficult circumstances. Regional office has advised the school that there is a statewide freeze on cyclical maintenance, pending an audit. This audit is being carried out randomly. The people who were doing the audit went to Walgett Public School, which is not far from Walgett High School, but never saw fit to visit Walgett High School where they would have witnessed Third World conditions.

I apologise to the Minister for Education and Youth Affairs, and Minister for Employment and Training for not having raised this matter with her, but I hope she will look at it because I do not often come into this Chamber and make such claims. I was shocked by what I saw. These problems do not apply only to the science block. Because of the soil type there are floating piers into which dogs and cats have fallen. The school has had to work on that problem. There are missing downpipes and water just runs into the playgrounds. The eaves are full of pigeons. Pigeons are roosting everywhere and the school cannot get rid of them. It is an interesting exercise to look at that school. I hope something can be done in the near future to ensure that Walgett High School receives additional funds. The teachers and children are good; they just need a better place in which to learn.

Mrs COHEN (Badgerys Creek - Chief Secretary, and Minister for Administrative Services) [6.8]: I am sure the comments of the honourable member for Broken Hill will be drawn to the attention of the Minister for Education and Youth Affairs, and Minister for Employment and Training. However, this evening I will inform the Minister of the problem.

TOW TRUCK INDUSTRY COUNCIL

Mr DOWNY (Sutherland) [6.9]: Two weeks ago I brought to the attention of the House my concern regarding the activities of the Tow Truck Industry Council. At that time I pointed out that the Tow Truck Industry Council was starting to persecute drivers and owner-operators of car carriers. Since that time I have had correspondence from a number of sources. I received correspondence from an operator of a car carrier - a rigid table-top truck that pulls a car trailer. He expressed concern about the activities of the Tow Truck Industry Council. What amazes me about the matters that have been brought to my attention by this operator is the activities of a member of the Tow Truck Industry Council. The Tow Truck Industry Council comprises representatives of the tow truck industry, the National Roads and Motorists Association and the Roads and Traffic Authority. This person told me that he was forced, by a tow truck driven by a member of the Tow Truck Industry Council, to pull his vehicle over. This person told the operator that he was a member of the Tow Truck Industry Council and, to quote the words used by the car carrier operator:

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He then in an aggressive manner, started to inform me of the T.T.I.C. and he questioned me as to the operations of my truck without 'TT_ number plates. I believe this person had no authority under any Act to do this and if this is the method of the T.T.I.C. and certain tow truck drivers, I certainly do not wish to be associated in any way with them or the relevant Acts.

As this person points out, he does not in any way - and does not want to in any way - attend the scenes of motor vehicle accidents and breakdowns. Any vehicles he carries must be driven on to the trailer and truck. He cannot transport them in the way that a tow truck can. This person says there are so many anomalies in the Tow-Truck Act that most vehicles would fit the definition of a tow truck. He gives the example of a towing device - most family cars would have a towball fitted - and a lifting device would include mobile cranes, tabletop trucks with crane fitted and lifting tailgate fitted. The time has come for the Government to get stuck into the Tow Truck Industry Council. The council's latest efforts with regard to car carriers are nothing short of a disgrace. A member of the council who would undertake the action he did against this car carrier without authority should be sacked from the council. I intend to raise this matter personally with the Minister.

I spoke last week on behalf of a Mr Brown, who works for TNT Car Carrying. I received today a letter from the legal counsel for TNT. According to the information presented in that letter the Tow Truck Industry Council is prepared to give a moratorium of three months until it can determine exactly what it is supposed to do under the Act. I find it absolutely amazing that officers of the Tow Truck Industry Council do not seem to have any idea of what they should be doing. As the legal counsel for TNT points out, the Tow-Truck Act contains extremely wide definitions of tow, tow truck and tow truck operator. The legal counsel for TNT points out that to overcome the problem of the definition, it would be necessary to either amend the definitions to restrict the application of the Act to activities traditionally understood to be undertaken by tow truck operators or to grant specific exemptions to named car carrying operators. The time has come for the Government to take a good look at the Tow Truck Industry Council. It is no good the Government simply turning a blind eye to the activities of the Tow Truck Industry Council. There are too many tow truck operators being affected by the ill-informed and inefficient manner in which the Tow Truck Industry Council operates. I would hope that the Deputy Premier, Minister for Public Works, and Minister for Roads will do something about this council.

Private members' statements noted.

[Mr Acting-Speaker (Mr Chappell) left the chair at 6.14 p.m. The House resumed at 7.30 p.m.]

MEAT INDUSTRY (GAME MEAT) AMENDMENT BILL

Second Reading

Debate resumed from an earlier hour.

Mr HARRISON (Kiama) [7.30]: I am pleased to join my colleagues on this side of the House in opposing this bill, which will amend the Meat Industry Act. Right upfront I should mention what I call the duplicity of the Government. The bill was introduced on the pretext that it was designed to accommodate only the killing of kangaroos for human consumption. That is not what the bill is all about, bad though that is. It is my opinion that it is impossible to kill kangaroos and prepare them for human consumption in completely hygienic conditions. Kangaroos are known to have

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subcutaneous infection of worms, a condition known as *dirofilaria roemeri*. They are known to have tape worms and salmonella. As they are shot out in the paddocks at night, they are not slaughtered in the same hygienic conditions as are cattle and other domestic beasts. Obviously kangaroos will be shot and left to lie where they fall, sometimes for several hours, before being dressed and prepared for the table. Taking into account all of those matters, I agree with members on this side of the House who said that it is not feasible to kill, dress and prepare this kind of wild beast for the dinner table. It would involve their being thrown on the back of trucks or conveyed on semitrailers to the processing plant. They would not be chilled or frozen as quickly as they should be after being killed. All of the possibilities of contamination that accompany that procedure will be very much in evidence.

I hark back to about three weeks ago when members spent the good part of an afternoon in this House on a debate regarding the possible removal of the Union Jack from the Australian flag. Members on the Government side of the House railed strongly against that proposal. They spoke about tradition and said that they had grown up with the Australian flag. Those same members are willing to ignore the Australian coat of arms. One of the animals represented on it will now be put on the dinner table. I am not one of those who want to change the flag, and I made my stand known clearly at the time of that previous debate. It is almost certain that if the Australian flag is changed, the kangaroo would be included in any new flag. The kangaroo is identifiable more closely with Australia than is any other symbol. When one thinks of the kangaroo one thinks of an animal that is unique to Australia. Despite the fact that members on the other side of the House were concerned about the Union Jack being removed from the Australian flag, they are not the least bit concerned about endangering the existence of a native species of animal that occupies a significant part of the Australian coat of arms.

I do not want it to be thought that I am opposed to the culling of kangaroos. I am aware that the issues are becoming a little confused. I understand the necessity for culling. The definition of culling in dictionaries is selection according to quality. That means that the weak, sick and old would be selected and culled to keep the species strong. That is not occurring at present, though the National Parks and Wildlife Service is countenancing what it calls a cull. In reality there is a group of people who shoot the biggest and best kangaroos, in so far as they can do so when shooting at night with the aid

of a spotlight. That is the way they can achieve the best return for the carcasses and skins. The legalisation of the slaughtering of kangaroos for human consumption will lead to a different group of shooters who, we are told with tongue in cheek, will have to undergo training to learn how to do their job. The kangaroos they will be attempting to shoot will be the does and young animals, which would be most suited for the table. Given the combination of the two groups of shooters - those shooting the biggest and the best for the pet food industry and the skins, and the others who are shooting the young animals and the does for the table - a species could quickly become endangered.

I know that some members on the Government side represent country electorates, but I do not know that they have a great deal of concern for our native animals. I do not know how many of them have ever come across a kangaroo that has been hit by a car on the road or shot by some yobbo and left with a young joey in its pouch. It is a heart breaking experience to pick a young joey from the pouch of a dead female kangaroo. I have taken baby kangaroos from the pouches of their mothers and raised them. I have one kangaroo in my paddock that is a family pet. It had a broken jaw, apparently from being thrown out by its mother when she was being chased by dogs. Its jaw has mended. I have permission from the National Parks and Wildlife Service to

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keep the joey. I do not feel that I would ever be inclined to turn it loose and give someone a bit of target practice. I regard it as one of my family.

If this bill providing for the human consumption of kangaroo meat is passed, infrastructure will be developed for the processing, canning or exporting of the meat. In good times an unusually high quota will be set and in bad times people involved in the industry will agitate for the same quota to be applied. There will be job scares, with people saying that they will have to sack 20 workers or 1,000 workers if an adequate quota to keep the employees working is not set. Anyone who knows about kangaroos knows that in good times they breed prolifically. There is no argument that this has been happening in New South Wales recently. In bad times kangaroos do not breed at all. In periods of prolonged drought people involved in getting a big quid out of processing kangaroos will exert extreme influence, especially on National Party members. They will not settle for a cut in quotas, regardless of whether the kangaroos are breeding. This should be taken into account when considering this legislation.

In most cases people talking about human consumption of kangaroo meat talk in the third person. They say: "I do not see why people should not be allowed to eat kangaroo". But I have not yet heard anybody say, "I want to fill up my freezer with kangaroo because that is what I want to feed to my kids". There is no popular demand in the community for kangaroo to be put on the menu. There is a contrived demand to satisfy the palates of yuppies who want to experience the sensation of tasting something different. To some extent it is motivated by the greed of people who think that they might be able to attract Japanese tourists to Australia to sample kangaroo meat. Despite the views of all other countries except Norway, the Japanese are culling whales again for so-called scientific reasons. They kill the whale and look at a little plug of wax in its ear to see how old it is. We are expected to believe that the fact that the whale ends up on the plate is academic. That shows the type of tastes that are being catered for by those who advocate human consumption of kangaroo meat.

I have never met a person who has said, "I am going to give away beef and lamb and eat kangaroo from now on". An earlier speaker in the debate pointed out that at present there is nothing to stop people eating kangaroo meat: people can occasionally kill a kangaroo and eat it. But that is not what we are talking about. We are talking about the greed of people who hope to make money, the sort of people involved at times in land

development or selling used cars. To go further back, they are the type of people who in World War II would have been involved in the black market. If there is a quid in it, that is the only thing that interests those types of people. It would not matter to them if an Australian native species became extinct. An earlier contributor to the debate pointed out that in the past 100 years six species of kangaroo have become extinct. Another honourable member raised the question of who actually owns kangaroos. All native fauna remain the property of the National Parks and Wildlife Service. [*Extension of time agreed to.*]

I have a licence from the National Parks and Wildlife Service to keep a kangaroo, a possum and an emu. They have all come to me after having been injured in one way or another. The licence states clearly that all Australian native fauna remain the property of the National Parks and Wildlife Service. I do not object to that. I do not like to think that I own those animals. I am just providing somewhere for them to live. Unfortunately, it is not possible for me to release them back into the wild. Nonetheless, I can assure honourable members that they are living a pretty good life with me. It is being proposed that kangaroos will be able to be, pretty much, shot at random. Will that mean that they will become the property of the person who owns the land on which they

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are shot? To me it is frightening that the ownership of Australian native fauna is to be taken away from the National Parks and Wildlife Service and vested in the Department of Conservation and Land Management, which has no affinity with or knowledge of Australian native animals.

Conservation and land management traditionally has been a National Party portfolio. I have a lot of time for the Minister for Finance, Assistant Treasurer, and Minister for Ethnic Affairs, who is at the table. Nonetheless, the National Party philosophy traditionally has been, "If it moves, shoot it; if it does not, chop it down". That attitude is still very much in evidence. The Minister is quite a nice fellow. I could not imagine him slaughtering a kangaroo, pulling a small joey out of its pouch and bashing its brains out. That is what will happen when the new breed of shooters kills kangaroos for the table. They will not take joeys home and make sure they are bottle-fed every couple of hours and have somewhere to live until they are big enough to look after themselves. That is not the way they operate. The joeys will have their brains bashed out and lie on the ground to rot. I am not telling a very pretty story but, I am sorry to say, that will be the situation.

Recently people from the United States of America visited my home. They are in Australia for the celebration of Henry Ford's birthday and they will be involved in a rally for T model Fords in this State in the near future. They saw my pet kangaroo. It got up on the back of the T model Ford with them. When I told those people that the State Government was intent on killing these animals for human consumption they asked how this could be. They could not understand how the Australian national emblem could be put on the dinner table. They were horrified at the thought. That is the attitude of tourists who visit Australia. I put it to the Parliament that kangaroos attract more tourists to Australia than anything else that one could name. After *'Crocodile Dundee'* a few people would come to look at the crocodiles but most people who come here ask, "Where can I see a kangaroo?" A number of schoolchildren who have become aware of the Government's proposal have made representations to me. They ask, "You are not going to let them kill Skippy or to put Skippy on the plate, are you?" It is hard to believe that the Government, in view of all the economic problems and needs that we hear about every day, is considering encouraging the slaughter of kangaroos for human consumption just to earn a few dollars. It is an emotive and disgusting proposal. Earlier in this debate the honourable member for Camden jokingly said that if a kangaroo were on the

table we would be able to fill the pouch with oysters. She did not mention that we would have to drag the small joey out of the pouch and bash its brains out before that could be done.

I come back to the point I made at the beginning of my contribution to this debate, that is, the way in which this bill has been introduced is typically deceitful. It is typical of this Government, and it is deceitful. Under the heading "Definitions" in schedule 1 the bill gives the Minister the ability at any time to proclaim any other meat as game meat. Though this bill is said to refer to kangaroo meat, obviously emus will be next on the list. It is known that there are plans afoot to start harvesting emus for human consumption in this State. What will be next after emus? Will it be echidnas, wombats, cockatoos, parrots for parrot pie, or koalas? What will be next? It seems that, if there is a quid in it, we should do it. However, we will have no say because, if this bill is passed, the Minister will be able, by decree, to name any other species in this country that can be handed over to anyone who can get a few bullets to shoot it.

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I believe I have made my views well known on this matter. For health reasons, for emotive reasons and reasons of decency we should not contemplate support for legislation such as this. If the information I get about the honourable member for Manly is correct, the Government can rest easy as it will more than likely have this bill passed tonight. I make an appeal to that Christian gentleman in the other place, Reverend the Hon. F. J. Nile, to realise that these are God's creatures, that is, the baby kangaroos, the joeys that will be pulled from their mothers' pouches and will have their heads smashed on the ground. I ask the honourable member to bear in mind that they are God's creatures. He may wish to join with us on this side of the House, and other Independents may wish to do so also, in order to treat this bill as it should be treated, that is, thrown out in its entirety.

Mr WINDSOR (Tamworth) [7.50]: I am pleased to have the opportunity to speak to this bill. Many honourable members would be aware that one problem I had with the former Minister for the Environment was that he was reticent, in my view, to equate economic matters with environmental matters. I believe the legislation we are debating tonight does that. [*Quorum formed.*]

Before I was interrupted by the Opposition Whip I was making the point that I had a problem with the previous Minister for the Environment in that he could not equate environmental considerations with economic considerations. I believe this bill is a good example of how economic and environmental issues can be put together. This bill has the potential to do some good for the Western Division and for this State's economy. I notice that the honourable member for Kiama is not in the Chamber at the moment. I should like him to know that as a primary producer I have shot kangaroos. My family has reared kangaroos and I have eaten kangaroo meat. I see kangaroo meat as a resource of the State. The kangaroos referred to in the legislation are not under threat of extinction. It is hypocritical for members opposite to suggest that no one will eat kangaroo meat. If that is the case, there is no way that species can become extinct. This legislation will give people the option to eat kangaroo meat, which I find quite nice. I believe other people should have the opportunity to partake of kangaroo meat, just as citizens in four other Australian States are able to do.

Contributions to the debate tonight have shown a lack of marketing knowledge. One suggestion was made that no one would eat kangaroo meat and another that, if the meat were eaten, certain species would become extinct. I believe we have a natural

advantage in the kangaroo in that we have the ideal opportunity to work with nature rather than against it. Many Opposition members have argued from time to time in environmental debates about the future of the Western Division. Earlier today I made a contribution to the debate on a matter of public importance concerning the extreme impact that drought is having on farming communities in the Western Division. This legislation will give people an option. If the bill is looked at objectively and without emotion - and the extinction of the red kangaroo and the grey kangaroo will never happen - it has the potential to create an industry that in the long term will be more attuned to the natural environment of the Western Division than are the sheep and cattle industries. I am not saying that change would occur immediately but I believe that when the legislation is passed the options will be considered and we may see an industry developed to farm kangaroos in an environment that is better suited to these animals than it is to introduced domestic species. I am sure that the shadow minister for the environment could do nothing but agree with that assertion.

The kangaroo has a commercial value that will be maintained only if the industry that is formed around the human consumption of kangaroo meat is operated on a proper commercial basis. The suggestion that meat will transfer all sorts of diseases into the domestic market is counter-productive to a commercial industry being developed. Quite

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obviously the kangaroo meat market for human consumption will not commence as a massive industry. It will take advantage of a very small percentage of the kangaroos that are culled now and need to be culled every year. In my view the market will never reach the proportions where it is able to take the full quota of the kangaroo cull in New South Wales. Some members of the Opposition will have to face the real world on this issue, and by that I mean the real world in an environmental and economic sense. They will have to look at this wasted resource, particularly in the Western Division but also in other areas of New South Wales on the western side of the range.

I believe that many of those who have contributed and will contribute to this debate have no real knowledge of either the life of a kangaroo or the life of people in western New South Wales. Their opposition would be better used in arguing for the destruction of feral animals in this State. If there is real concern for native fauna, we must address the problems created by feral animals, particularly cats, foxes and pigs that do enormous damage to native fauna. The consumption of kangaroo meat is legal in Tasmania, the Northern Territory, South Australia and the Australian Capital Territory. Have those States and Territories experienced the worm and disease problems that have been mentioned? Recently I was reading through some reference material on this subject. In 1988, Mr David Butcher, who, until recently, was involved with the Royal Society for the Prevention of Cruelty to Animals, made a statement on kangaroo meat consumption which I believe is spot on. He said:

Rendering the kangaroo a valuable animal in monetary terms would possibly do more for the species than any other move.

If the protection of the environment is to be viewed with any degree of objectivity, that concept will have to be dealt with in economic as well as emotive terms. If one has any doubt about the ability of the human race to render a particular environment worthless when no value is placed on its resources, one should look at certain parts of Africa. The Meat Industry (Game Meat) Amendment Bill proposes that kangaroo meat will be processed for human consumption in New South Wales to the highest standard of game meat hygiene in Australia. Stringent standards for shooters' vehicles, game meat processing plants and game meat vans will be set and strictly administered by the New

South Wales Meat Industry Authority. Inspection of kangaroo meat to export standards will be carried out by meat inspectors from the Commonwealth Department of Primary Industries and Energy. These inspections will be done under regular veterinary supervision to ensure that stringent standards apply. In conjunction with technical and further education colleges the Department of Health will conduct courses on meat hygiene for kangaroo game meat shooters to enable them to apply the highest standards of hygiene to kangaroo carcasses.

A code of practice for game meat harvesting is now being developed and will be made available to all parties involved in the harvesting and processing of kangaroos for human consumption. All shooters and processors of kangaroo meat will be required to observe this code. There seems to be a certain amount of ignorance about the calibre of the people who will harvest the kangaroos. I do not envisage the people who will be involved in that industry as Rambo-like semi-automatic rifle users. They will be good shots, and clean and precise in their work. The kangaroos to be harvested will always be shot in the head. That will diminish the possibility of the meat becoming diseased through contact with the bare earth. In all retail meat outlets kangaroo meat will be subject to the provisions of the Food Act 1989, which is administered by the Department of Health. Kangaroo meat for retail sale will be subject to strict health controls and will be packed in sealed plastic containers bearing the processor's name and clearly labelled as kangaroo meat.

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As I have mentioned already, kangaroo meat is available for human consumption in South Australia, Tasmania, the Australian Capital Territory and the Northern Territory. I have not heard reports of any problems. Culling for commercial purposes will be permitted in New South Wales only in the designated commercial zone west of the Great Dividing Range. At present the red kangaroo and the eastern and western grey kangaroos are harvested in that commercial zone. I have not heard any argument about the viability of that harvesting process, which has been taking place for a number of years. The quotas that have been put in place during the last few years have never been filled, so that even with that commercial activity this State has an increasing rather than decreasing population of kangaroos. [*Extension of time agreed to.*]

Each year the National Parks and Wildlife Service carries out aerial and ground surveys to determine the population of kangaroos in the commercial zone. From those surveys the quota of kangaroos which can be harvested is determined. The objective of the quota is to ensure the continued survival of a viable kangaroo population. Typically, a quota is between 7 per cent and 15 per cent of that population. Licensed kangaroo shooters can sell kangaroo skins and meat. Shooters licences are issued by the National Parks and Wildlife Service. Plastic tags issued by that service must be attached to each kangaroo destined for the commercial market. These tags are available only from the National Parks and Wildlife Service and are issued only to licensed shooters. The shadow minister for agriculture hopped up and down several times when talking about the hygiene requirements for the human consumption of kangaroo meat. Nutritionally, kangaroo meat is definitely good for you. I have eaten it. At that time I was fairly bald and have grown quite a bit of hair since. I doubt whether the shadow minister for agriculture has ever partaken of the delicacy of kangaroo meat. Kangaroo meat is reliably lean, low in fat, rich in iron and protein and is a resource we should be proud to use, because the kangaroo is found only in Australia, its natural environment. It has the ability to survive in a fairly harsh climate and in my view should be utilised commercially in that climate. In the long run the commerciality of the operation will ensure its survival. In relation to disease, I would like to quote from what was said by Mr A. E.

Andrews, the principal veterinary officer with the Australian Quarantine Inspection Service in Canberra. He said:

Kangaroo meat presents little or no danger to human health compared to other forms of meat, and there are no public health reasons why it should not be considered as a viable alternative to meat from domestic animals.

He said also:

There is a complete absence of major diseases or conditions associated with domestic animals.

At present New South Wales exports kangaroo meat for human consumption. It has been argued that, if we export kangaroo meat, certain images will be created of Australia and what is being done to our native fauna and also that the propensity of tourists to visit Australia will be diminished. Those arguments are illogical. In the past five years New South Wales has exported kangaroo meat for human consumption to Japan, the European Economic Community, Hong Kong, Papua New Guinea, the United States, Taiwan, Reunion Island and the Middle East. It has been suggested that, if the export market for this industry is opened up, quotas will be relaxed and the result will be a mass extermination of the animal. That defies the common sense of marketing. If a business is thriving, why would one exterminate it? It opens up future options - though, in my view, not in the near future - for actually farming the kangaroo. I do not pretend to have the expertise to achieve that, but the vast area of the Western Division of New South Wales runs millions of kangaroos, and has the potential to farm them.

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Mr Amery: What about the American buffalo?

Mr WINDSOR: The American buffalos were not brought into the Western Division. No doubt over a period of time technology could be adapted to farm the kangaroo for human consumption. It is a wonderful resource with high protein and other characteristics that should not be wasted when many people are starving throughout the world. The Opposition spoke about hygiene. My research shows that this legislation places greater emphasis on hygiene. Field killings, disease and inspection will be regulated to ensure that the highest standard of kangaroo game meat is maintained. Dr Hopwood of the Australian Quarantine Inspection Service and the New South Wales Meat Authority have carried out considerable research on this subject. The commitment to hygiene standards is evidenced by the Government's insistence that draft game meat standards be issued by the National Food Standard Authority, including regulations covering inspection of all kangaroo meat for human consumption. The New South Wales Farmers Association, the representative body, is very supportive of the Government's intention to introduce this legislation. It sees enormous potential to derive some economic advantage from an animal that is being shot in large numbers merely to keep the population to a reasonable level. I shall be interested to hear the comments of the shadow minister for the environment. I believe that this legislation produces an opportunity and option for this State to marry an environmental and economic issue - economically good for those farming in a harsh environment and environmentally friendly for the long term survival of the kangaroo.

Mr CLOUGH (Bathurst) [8.10]: When I first heard of this legislation I thought the Government was joking. However, I have listened to honourable members from both sides of the House and it is obvious that they are serious indeed. I am not

speaking on this bill from an ideological point of view but from the point of view of practical experience and the difficulties that I foresee with its implementation. On a number of occasions I have eaten kangaroo meat, though only grilled. It does not have a distinctive taste and is not such that I would say, "Throw another kangaroo steak on the barbie, dear. I am going to have one". The honourable member for Tamworth made a few comments which intrigued me. There is no doubt that there is a need to cull kangaroos. All governments in Australia recognise that kangaroos, if allowed to breed indefinitely, will take over the entire pastoral area. My experience is based on the eight or nine years I spent in the northeast goldfields of Western Australia, where the kangaroo was in plague proportions. In 1957 it was decided to systematically cull the kangaroo for use as pet food. People in the cities do not understand that it is very difficult to convince kangaroos that they must line up and walk into an abattoir. Kangaroos do not understand that they are to line up and walk into a truck.

Mr Peacocke: Hop in.

Mr CLOUGH: The Minister for Local Government, and Minister for Cooperatives has corrected me and quite rightly said they do not walk; they hop. Kangaroos do not hop into an abattoir or onto a truck, and a sheep dog will not keep them hopping. Someone must be sent to find them and shoot them on the run. I have taken part in some spotlight shooting and I agree with the honourable member for Tamworth that those who are involved in spotlight shooting of kangaroos are invariably experts and waste little ammunition because they achieve the maximum possible results. The method of killing kangaroos in large numbers for pet food is germane to the argument being put forward tonight. Having recognised that kangaroos will not hop to the point where they will be killed, it is obvious that the meat or game inspector must go to them. It is a question of, "Do not call me. We will call you".

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The kangaroo shooter takes a mate, a spotlight and generally a .22 calibre rifle, and drives out into the bush and commences to shoot. They may sit on a well all night and wait for the kangaroos to come to them or they may enter the paddocks and start shooting. The moment the first shot is fired every kangaroo is alerted and from then on it is an interesting exercise. Quite a number of kangaroo shooters have been shot by their mates, because all of a sudden someone has seen a kangaroo, has swung around and let fly, not realising that his mate was between him and the target. When killed, the kangaroo is not kept in toto. The skin is not retained, because very little meat is on a kangaroo above the haunches. A kangaroo is not evenly proportioned but the meat is from the haunches down and the shooter cuts twice. He cuts above the haunches, breaks it off and throws the top part on the ground to be left there. The skin is valueless. The haunches are thrown onto the back of a utility, taken to the chill works and dressed. The shooter does not have a refrigerated vehicle though, in some cases where shooting is carried out in remote areas, chill vans are used as a depot. The shooters return with utility loads of kangaroo haunches which are transferred into the chill van.

Mr Peacocke: They only do that with dogs.

Mr CLOUGH: The Minister says they only do that with dogs. That is not right. They do this when they are killing kangaroos for processing as pet meat. I am concerned that by the time the kangaroo is killed, say during summer at half past six or seven o'clock and the shooter returns to town and unloads into a freezer, something like 12 to 14 hours might elapse. That means the meat is subject to disease or blow flies. I assure honourable members that watching kangaroo shooters arrive at the chiller the next

morning is something I would not recommend until after breakfast because the kangaroos and shooters are an unpleasant sight. I speak against this bill because it is not practical. I query the Government's motive. Perhaps it felt that the quotas for culling were not sufficient and that an extra quota should be sought for human consumption.

The honourable member for Tamworth put my mind at rest. The harvesting of the kangaroo population to be used for human consumption will be part of the cull. There will be enormous difficulties involved for marginal gain. I can imagine Payless in Bathurst displaying a brand of kangaroo meat alongside the beef and lamb produced in my area. I cannot understand why farmers supplying this type of product to a supermarket would support the introduction of kangaroo game meat. Kangaroo has worm in it. There is no doubt about it. I know that worm is not always present in kangaroos. Every kangaroo killed does not have worm, but a good percentage of them have. I am quite certain that the kangaroos I have eaten did not contain worm; otherwise I suppose that as the worms made their way out I would have been scratching, and embarrassingly so. Seriously, I believe there is a problem. I believe the method of harvesting of kangaroo meat is questionable; I believe its inspection by a meat inspector will also be difficult; and the conditions under which it is carried out will be difficult.

Mr Martin: We have done away with meat inspections.

Mr CLOUGH: The Commonwealth will provide meat inspectors, I presume. The inspection will be difficult to implement because the inspector has to be at the point of killing or, at the latest, at the point of delivery to the freezer or chilling works where the kangaroo will be processed. There is no value in the skin; it is hopeless. The skin will have been cut at the haunches and will have no value. If we are to sell kangaroo meat to the Japanese, I believe that once they have tried it, the word will get back to Japan that it is not as tasty as beef.

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Mr Windsor: They are eating it now.

Mr CLOUGH: Yes, they could be eating it now, but they are not eating it in the quantity envisaged under this type of arrangement. I believe that the legislation has some problems; it has problems in its policing, in its inspection and in the maintenance of health standards, from the time the beast is shot until it is processed. Many people living in the city do not understand the implications of kangaroo shooting for any reason. There is a need to cull kangaroos in the bush; there is no doubt about that. The kangaroo population can grow very quickly. In the area I was in around Leonora, Wiluna and Agnew in Western Australia, half a million kangaroos were shot in one year - and it made no apparent difference to the kangaroo population in the district. I have grave reservations about the intention to shoot kangaroos for human consumption; I have grave reservations that meat inspectors can carry out the required inspection at a time when the beast will be available for inspection; and I truly believe that, if we are to go ahead with the slaughter of kangaroos for human consumption, there must be something seriously wrong with the marketing of our beef and lamb products.

Mr SMALL (Murray) [8.24]: I support the Meat Industry (Game Meat) Amendment Bill. I am amazed and shocked to think that the Opposition would speak against this bill. That surprises me, but it also reminds me that there are no primary producers within the Opposition ranks. I do not believe that any member of the Opposition understands or is involved in farming, or has owned property, such that he or she is able to understand the problems faced by the majority of rural people today and the

importance of being able to utilise a resource that otherwise would be wasted or not used to its full benefit. A little more than two years ago this House passed similar legislation by a majority of about 13. The legislation went to the upper House, where it was defeated. The past two years have seen an unproductive loss to New South Wales. South Australia has legislation that permits game meat to be sold for human consumption. That meat is imported into other States, particularly the Northern Territory, where I recently had the opportunity to eat kangaroo meat. It is very sweet meat. As honourable members will appreciate, it is also very lean meat, non fatty and low in cholesterol. Consequently, it is a vitamin enriched meat. In the Northern Territory water buffalo and crocodile have been harvested for their meat. Remembering that 74 per cent of tourists to Australia travel by way of Sydney airport, it is a shame that we are not able to offer them kangaroo meat, which some of them would consider to be a delicacy.

I do not believe kangaroo meat will actually be sold through the butcher shops around New South Wales, but certainly there is an opportunity for that meat to be utilised for human consumption. It is ridiculous to think that this legislation has had to be introduced a second time in order for Opposition members to wake up and realise how far behind they are as an Opposition. I just cannot believe them. It is neither feasible nor sensible when so many kangaroos have to be culled. Last year, the Commonwealth Scientific and Industrial Research Organisation assessed our kangaroo population at 9.1 million. I understand that the figure may now have risen to 11 million. That would represent two kangaroos for every human being in New South Wales. The Opposition has the hide to vote against a motion which makes good sense and which is practical.

New South Wales has health regulations. The Opposition talks all this nonsense about what happens with the culling of kangaroos at the moment. There is a kangaroo meat knackery in Balranald within my electorate. It is run very efficiently, but at present it is used only for the production of pet meat. However, my electorate adjoins the South Australian border, where the kangaroos are culled and the meat is used for human consumption. It is about time that some members of the Opposition came out west and

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learned that in 42 per cent of New South Wales, in the Western Division, most of the people are suffering trying to make a living at the present moment. Those people have to contend with drought conditions in trying to run sheep for grazing in order to be able to produce the white wool, or white gold as it is called. Wool is important to Australia and to the wealth of our economy. We are just about overrun with kangaroos, emus, wild pigs and goats; it is a fact of life that in those areas the number of wild animals is far in excess of the number of sheep.

The shadow minister for agriculture, the honourable member for Port Stephens, should understand his portfolio. It is ridiculous that the honourable member, as the lead speaker for the Opposition, has no idea what he is talking about. Every time a question is asked about agriculture he leaves the House, because he knows nothing about agriculture. Unfortunately the Opposition do not want to know anything about it, which reveals that they have little interest in agriculture. Lord help our farmers in New South Wales if Labor wins government again. We suffered 12 years before; we are determined that we are not going to let the farmers suffer any longer with the Opposition. I had the opportunity as chairman for agriculture of the backbench committee to visit a packing abattoir in Sydney, where kangaroo meat was packed for export. The health standards in that abattoir were excellent. The meat would not be exported unless it was first class and met the health standards criteria. We are again denying ourselves an export industry. It is crazy to think that kangaroos are culled, that quotas are provided for the

trappers to shoot kangaroos, yet the good quality meat cannot be utilised for human consumption.

The Opposition is a joke. The Opposition has not even mentioned the health standards and other conditions are laid down. The average shooter does not shoot the 'roos used for pet foods. These shooters will have to meet special conditions, and undertake special training and educational programs. They require specific equipment and they must deliver the kangaroos to the abattoir or chiller not later than two hours after sunrise. I am sure the Opposition does not even understand that. It was all set out in the legislation two years ago, and it is cited there now. My property is only eight miles from Deniliquin, in a highly intensive irrigation area. We have always had approximately 20 to 25 kangaroos on the property. We have never shot a kangaroo, but we do not have the problems of the farmers on the open range, whose properties are heavily grazed. In the past two years, because of the drought conditions, almost 200 kangaroos have moved into the area. That gives an idea of the huge increase in numbers. Mention was made earlier of concern about kangaroos being culled too heavily and becoming extinct. I could not believe what I was listening to, given that there are believed to be in the vicinity of 11 million -

[Interruption]

The honourable member talks nonsense and has no idea at all. He needs to go out west to become aware of what is happening in the country areas. It is shameful to hear the nonsense I am hearing. With the concurrence of the sensible members of this House, who understand the need to utilise kangaroo meat for human consumption, this legislation will be passed. That will give New South Wales the opportunity to harvest the kangaroos, as happens now under the present trapping rules and legislation. However, the new health standards in this bill will allow kangaroo meat to be used for human consumption. I believe that all kangaroo meat for human consumption will be subjected to inspection in processing plants by Australian Quarantine and Inspection Service meat inspectors. Inspectors will operate under regular veterinary supervision to ensure stringent standards of inspection are maintained. The inspections will be carried out under the Commonwealth meat inspection New South Wales orders, and kangaroo

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meat processors will meet inspection costs. Under the legislation, kangaroo meat sold in retail outlets will be subject to the provisions of the Food Act 1989, which is administered by the Department of Health. At the retail level the meat will be subject to strict health controls, packed in sealed plastic bearing the processor's name, and be clearly labelled as kangaroo game meat. Yet many Opposition members speak about the lack of health standards.

Kangaroos are very healthy animals. One rarely finds sick kangaroos in the country. Most kangaroos, including those that would be taken, are to be found west of the Blue Mountains, and generally in the Western Division. It has to be realised that those areas have very low rainfall: they are not high rainfall areas with swamps, where there is a high incidence of worms and disease in the wet conditions. In these particularly arid conditions there is very little sickness. Expert studies have shown that kangaroos are remarkably free from disease, more so than cattle, sheep and pigs, and that supports what I have just been saying. Kangaroo harvesting in New South Wales is tightly controlled by the National Parks and Wildlife Service according to quotas set by the Federal Government. On many occasions over the past eight years I have attempted to have the quotas raised, because many people are not aware of just how many kangaroos there are and the destruction they cause to fences, food and water. Kangaroos have increased significantly since farming started in New South Wales - purely because

farmers are conservationists. Farmers have constructed dams, thereby creating water catchment areas where kangaroos could never graze before, and they have improved pastures. That is another matter about which the Opposition lacks knowledge. Kangaroo harvesting in New South Wales is tightly controlled.

The National Parks and Wildlife Service will always ensure that there are sufficient numbers of kangaroos in this country. The estimated kangaroo population is closely monitored. Though most farmers are happy to have kangaroos on their property, and do not want to kill them all, they agree that the quotas are absolutely vital. They have to get the tags so that they can then have the numbers reduced by trappers. I support the bill wholeheartedly. I am sure that there are sufficient sensible members in both Houses who will ensure that the Meat Industry (Game Meat) Amendment Bill will be passed. I commend the Minister for Agriculture and Rural Affairs for reintroducing the bill. I look forward to it being passed and to some of the members of the Opposition taking the opportunity to learn a bit more about the country area, how to eat kangaroo meat and appreciate it together with all the other good quality products we have in New South Wales.

Ms ALLAN (Blacktown) [8.38]: This bill raises the question of whether a wildlife species should be exploited as an industry, with legal protection, large investment and, therefore, an ever-increasing need for supply; and whether wildlife should have a price put on its head. Will the Australian kangaroo join the inevitable destruction cycle of other wildlife like the harp seal, the elephant, whales, dolphins and the rhinoceros, or the honourable member for Monaro? History has shown that whenever wildlife has had a price put on its head, its status becomes uncertain. The Tasmanian tiger became extinct because protection measures were implemented too late. For years the Tasmanian Government allowed the culling of the tiger. The animal was blamed for cattle deaths, which, we know today, were the result of wild dogs. Ironically, the year the last Tasmanian tiger died in captivity in Hobart it was awarded legislative protection. Similarly, the legitimisation of the eating and culling of the kangaroo will prove fatal. This legislation is no better than the turning of a blind eye shown by successive Tasmanian governments to the culling of the Tasmanian tiger, which was regarded as a pest.

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The Australian national emblem, the kangaroo, has suffered at the hands of European Australians. Its habitat has so radically changed that it breeds more than is necessary for its survival. The Fahey Government's solution to what it regards as a pest is to legitimise the human consumption of the kangaroo. An ideological and a philosophical issue is at stake. Many Australians, particularly young Australians, find the idea of eating our national emblem repugnant. I would be very surprised if other members of the Parliament have not received letters from schoolchildren who have seen the publicity that has surrounded this particular piece of legislation and have become alarmed by it and written to their local members of Parliament requesting them to take whatever action is necessary to stop this legislation. A great deal of anxiety has been created among New South Wales schoolchildren, who are appalled at the idea that kangaroos are going to be eaten.

Wildlife is not an expendable resource to be used for profit. This legislation defines game animal as meaning kangaroo, and indicates any other animal that the Minister declares to be a game animal. The honourable member for Murray has already given an indication that a number of other animals will be placed on the list of those game animals available in New South Wales for consumption under this legislation. It is

important for the Opposition to ask and for the Minister for Agriculture and Rural Affairs to address in his reply why he has not been honest enough to come forward to define that list of game animals which will be covered by this legislation. Not only will the kangaroo be put at risk. How long will it be before this National Party Minister for Agriculture and Rural Affairs lists other native animals - perhaps the echidna, the lyrebird or any other native animal - as being fair game?

There is no consumer demand for kangaroo meat. People in New South Wales are already well served by their meat industry with clean, inexpensive meat. The New South Wales conservation movement makes the valid point that kangaroos cannot be herded, penned or mustered. Only a few moments ago the honourable member for Bathurst made that point when he gave us the benefit of his own experience of hunting kangaroos and highlighted the differences between kangaroo hunting and mustering kangaroos eventually for human consumption. Perhaps the Minister for Agriculture and Rural Affairs, who has presided over the expansion of feedlots, cattle feedlots in particular, in New South Wales has in mind kangaroo feedlots for the future. It will be very interesting to see how the guidelines that have been developed for cattle feedlots by the Department of Agriculture will conform to the need to produce kangaroos for human consumption.

Kangaroos cannot be slaughtered or chilled in a conventional abattoir under controlled conditions. The bill contains no provisions to guarantee the hygiene of carcasses, or any detailed inspection, enforcement of adequate cleaning, chilling, storing, handling, and transporting of carcasses. Member after member on behalf of the Government told us how healthy and safe the process of kangaroo slaughter will be. They referred to the South Australian example. At present there is no inspection of slaughtered kangaroo meat in Australia. What guarantees can the New South Wales Minister for Agriculture and Rural Affairs give that such inspections will be conducted in this State if they are not occurring in South Australia? It is unlike the traditional, full-scale inspection of red meat, which, because of the scrutiny of our current export markets and the local consumer market, we monitor carefully. There will not be a similar and sensitive scrutiny of kangaroo production because resources are not available. The report does not refer to any increase in resources for the appropriate authorities to ensure that this occurs?

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Although the State Government proposes to utilise kangaroo meat only for those animals legally culled - although listening to the honourable member for Murray one could be excused for believing that this Government has an agenda to support an increase of that cull - no assurances have been given that the animals shot and processed for human consumption will be free of diseases and parasites. My learned colleagues the honourable member for Port Stephens and the honourable member for Bathurst have given some rather graphic details of the nature of those parasites. There is no guarantee that the protected species of kangaroo will not be included in the cull. A code of practice does not compel shooters to comply with standards. In times of rural recession and drought the climate for unscrupulous operators is ripe. The honourable member for Murray told us about the acute and dramatic need in rural New South Wales for any industrial opportunity, and he is referring to people who want to operate within the law. What he failed to talk about were those unscrupulous dealers who, in a climate of recession, will try anything to make a buck. A kangaroo's meat and its by-products, such as skin, may well be worth more than a drought-affected sheep. Kangaroos might be more highly sought after. As occurred in the drought years of the early 1980s when Australia lost almost its entire meat export industry in North America, the potential for

meat substitution will increase.

This legislation is a short range reaction to an economic situation which will ease when the drought breaks. The legislation contains no provision to ensure shooting vehicles will conform to prescribed standards of design. No specific provisions exist to ensure that carcasses will be gutted and cleaned and hygienically hung, chilled and transported, to minimise contamination. It is obvious, given the mirth the honourable member for Monaro is showing, that shooting vehicles will not conform to standards. There are no provisions in this legislation to ensure that qualified meat inspectors will be on duty at the cull sites. If South Australia is the precedent that is being put up to this Chamber for what New South Wales should be doing, I remind the Government that no inspections take place in that State. The bill contains no provisions to ensure that licensed shooters have any knowledge of the hygienic handling of meat. The references by the Minister to classes were incredibly lacking in detail. Where will the courses be held? Who will compel the shooters to attend these courses? Who will teach these courses? What will their content be? Where are the resources for TAFE to provide these courses? The Minister needs to provide more detailed answers to those questions rather than present the kinds of generalisations he did in his second reading speech.

This legislation is opposed by the major conservation groups within New South Wales, including the Nature Conservation Council of New South Wales, the Total Environment Centre, the National Parks Association of New South Wales, Greenpeace, the Kangaroo Protection Committee, and a whole host of other, smaller community groups throughout New South Wales that are currently writing to all members of Parliament to register their concerns. These groups argue that kangaroo meat may carry internal and external parasites and that the killings in the field cannot be properly monitored to ensure hygiene of the carcass. It is possible that at some time in the future we might have a situation -

[Interruption]

The Minister for Agriculture and Rural Affairs, who has so little to say when he is asked appropriate and relevant questions in question time, will have an opportunity, when he is replying to this debate, to respond to the points I have raised. It is important that, at a future time, we attempt to address in the legislation the genuine concerns that people have about the health of this industry - a fledgling industry which the Government

intends to expand. It may be that, at a future time, members of the Labor Party will reassess their position on this matter, when they have greater detail from the relevant department and the Minister for Agriculture and Rural Affairs about how these genuine concerns that the Opposition is raising will be addressed. The Opposition needs to be reassured that the Government will not undermine the intention of the culls laid down by the Federal Government or use this type of legislation as an opportunity to increase culling. *[Extension of time agreed to.]*

I refer now to the groups I have identified as the chief beneficiaries of this legislation. Successive Government members have focused on landholders, farmers and rural dwellers in New South Wales who see this legislation as the panacea for all their economic and drought-related ills. That was particularly obvious in the comments made by the honourable member for Tamworth and the honourable member for Murray. These people are incredibly naive if they believe that this legislation will satisfy people's present anxieties about their economic future in rural New South Wales. This type of legislation has not created thousands of jobs in other States. Where is the Minister's assessment, on a State-by-State basis, of how many jobs will be created by this

legislation? South Australia has been lucky; several hundred jobs have been created throughout that State. There has been virtually no detail about the impact this type of legislation has had either in Tasmania or in Western Australia.

Honourable members have not addressed in this debate the issues of metropolitan New South Wales, other than the health issues raised by members of the Opposition. I do not believe this legislation will have a direct relevance to my electorate, which at present is an outer western Sydney electorate. I took the trouble of speaking to a number of retail butchers in my electorate and asked them what they thought about the possibility of kangaroo meat getting a considerable market within the local area. Their reaction was almost entirely unanimous; they did not see a market for their constituents. It may be that people in the inner city, the eastern suburbs or, in some cases, on the lower North Shore, are getting very excited about the possibility of kangaroo meat being dished up to them in their restaurants. But, generally speaking, the butchers of western Sydney do not believe this will be a highly sought after consumer product in their establishments. What extra economic benefit will accrue to these people - and I remind the Minister that the majority of people in New South Wales happen to live in metropolitan Sydney and, in particular, western Sydney - as a result of this legislation? A large number of people are quite opposed to the consumption of kangaroo meat not only because they find it repulsive but also because they fear for the future of kangaroos in this State. I believe that the architects of this legislation are men who suffer high cholesterol problems and believe that, if we flog this product as a low cholesterol meat, we will all jump up and down and embrace the legislation enthusiastically. Just because the Minister for Agriculture and Rural Affairs has some medical problems, which I think he should address in other ways rather than through this legislation -

Mr Armstrong: On a point of order. I take offence at the remarks of the honourable member for Blacktown. I find it quite repugnant that she should attempt to reflect on a subject she knows nothing about, that is, my health. She has gone beyond the reasonable scope of parliamentary debate. I ask that she be requested to withdraw that inference.

Madam DEPUTY-SPEAKER: Order! The Minister finds the remarks made by the honourable member for Blacktown particularly offensive and has requested a withdrawal. I ask the honourable member for Blacktown to withdraw the remarks. I

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point out, however, that debate in this Chamber can be lively at times and members should not be overly sensitive. However, as the Minister has found the remarks offensive, I ask the honourable member for Blacktown to withdraw graciously.

Ms ALLAN: I certainly withdraw the allegation that the Minister for Agriculture and Rural Affairs has medical problems. However, I do not withdraw my statement that people are using the argument that, because kangaroo meat is low in cholesterol, honourable members have to embrace this legislation. That is a non-argument; it is not something about which people should be trying to fool the general public. It does not matter whether kangaroo meat is low in cholesterol or high in cholesterol; in effect, it will not be consumed widely by the populace. So far the Minister for Agriculture and Rural Affairs has had great difficulty in positively promoting this legislation to the public. He has been helped by restaurateurs like Tony Bilson and others who have expensive eating establishments in Sydney and who are anxious to put kangaroo meat on their menus and thereby attract more tourists to their establishments. Ever since this legislation came before the Parliament the image that has been portrayed is that interest groups support it. Frankly, the arguments that have been put forward by Government members have been largely unconvincing. They have tried to promote this

legislation as the panacea for the New South Wales drought. That is not the case; it will not happen. Very few jobs will be created. They have certainly not satisfied members of the Opposition or members of the community who are very anxious about the health issues that have been raised by this legislation.

The Government is not promising any increased resources for inspection purposes. If this legislation is not working in South Australia, why should it work in New South Wales? This legislation hinges on the ability of the Government to ensure that this product is delivered to the table safely from rural New South Wales, from the paddocks, or wherever kangaroos are found. If we follow the logic of so many speakers tonight, or so many members of the media in the lead-up to debate in this Chamber, there is a certain logic that we could extend. Generally speaking, people have alleged that it is entirely safe to eat kangaroo meat; that there are no reasons why we should not. If we logically extend that argument and we are looking for low cholesterol meat, why are we not eating one another in an attempt to satisfy our concerns?

[Interruption]

We may not do that in a metaphorical sense. Members of the Liberal Party and the National Party might eat one another in the caucus room but, generally speaking, we do not do that. It is something we regard as repulsive.

[Interruption]

I am glad that something has shocked members of the Government. They are alarmed by the thought of the honourable member for Monaro having a nibble on the honourable member for Coffs Harbour. I think that has alarmed everyone. Nevertheless, members of the Government have to appreciate that thousands of people in the community, in particular young children, see the Minister for Agriculture and Rural Affairs as the chief bogey man - the man who will bring to people's tables not only the national emblem but a symbol of one of Australia's most successful wildlife species.
[Time expired.]

Dr MACDONALD (Manly) [8.58]: I sometimes wonder why an issue such as this is so polarised on party political lines when that is not where the division should lie.

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Mr Martin: Which side are you speaking from?

Dr MACDONALD: That will become obvious while I am speaking. I am a late entrant into this debate. However, I have done some research of the topic over the past few weeks. It does seem that debate on this matter has gone on for many years. I wish to add a few perspectives to it without making any assumptions that I have extensive knowledge. The health aspect does concern me, as does the question of the legitimacy or otherwise of the environmental debate. I should like to comment also on land management issues. In regard to health, there has been much talk of the benefit or otherwise of kangaroo meat. The fact that it is nutritious and low in cholesterol obviously has an appeal to those of us who have concerns about nutrition. Second, concerns have been raised about the health of the meat itself - whether it is safe, whether it is free from worms and parasites, tapeworms and so on. I have closely scrutinised the relevant literature and it seems to me that there is very little substantial evidence to show that, in fact, correctly managed and correctly harvested, this particular source of meat carries with it any great risk. Many university sources, both in this State and in

Queensland, appear to make it quite clear that this meat is safe to eat. Of course, safeguards with regard to the harvesting process will be included in the code of practice. It is unfortunate, perhaps, that the code of practice is not before us to be scrutinised. However, I believe those concerns will be covered by the code of practice.

Passionate representations have been made by the environment movement, and I take them seriously. I listen to them because I share a number of its concerns and interests. The kangaroo debate is no longer a debate about a particular species. The debate is different from the many other wildlife debates relating to elephants, crocodiles and so on. The whole picture has been distorted. The relationship that the kangaroo has with the land and other animals has been distorted by the introduction of domestic animals such as sheep and cattle. The balance has been distorted and has created a set of circumstances which cannot be viewed in a pure environmental context. The kangaroo is now seen as a competitor in terms of feed stocks rather than purely as wildlife. Unfortunately, it is also now regarded as, and has a status of, a pest and has been degraded in many ways because its meat is now only used as a pet food.

The argument brought by the environmental movement, which is a pure wildlife argument on the conservation of a wildlife species, has been distorted also. It should be viewed a little differently from some of our other wildlife arguments. Currently the situation, as I understand it, is that the culling program relates to damage mitigation. The figures are clear. Despite there being over one million on the quota in New South Wales, it appears that numbers are still very high. According to Grigg, who has written much on this subject, most of those kangaroos are to be found west of the Great Divide in the sheep range land area. I understand from his writings that of the order of 10 million kangaroos and 20 million sheep are west of the Great Divide. As a result, there has been enormous habitat degradation, and that is a matter of concern for us all. It concerns not only the farmers and the landholders but also the environmental movement. There is a disaster waiting to happen out there in the form of the possible development of deserts. Not only that, the kangaroo population itself is endangered. If we end up with nothing but desert, what will happen to the kangaroo population in years to come? That matter has to be put in context and has to be taken into account in this debate.

This bill attempts to put a value on a product that is currently regarded as a pest. It seeks to do so by legalising the sale of kangaroo meat for human consumption. There is an absence of a preamble, in a sense, about the long-term consequences. Though the bill is purely mechanical in that it favours legalising the sale of the meat for human

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consumption, the consequences of the action must be monitored. The hope of the department and the Minister is that the price of kangaroo meat will rise from its present \$2 a kilo to \$15 a kilo, and that as a result there will be free range harvesting of the kangaroo. I believe that the kangaroo is not appropriate for traditional farming practices. It cannot be herded, it cannot be contained; it has to be mobile. There will be free range harvesting, but the hope - although this is not stated in the bill - is that there will be displacement of the sheep from those districts. That displacement of the cloven hoofed animal will obviously have a benefit. No one could argue about the extent of damage caused by the cloven hoofed animal. Displacement of that group of animal will, I hope, lead to regeneration of marginal lands in the western districts.

John Pickard from the Western Lands Commission has said that harvesting may reduce the overall grazing intensity, improve the land resource and should significantly enhance the economic viability of many leases. Most of those leases, I believe, are owned by Crown land authorities. Indeed, it would be beneficial if there were an improvement in those marginal lands. The scenario is that with free range harvesting

and displacement of the cloven hoofed animal there will be benefit in terms of regeneration. There needs to be, at the same time, a change of attitude by the Crown lands authorities with regard to leases. I often wonder whether some of those leases are really viable. I should like to hear the Minister's attitude on that matter. It may be that most of the marginal lands should not be leased out. However, there are concerns about the consequences. I have outlined some of the potential benefits of land improvement in those areas. Will the risks of commercialising the kangaroo in fact threaten the species? That is an argument put up strongly by the environmental movement. They would ask us to look at what has happened when other natural resources have been commercialised. In most cases they have become threatened. I refer particularly to the commercialisation of old growth forests.

Mr Martin: Where is your consistency?

Dr MACDONALD: The honourable member for Port Stephens has sought to interject. I would ask him to delay his further comments until I have expanded my argument. There is a consistency based on the question of renewable or non-renewable resources. I would argue that in fact there are some forests that we can commercialise and harvest. The honourable member for Port Stephens does not think deeply enough about these issues to make responsible comments. I would argue that we should commercialise those resources that are renewable. The honourable member supports the Forestry (Amendment) Bill, which provides for the harvesting of renewable forests, which is the softwood plantations. We should not commercialise old growth forests. What about mining? There is before the Parliament at present an issue about whether we should continue to mine and exploit non-renewable resources. In the past there has been unfettered harvesting of the koala. I understand that at the turn of the century about one million koala skins a year were exported from New South Wales. Unfettered commercialisation leads to the risk of extinction of species. Similar comments apply to crocodiles and perhaps elephants. I signal my concerns and argue that the kangaroo is a renewable resource. My other worry is the threat that if a commercial enterprise is established with all the infrastructure and jobs and the numbers of kangaroos become low, for whatever reason, there will be economic pressure to guarantee preservation of the numbers. [*Extension of time agreed to.*]

The Minister should be aware of the contrary arguments which need to be monitored carefully. If a commercial operation for the marketing of kangaroos is established with all the necessary infrastructure, a market is developed that becomes guaranteed, and kangaroo numbers become low for whatever reason, what will happen? Pressure will be brought to bear to kill more kangaroos and threaten the numbers.

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Mr Martin: They will become extinct.

Dr MACDONALD: The honourable member for Port Stephens interjects to say they will become extinct. I do not subscribe to the argument which has been put forward by the environment group that kangaroos will become extinct. The argument about the environment versus jobs has been debated in this place before. I refer to the forestry debate. Members of the Labor Party will be arguing against themselves on this issue. I intend to introduce the Khappinghat Nature Reserve Bill.

Mr Martin: When?

Dr MACDONALD: It will be debated tomorrow week. That involves the

question of a resource versus jobs. I argue that one must be cautious about commercialising a resource and the impact on jobs if one attempts to contain that resource. There must be safeguards. The Minister's second reading speech referred to the National Parks and Wildlife Service kangaroo management program overseeing the cull. I ask that those charged with that responsibility examine the kangaroo management program. They must consider the effect that this legislation will have on the kangaroo population and gender balance - an argument that has been put up by the Australian Democrats and environmentalists who suggest that there will be an alteration in gender balance as a result of the targeting of the female rather than male animals. I am unaware of any substantial scientific evidence to support that argument. I merely signal to those concerned that these matters must be considered. They should have regard also to the protection of all kangaroo species: the reds, greys, euros, wallaroos, wallabies and the other 26 species of kangaroo. Another question that arises in the context of the kangaroo management program is whether pressure will be put by industry on the quota and on the National Parks and Wildlife Service. The interjections made by the honourable member for Port Stephens have not been terribly constructive. Surely the bottom line is whether the consequences of the legislation will lead to pressure being put on the National Parks and Wildlife Service to raise the quota, particularly once markets become established. I remind the management program committee that the objectives of the program are:

The Service has the responsibility of ensuring that the granting of permission to take a specified kangaroo species does not significantly adversely affect the distribution and abundance of that species.

Ultimately that is the point at which a judgment must be made as to the impact of this legislation. I put the National Parks and Wildlife Service on notice that it must stand up to the industry, remembering that ultimately the impact on the species must be taken into account. There should be other checks and balances that will prevail if there is an abuse of the legislation. They should include opportunities to go to the media and have representatives of the environmental movement speak out. I should like to see a strengthening of the powers of the kangaroo management review committee to enable it to develop even wider objectives for its role of monitoring the species. Perhaps at the end of its present program in 1994 the committee could examine the impact of the legislation and the perceived benefit of it, that is, improvement of the land in the Western Division. At present that is not one of the committee's objectives, but in order to accurately measure the impact of the legislation and whether it will have benefits on land in the Far West, the committee should consider performing that task. That is why this evaluation is enormously important. I support the bill.

Mr COCHRAN (Monaro) [9.16]: I support the bill, though I admit I have a degree of reluctance because I am compelled to recognise the realities about the kangaroo population in Australia. The kangaroo is a natural resource that has reached plague proportions, invading the grazing lands of western New South Wales, especially in the

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Western Division. One must face the reality also that kangaroo meat is edible. The Aborigines have been eating kangaroo meat throughout the history of Australia. I recall in my youth in the early 1960s being in the Northern Territory on ration day at Mount Ebenezer station when an allocation of tea, sugar and flour was given to the Aborigines by the station owners and missionaries. At that time the station owners would take a group of Aborigines out into the hills and shoot kangaroos for them so that they had sufficient meat to keep them going in the few weeks ahead. It is nothing new for kangaroo meat to be eaten in Australia.

No more kangaroos need to be shot in New South Wales than are being shot at

present. That is a simple fact. Carcasses of kangaroos that are being shot now are being left out in the paddocks to rot. That is indisputable. Last year in New South Wales more than 20,000 kangaroos were shot and left to rot in the paddocks. If the honourable member for Newcastle would be quiet long enough, he might learn something about matters other than those that occur within the bounds of this city. He might then be able to make a better and more intelligent contribution to the debate. I suggest that he return to his law books or read something of significance that will enable him to contribute to the debate. The people of the Western Division of New South Wales are being plagued by drought, which is something the shadow minister for agriculture would know nothing about; he has never been west of Penrith. People in the Western Division are suffering extreme conditions - drought, an invasion of feral goats, and kangaroos.

The facts are these: kangaroos are being shot, skinned and left to die in paddocks. The honourable member for Bathurst showed he had a better knowledge of this subject than the other members opposite who spoke in this debate, with the possible exception of the honourable member for Kiama. The people of the Western Division have the opportunity to bring some diversity to their income by capitalising on what probably will be a small market initially, without the need to shoot more kangaroos than are at present being destroyed. Members opposite should realise that there will not be a mass slaughter of the kangaroo population in western New South Wales. Some would wish that there were. This bill will have little impact on the population of kangaroos in the Western Division.

On a recent visit to the Western Division I spoke with Geoff Davies and his wife at Marah Station on the Darling River. That is a property of 120,000 acres, located about halfway between Tilpa and Wilcannia. They estimate that they are carrying between 3,000 and 5,000 kangaroos. Honourable members who do not believe that should speak with the honourable member for Broken Hill, because he would know it to be so. Geoff Davies estimates that the property is carrying about 3,000 goats. Neckarbo Station, owned by Ian Murphy, is a property of 300,000 acres and is carrying upwards of 10,000 kangaroos. That property is using less than 20 per cent of its carrying capacity of sheep. Honourable members opposite - even those with a basic knowledge of accountancy, such as the honourable member for Newcastle - who think about it will realise that a property using only 20 per cent of its carrying capacity, as well as grazing an equal number of feral animals, has a problem with viability. I suggest that this bill provides an opportunity for sustainable income for the people of the Western Division. It provides an opportunity to eradicate the feral animals that were referred to accurately by the honourable member for Manly. He described the destruction that is occurring in the Western Division not from domestic livestock but from kangaroos and goats.

I note that the honourable member for Broken Hill has not spoken in this debate. There is a good reason for that; he supports this measure. If he were to come into the Chamber now he would be embarrassed to hear what honourable members opposite are

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saying. I expect that every member of the National Party who has spoken in this debate, or their children, at some stage in their lives would have had a pet kangaroo. Every household on a rural property at some stage has a pet kangaroo that is loved in the same way as is the family cat or dog or any other domesticated animal; it becomes part of the family. It is wrong to suggest that there is no compassion for the country's national symbol. I admire the honourable member for Kiama for standing up for what he believes in. At least he understands the situation, which is more than can be said for the buffoon sitting on the Opposition backbench. Government members genuinely feel compassion for the kangaroo. Opposition members should not spout nonsense about the Government not caring for these animals, because it does care. The Opposition must

face reality: kangaroos exist in their droves and are a pest to the people in the Western Division. The Government has a solution that can benefit property-owners and those who have the opportunity of eating the meat. I support the bill and I commend the Minister for having the courage to take up this issue. I believe that in future those who have opposed the legislation will live to regret it because the property-owners of the Western Division will never forgive them if the bill is not passed.

Mr FRASER (Coffs Harbour) [9.23]: I thought I would hop up and say a few words about the Meat Industry (Game Meat) Amendment Bill. The people of New South Wales will recognise the bounders from the other side who have jumped up and down all night and told long tales in this debate, ignoring the facts. The honourable member for Blacktown, who is fast becoming known as the eastern grey in this Parliament, almost jumped over the table at the Minister tonight, without putting forward real objections to the bill; he indulged in rhetoric. The honourable member for Port Stephens, who has never gone past the western side of Nelson Bay, I suggest, is reported in the North Coast media as saying that the kangaroo is the national emblem. He has not addressed the issues, such as the low-cholesterol quality meat. In States other than New South Wales kangaroo meat is available in restaurants and butcher shops.

Mr Martin: Has the honourable member eaten it?

Mr FRASER: I have eaten it. Recently I was in South Australia, where restaurants serve the meat as a delicacy. I recommend that everyone try it. When I was a young child we shot kangaroos near Stroud, which is close to the honourable member's electorate, though I do not know that he goes there often. We ate the steak and made kangaroo tail soup. It was a magnificent meal. It must be understood that the farmers of this State are losing revenue because of the kangaroo population. Kangaroos breed in good seasons. We have given them artificially good seasons by providing irrigated crops, bore drains and dam water; and with that year-round supply of feed and water kangaroos are now in plague proportions. They cost the agricultural industries in this State millions of dollars. For years Aborigines have eaten kangaroo meat. There is no reason to say it is not palatable or is harmful if used for human consumption. The green movement says that we should not have cloven hooved animals in Australia. This bill gives us an opportunity to reduce the number of cloven hooved animals and to use a natural resource that is in plague proportions at the moment. I believe the bill will give the opportunity for people in New South Wales to enjoy a native delicacy without in any way threatening the extinction of this animal. I do not know whether members of the Labor Party are game animals or dead meat in opposing this bill but I am sure they will rue their actions tonight. I support the bill.

Mr ARMSTRONG (Lachlan - Minister for Agriculture and Rural Affairs) [9.27], in reply: I thank members from both sides for their contributions to what I believe has been a good debate. It has allowed members to speak on an Australian

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subject. The bill is not complex and the debate has allowed honourable members to demonstrate their expertise or lack of expertise, to show the amount of research or lack of research that certain members have put into their contributions, and to reveal the ends to which certain members will go in order to distort the facts and to mislead the public. It is notable that the honourable member who led for the Opposition, the honourable member for Port Stephens, together with the honourable member for Bathurst, the honourable member for Kiama, and the honourable member for Blacktown are in a category of speakers different from the mainstream speakers from this side of the House, including the honourable member for Camden, the honourable member for Tamworth, the honourable member for Murray, the honourable member for Manly, the honourable

member for Monaro and the honourable member for Coffs Harbour. There is a distinct difference in the contributions, quite apart from the question of support for or opposition to the bill.

The quality of debate reflected the differences between Opposition members and Government members. From this side of the House we heard from the honourable member for Camden who has a Ph.D. in agricultural science and who spoke eloquently in favour of the bill. We heard from the honourable member for Manly who has a doctorate in medicine. He applied his expertise in support of the legislation and raised a number of valid points that I hope to answer in my response. The bottom line, as the honourable member for Monaro said, is that we have an excessive number of kangaroos in Australia. With European colonisation came the harnessing of many of this State's natural resources, notably water. We have dammed the inland river systems and succeeded in providing permanent and semi-permanent water across much of the State. Thus we have provided continual sustenance for wildlife, be they kangaroos or the plethora of marsupials or birdlife that abound in many parts of the State in numbers never seen before European settlement. Today the numbers of kangaroos, wallabies and marsupials in New South Wales are at all time historical record levels because the introduction of artificial water supplies has enabled the land mass to support those animals. Anyone with a fundamental knowledge of early Australian history would appreciate that every three to five years, in the Western Division of New South Wales, the Lachlan-Murrumbidgee-Darling River systems dry up and wildlife contract to more permanent waters on the coast or the slopes, and then expand their habitat in the good seasons. Books written by many of our early explorers will attest to this fact.

In 1992 we have enormous surpluses of kangaroos and goats. With the support of all political parties we have embarked on a controlled culling program to preserve the environment and various species, particularly kangaroos. The move is supported because the annual cull is set by the present Federal Government under the Hon. Ros Kelly, with the various States merely acting as agencies for the Federal Government. It is proposed under this legislation that kangaroo meat used for human consumption will come from within the cull; it will not result in the death of one additional kangaroo. It will make practical, sensible and meaningful use of a product that until now has been wasted; last year 21,000 kangaroos were left to rot on the ground. The majority of the cull is used for pet food or export for human consumption. Many of our export countries have stringent health standards. I instance the United States and Japan, which for many years have been major importers of our kangaroo meat. If it is good enough for these discerning countries to import our kangaroo meat and set standards, it is good enough for New South Wales to apply the same standards. However, this legislation goes a little further, because quality control will be more rigid than that applied for export meat. The authority that will ensure the hygiene of kangaroo meat is the Australian Quarantine Inspection Service - the same authority that inspects mutton, pork, lamb, beef and veal.

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The honourable member for Kiama spoke about kangaroo being a wild product. It is. And the kangaroo is a far less intense grazer than are domestic animals, which do not enjoy the freedom that kangaroos have to search out fresh feed. Kangaroos show little or no respect for fences. Go where the kangaroos are grazing and you will find the freshest feed following storms. Sheep, cattle and domestic animals are confined by farmers and graziers behind fences and do not have the luxury of being able to follow the fresh and clean food after each shower and thunderstorm that might occur throughout the west. It is entirely arguable that kangaroos are a much cleaner animal in terms of their own consumption and, therefore, are less likely than domesticated animals to harbour an

infestation of worms. Because they are grazing continually on fresh pasture, cross-contamination does not occur. That contamination occurs mainly in dry times, when a green patch around the bore drains and tank will attract up to 20, 30, 40 or 100 sheep to the acre to graze off that little bit of couch grass around the water flow. However, the kangaroo is not confined and will go off to where there may be a little fresh pick of copper burr, white top or corkscrew in the next-door neighbour's paddock. The honourable member for Port Stephens spoke about worms and internal parasites. Other domestic meat we consume harbour those same internal parasites. He spoke about tapeworms.

Mr Martin: Domestic stock get drenched.

Mr ARMSTRONG: The honourable member is quite correct, domestic animals get drenched and chemicals are used on them. However, kangaroos have never had a drench or chemical applied to them. Kangaroo is the freshest meat because kangaroos are natural grazers; they eat in the best restaurants all the time. I wish to deal specifically with statements made by honourable members. The honourable member for Port Stephens, who masquerades as a rural spokesman for the Labor Party, quoted extensively from the *Australian Zoologist* of August 1988, and his remarks are recorded in *Hansard*. He quoted the figures for condemnation of carcasses on page 140. He spoke about bruising, abscesses, septic wounds and so on. However, he did not complete the same story; he cheated. He tried to mislead his colleagues and this Parliament, as he has misled the public. I follow on from where it says "1 due to jaundice". It then states:

That is 1 511 or 0.7% of all carcasses inspected were found to have some form of pathological condition.

These findings compare most favourably with post-mortem findings in domestic animals slaughtered at export or domestic abattoirs.

From the available evidence it is reasonable to conclude that provided harvesting, transportation, refrigeration, inspection and distribution are carried out in accordance with established criteria, kangaroo meat presents little or no danger to human health when compared to other forms of meat and that there are no public health reasons why it could not be considered as a viable alternative to meat from domestic animals.

That is the reference used by the honourable member leading for the Opposition. He has adopted that as a credible publication, but did not provide us with the full story. I will repeat what the document says. It states:

. . . kangaroo meat presents little or no danger to human health when compared to other forms of meat and that there are no public health reasons why it could not be considered . . .

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I accept the reference of the honourable member for Port Stephens in full and thank him for drawing the attention of the House to this excellent publication and confirming the Government's judgment on this legislation. The honourable member was only seeking to fill in time in his diatribe about substitution of the product. As stated in my second reading speech, the legislation requires that the product be packaged. It cannot be sold in an unpackaged state. The package must be sealed, clearly labelled and identified as kangaroo meat. I have said already that shooting in the field is fundamentally free and healthy, for the reasons I have outlined. The honourable member spoke about the

preservation of macropods and playing a dangerous game. He is quite right. We are preserving those macropods. What he did not say was that these animals will be slaughtered anyway. As the Labor Party in Canberra and the majority of members of the Opposition are aware, if the Government does not continue with a proper culling program we will have a disaster of unbelievable proportions with regard to kangaroos and the environment. It is important there be no misapprehension of the effect on the kangaroo population. Kangaroos for human consumption will be taken from within the cull quotas set. The reduction of the quota in 1984 and 1985 from 800,000 to 300,000 resulted in an environmental problem of unbelievable magnitude. Last year the quota figure was underutilised by approximately 20 per cent. The quota has not risen in recent years, and that is one of the reasons why we now have this horrendous problem of kangaroo overpopulation, not only in the Western Division but across most of the State.

The honourable member for Blacktown expressed the concern that making kangaroo meat a commercial product would lead to preservation and all types of extracurricular forces causing distortions. What she did not say was that it is now a major commercial product. The majority of kangaroos slaughtered each year under the approved Federal Labor Government program are used for pet food, the skins are exported - some are used domestically - and other portions of the annual cull are used for human consumption in other countries. In 1989 an estimated 21,750 kangaroos were shot and left to rot in the paddocks. Why should not they be sensibly used as an alternative, healthy dish for local New South Wales people and visitors to this State? The honourable member for Blacktown expressed her concern that this would lead to an argument about eating wombats. This legislation has no power at all to deal with native animals. As a shadow minister she should appreciate that all native animals have legislative protection under the National Parks and Wildlife Act. They are protected.

Mr Harrison: These kangaroos are not protected.

Mr ARMSTRONG: The kangaroos that come under the quota each year do not enjoy that protection. That is why we have the quota and that is why this legislation is sensible and practical.

Mr Harrison: Do you deny that emus will be next?

Mr ARMSTRONG: I think you might be next. Once again I indicate that the entire product to be harvested under this legislation will come under the exacting scrutiny of the Australian Quarantine Inspection Service. It then has to pass two further tests before it reaches the dining table. The first is the New South Wales Meat Industry Authority, which will have responsibility to oversee the training of licensed shooters, the type of vehicles to be used for cartage of the carcasses to the freezing works, and the inspection as they pass from the freezing works. The Department of Health then has the ultimate sanction, as it does over all fresh foods sold in this State. Effectively, therefore,

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a kangaroo steak that arrives on the plate in the parliamentary dining room or elsewhere will have passed three major inspection points. There has been a considerable amount of hocus-pocus from the Opposition. The honourable member for Blacktown spoke about there being no consumer demand. Not only has there been a consumer demand but there is quite extraordinary support from notable and eminent people who reflect public opinion. The Royal Society for the Prevention of Cruelty to Animals has said that rendering the kangaroo a valuable animal in monetary terms would possibly do more for the species than any other move. The author, Dr D. S. Butcher, said in 1988 -

Mr Martin: Oh, come on.

Mr ARMSTRONG: Do you wish to make an interjection on that?

Mr Martin: I say you treated him very poorly.

Mr ARMSTRONG: Are you questioning his credentials?

Mr ACTING-SPEAKER (Mr Chappell): Order! The Minister will direct his remarks through the Chair, and the honourable member for Port Stephens will remain silent, as will the honourable member for Oxley.

Mr ARMSTRONG: Reflecting public opinion, the *Daily Telegraph Mirror* editorial on 22nd March stated that there is no reason why humans cannot eat properly handled kangaroo meat or why the State Government should not lift the ban on its consumption.

Mr Harrison: That is not public opinion. That is only because the *Daily Telegraph Mirror* says it.

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

Mr ARMSTRONG: Rosemary Stanton, one of the best known nutritionists in this country, has said that kangaroo meat has many nutritional advantages: it is very low in fat, high in iron and protein, and its balance of nutrients is better than that of ruminant meats. No one from the Opposition mentioned that the other major meats we eat - beef, lamb and mutton - are from ruminant animals. The kangaroo is a non-ruminant animal. Therefore, in kangaroos the process of natural contamination is reduced quite considerably. Victor Cherikoff, the bush food consultant, says we have no choice but to utilise our environmentally appropriate livestock, kangaroos, given the condition of the New South Wales outback. Professor Kerin O'Dea of Deakin University, Victoria, says that kangaroo is reliably very lean meat which could be readily incorporated into cholesterol-lowering diets. There are many other quotes from notable people who indicate how suitable kangaroo meat is for human consumption.

To conclude, and trying to put some of the furphies to rest, Mr A. E. Andrews, the Principal Veterinary Officer, Australian Quarantine Inspection Service, Canberra, states that kangaroo meat presents little or no danger to human health. Compared with other forms of meat, he believes that there are no public health reasons why it should not be considered as a viable alternative to meat from domestic animals; that it has a complete absence of the major diseases or conditions associated with domestic animals.

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If any members of the Opposition wish to claim greater authority, greater eminence, or greater knowledge, or can offer greater input about quarantine, I ask them to speak now. It can be clearly demonstrated that most of the contributions from the Opposition have been purely political, have really had no substance, sincerity, or effect, and that the vast majority of people we serve and call our constituents do not agree with those views. The honourable member for Manly showed an excellent appreciation of the environmental problems in our more arid areas. He spoke about kangaroo and goat numbers and about sheep being a problem, particularly in our more fragile Western Division. He is quite right, particularly in these dry times.

Mr ACTING-SPEAKER: Order! I call the honourable member for Oxley to order. I call the honourable member for Kiama to order for the second time.

Mr ARMSTRONG: The environment in the Western Division of New South Wales is subject to unbelievable pressures. Goats and kangaroos are causing all sorts of distortions, to which the honourable member for Monaro referred when he highlighted some particular properties. There has been a considerable amount of talk from the Opposition about the harvesting of wild animals for human consumption, but the bottom line is: where do the members of the Opposition think goat meat comes from? Tomorrow morning goat meat will be sold in shops. Where do honourable members imagine it comes from? What do they think happens to the goats now being slaughtered at Dorrigo abattoirs? Goat meat comes through the abattoirs and is fully inspected and is sold quite legally in retail shops. So, this proposal is not without precedent at all. Other comparisons could be made, and goat meat is one. The honourable member for Manly talked about future numbers and asked whether this consumption would lead to an increase in culling. Culling will depend on seasonal conditions that allow kangaroos to breed up or otherwise, but this legislation will have no effect on the overall numbers because kangaroos killed to provide product under this program will come from within the cull. This proposal will not expand the cull; it will not expand the overall numbers of kangaroos. The Government has probably satisfied most of the doubting Thomases, and I hope it will receive sensible support for this legislation. I hope that the Opposition will change its mind and see reason, particularly as the Government and the Opposition are quoting from the same magazine. Now that the full quote has been read, the Opposition has to support this legislation. The Opposition forgot to read the recommendations; it dealt only with the first few parts of the report but did not read the conclusion. The legislation is timely, it will make good use of a natural recurring resource, it will help the farm industries, it will help productivity in some of our country towns, and it will provide some jobs.

Ms Allan: Greed and self-interest.

Mr ARMSTRONG: The honourable member for Blacktown may well chirp away on the Opposition benches, but I will give her the magazine afterwards. This legislation is probably one of the most sensible environmental measures introduced into this Parliament for many years. I ask that the House recognise that and give full support to this bill.

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

The House divided.

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Ayes, 48

Mr Armstrong
Mr Baird
Mr Blackmore
Mr Causley
Mr Chappell
Mrs Chikarovski
Mr Cochran
Mrs Cohen
Mr Collins
Mr Fraser
Mr Glachan

Mr Griffiths
Mr Hartcher
Mr Hatton
Mr Hazzard
Mr Humpherson
Mr Jeffery

Dr Kernohan
Mr Kerr
Mr Kinross
Mr Longley
Dr Macdonald
Ms Machin
Mr Merton
Mr Morris
Mr W. T. J. Murray
Mr O'Doherty
Mr Packard
Mr D. L. Page
Mr Peacocke
Mr Petch
Mr Phillips
Mr Photios
Mr Rixon

Mr Schipp
Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr West
Mr Windsor
Mr Yabsley
Mr Zammit

Tellers,
Mr Beck
Mr Downy

Noes, 46

Ms Allan
Mr Amery
Mr Anderson
Mr A. S. Aquilina
Mr J. J. Aquilina
Mr Bowman
Mr Clough
Mr Crittenden

Mr Doyle
Mr Face
Mr Gaudry
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hunter
Mr Iemma

Mr Irwin
Mr Knight
Mr Knowles
Mr Langton
Mrs Lo Po'
Mr McBride
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Neilly
Mr Newman

Ms Nori
Mr E. T. Page
Mr Price
Dr Refshauge
Mr Rogan
Mr Scully
Mr Shedden
Mr Sullivan
Mr Thompson
Mr Whelan
Mr Yeadon
Mr Ziolkowski

Tellers,
Mr Davoren
Mr Rumble

Pairs

Mr Cruickshank
Mr Fahey

Mr Beckroge
Mr Carr

Question so resolved in the affirmative.

Motion agreed to.

Bill read a second time and passed through remaining stages.

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

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LEGAL PROFESSION (PRACTISING CERTIFICATES) AMENDMENT BILL

Second Reading

Debate resumed from 1st September.

Mr MERTON (Baulkham Hills) [10.3]: I support the Legal Profession (Practising Certificates) Amendment Bill, which makes important amendments to the Legal Profession Act 1987. The amendments relate specifically to the bar council having power to issue a conditional practising certificate and also to refuse to issue a practising certificate to a pupil until that pupil has completed a reading program. The bar council has a new provision which enables it to vary or reduce the provision of a practising certificate or to impose new or additional conditions during its currency. This legislation is new. As I understand it, there is no existing provision for an additional practising certificate to be issued to a barrister. Barristers are in a somewhat unusual situation. To become qualified as a barrister one is not necessarily required to have a background in law and one does not need any practical training in law to be admitted. Many people become barristers later in life, having worked in completely different occupations. For example, I have known people who have been chemists and accountants, or even members of Parliament, who have aspired to become a barrister - which is a worthy ambition. Some very successful people in their early twenties or thereafter have been admitted to the bar. I say with great respect that one of the most successful people who aspired to the bar as a second occupation in life was Mr Speaker. Mr Speaker's aspiration to become a barrister is an excellent example to all members of Parliament.

It is not easy to become a barrister. The course may take many years and it requires commitment, dedication and a detailed knowledge and understanding of the law. Unfortunately, many people who aspire to become barristers drop out and do not complete the long and arduous journey. Mr Speaker, I am sure you would understand the difficulties. The point I am making is that it is possible, in theory, for a chemist to become a barrister. I knew of a fireman - another admirable profession, but whose members certainly do not have any practical knowledge or understanding of the law - who became a barrister. Such people may be admitted to the bar on a Friday, and on Monday morning they are allowed to practise in court, without any practical experience. This legislation is a realistic attempt by the Government to introduce certain restrictions and qualifications and to give the bar council powers to issue licences or practising certificates on a conditional basis.

The types of conditions which may be imposed by the bar council fall into a number of categories: for example, a requirement to complete a particular course of study; a requirement not to practise in a certain area of law; or a requirement to practise for a period with a senior junior barrister. The latter category has existed in the legal profession for many years. An articled law clerk did his articles of clerkship with a master solicitor and had to complete five years of articles. In this Chamber there are successful products of the articled clerk system. The honourable member for Ashfield is

an outstanding example of what can be done if a person has an excellent master solicitor. The honourable member for Ashfield, prior to becoming a member of Parliament, was a successful lawyer and solicitor. I understand that he aspired to be a member of the bar, and that he is a practising barrister. I have no doubt that he is well qualified. Under this legislation the bar council will be able to impose conditions upon a person practising at the bar. I have outlined those conditions.

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It is necessary for the bar council to take into consideration an applicant's background. Along the way an applicant, while practising law, might have got into some kind of trouble. But the bar council can say: "We will allow you to practise or continue to practise as a barrister. However, you must practise for a period with a senior junior barrister to enable you to obtain more practical experience". In those cases where people may have gone off the rails, albeit for a minor offence, they will have an opportunity to work under supervision. That will help them with their professionalism and allow them to continue to practise law. In some cases the alternative would be for such people to be debarred. There would be cases when people did not comply with the normal standards required of a barrister. Rather than be debarred they can subject to some kind of compulsory supervision. This legislation will provide for that.

Clause 37 will enable a barrister to lodge an appeal against conditions imposed on his practising certificate. If a practising certificate is varied by the bar council and a barrister is told, "We believe you should have some restrictions on your practising certificate", and if the barrister does not agree he has the right to appeal to the court. A person can become a barrister after having worked in an occupation completely outside the law. In some respects that is good, because that person presumably will have an understanding of the real world. Some excellent barristers have worked in occupations completely outside the law. In order for a person to qualify as a barrister, he or she has to be admitted as a barrister and then do what is called his or her pupillage. One then reads with a barrister who is generally a senior junior and ends up with a conditional practising certificate. The Bar Association conducts a reading program. It is compulsory for students to participate in this particular reading course. However, there is no requirement on one to complete that program before being issued with an unconditional practising certificate. This bill will provide that the completion of the program is necessary to enable one to obtain an unconditional practising certificate - again, another form of education for members of the bar. It is all very well for one to have undertaken courses in the law - it is all very well knowing the theory - but it is only when one begins to practise the law that one becomes aware of the law of evidence, and the intricacies and difficulties involved. We are really saying that though the legal qualifications are essential, practical training and practical instruction also are necessary to qualify a person for an unconditional practising certificate.

This legislation will impose a condition to enable a practising certificate to be varied or revoked during its currency. Thereby should an allegation of misconduct be made against the holder of an unconditional practising certificate during the currency of the certificate, the bar council may impose specific conditions on the holder of the practising certificate. In other words, the fact that one is issued with an unconditional practising certificate at any one time does not mean one is entitled to hold that unconditional practising certificate for 12 months. Without such a condition it would only be possible for a restriction to be imposed at the time the practising certificate is renewed. It means that during the 12-month period of the certificate some kind of disciplinary action may be taken, or some kind of restriction or curtailment may be placed on a person's ability to practise law.

We do not think it is realistic that the bar council should wait until such time as the practising certificate expires before disciplinary action is taken. The imposition of any condition mid-term during the current practising certificate is appealable in a court of law. This is important legislation. Members of the legal profession have a tremendous responsibility to the community. Unfortunately the public perception of lawyers is not as good as it should be. Law is a difficult career; it deals with human emotions and stresses and pressures which, quite often, many people cannot accept or

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tolerate. Because of breakdowns in communication and artificially high expectations in some cases, people expect lawyers to do more than they do. I would be among the first to admit that not all lawyers are perfect but, from my experience over some 25 or 30 years, most lawyers are conscientious, sincere and hard-working people, working in a difficult sphere of human life. The legislation will allow the bar council to issue restrictions. It will provide for greater control of lawyers practising at the bar. I believe most members of the bar welcome this legislation. Again, it is another example of this Government's intention and desire to make lawyers more accountable, to have more control over the conduct of lawyers, and to provide the members of the public with a worthwhile legal service. I commend this legislation as realistic legislation and I congratulate the Attorney General upon introducing it.

Mr HATTON (South Coast) [10.15]: It is quite clear that the same silent conspiracy that has existed now for many years in this House still exists. For many years lawyers on both sides of the House have determined the rules of the club; they have stuck together like glue irrespective of party ideologies. They certainly have looked after themselves. I cannot imagine a Labor Party, which is supposed to represent the interests of ordinary citizens and the public interest, voting for such outrageous legislation. What are we talking about here? We are talking about unionism at its worst. We are talking about a bar council that is able to say, "You shall or shall not enter this profession; when you enter this profession you will be controlled in a fashion which could be quite unacceptable to you; you will not only undertake a reading program which we prescribe but you will undertake it with a person we nominate". If the bar is going to represent a cross-section of Australian society - which they say they always do - and a person has a view with which they do not concur or has a mode of behaviour with which they cannot concur, they can conspire to put limitations on that person's certificate and in fact take the certificate of practice from him.

Of course, one can appeal to a higher court, but what was Kate Wentworth's experience when she was told she was not a fit and proper person to enter the profession? She said, "Prove it". She asked for discovery of the documents and for the reasons the bar denied her application. It said she was an unfit person to join the bar. And the bar is supposed to stand for justice and equality before the law! She wanted to know why she is being excluded; the basis of the case against her. This has been denied her. The situation is absolutely disgraceful. I thought, as did the honourable member for Myall Lakes, when I first saw this legislation that it was the Kate Wentworth bill. I find, however, that I was wrong. It goes back further than that. It goes back to letters written to the then Attorney General, Mr Dowd, two years ago in July 1990. In a letter written to Mr Dowd, Mr O'Keefe, Q.C., said:

At present the Law Society Council has such a power but not the Bar Council. As it is the Bar Council's desire to enhance standards of competency for the benefit of the public, it considers that it should have the power to impose such conditions as it sees fit upon the practising certificate of any barrister (other than the Attorney General.).

Mr O'Keefe says a lot more, but to save time I will not read all of it. He wrote about proposed amendments to subsection (3) of section 32 of the Legal Profession Act that would delete the words "is entitled to a practising certificate, subject to a condition requiring the holder to serve a specified period satisfactorily as a pupil" and inserting in lieu thereof the words "is entitled, upon completing to the satisfaction of the bar council any full-time component of the Reading Program conducted by the Bar Association from time to time, to a practising certificate subject to such conditions as the Council thinks fit, including a condition requiring the holder to comply with such conditions of pupillage as the Council may from time to time determine". The amendments proposed would add the following subsection:

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(10) Notwithstanding that a barrister (other than the Attorney-General) has at any time been issued with an unrestricted practising certificate, the Bar Council may either upon the issue of a new practising certificate pursuant to Section 34(1) or at any time whilst an unrestricted or conditional practising certificate remains in force, by notice in writing served on the applicant for or the holder of the certificate,

- (a) revoke or vary any conditions attached to the certificate; or
- (b) attach conditions or additional conditions to the certificate.

That proposed amendment is being brought to fruition in this bill. As a Trojan Horse the Government is using the suggestion that there should be a reading program. If that is the real intent of the bill, in order to meet those education standards - because it is intended to put aside the restrictive practice, the trade unionism of the bar and the hidden conspiracy of the bar to look after its own members by putting it behind the mask of education - members should vote for my proposed amendment, which provides that in 12 months that section of the legislation should be set aside by including in the bill a sunset clause. That would enable an examination to be made of how the legislation had worked after 12 months. The matter should then be referred to the Law Reform Commission, which would report on whether it had worked to the benefit of the public and met the education standards required by the bar. Or is the legislation being used - as we all know it is - to prevent people who kick over the traces from remaining as barristers, to restrict those who kick over the traces by putting conditions on their practising certificates? I invite those who are fair dinkum about the education component to vote for the amendment that I have foreshadowed. The bar council sets the standards of entry, sets the conditions on practising certificates, puts restrictions on practising certificates, reviews the right to practice, has absolute control through a reading program over who shall stay in the profession and how they will operate within that profession. There is absolute restriction. Everyone is aware that the costs to be met by ordinary citizens who go before the courts are outrageous - and they are outrageous because of the way the bar operates. A junior counsel must be present. Why is it necessary to have a junior counsel?

Mr Whelan: That is wrong.

Mr HATTON: The honourable member knows that it is right.

Mr Whelan: That was stopped five years ago.

Mr HATTON: Unquestionably the practice still exists. A solicitor can appear in a higher court, but the restrictions and conventions make it extremely difficult for that

to happen. Among the bench, whose members come up through the bar, there is a feeling that it is not the right thing to do, that it is *infra dig*. Anyone who knows anything about the restrictive way the practice works in the courts is aware that it is designed to look after the club. It is not in the public interest and it does increase costs, not to mention the fact that the bar council is a proprietary company and a registered club and that it will specify the premises from which one must operate and will set the rental for those premises. The present Premier when he was the Minister for Industrial Relations addressed the House at length about how he would pull compulsory unionism into gear. He railed about the restrictive practices. The same Government under his premiership wants this legislation to pass through the House. I am sure the Premier has not considered it in the context of unionism, restrictive practices and conditions of entry to and membership of that exclusive club.

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I shall deal in more detail with specific aspects of the bill. Section 29 of the Legal Profession Act 1987 sets out that a fee must be paid for a practising certificate and that there may be a refusal to issue a certificate if there has been a finding of professional misconduct or unsatisfactory professional conduct. Power is given to the council to determine the fee payable for the certificate. Approval by the Attorney General is necessary. However, the Attorney General is a member of the determining body, the bar council, and as a board member would have had to approve the issuing of the certificate. The proposed legislation will give further power to the bar council. Proposed section 29A will require a person to complete a reading program and pass a further examination applicable to the pupil; that is, an examination and reading program could be individually designed to ensure permanent failure or non-qualification of the pupil. It is noted that the pupil is a person who has completed the degree or diploma course and has already been admitted by the court to practice. Conditions may be attached by the council to a practising certificate, for instance, completion of the examination and reading program to which I referred. At present attendance at the reading program is required only by the Bar Association rules and at law is probably inapplicable. If it were incorporated in the legislation, it could be manipulated to prevent a person from ever practising.

A further condition that may be attached by the council to a practising certificate is a requirement that a person read with or be supervised by a specified barrister for a specified time; that is, the freedom of choice of one person to work with another as a master is taken away and the council could appoint as a master for the pupil a barrister who would never allow the pupil to act alone, be paid, et cetera. The period of time is unlimited at the discretion of the council. That is a complete limitation on any right to practice. In addition, it is up to the specified barrister to certify at the end of the specified period that the pupil has complied with requirements for the issue of an unrestricted certificate, that is, if the specified barrister is so inclined, no unrestricted practising certificate would ever be issued. The proposed legislation attempts to take control of the practise of law as a barrister out of the hands of the court and to repose it in the board of a company limited by guarantee, such company being the trade union of the profession acting in its own interests and not in the interests of the public. Under the proposed legislation it would be possible to exclude the unlimited practise or even to exclude from practise any person whom the council chose to censure and control. That is contrary to the intention of the legislation that admission and practice of barristers is to be regulated by the court. The legislation proposes to take away any power of the court to admit persons to practice and to substitute the power of a self-interest group through a board of directors. [*Extension of time agreed to.*]

These legislative provisions contravene the trade practices legislation and are a

restraint of trade. At present the Trade Practices Commission is looking at the legal profession in this regard. Unfortunately I have far too much to say about this bill. Not all members of the bar agree with it. Some of them are quite outraged. In a letter to me Janet Coombs wrote:

The bar is supposed to be the Bastion of democracy. Only the Courts should control the Bar. The Bar Council should not have that control. Independence is the hallmark of a barrister - a small group should not be in a position to control, thereby imposing conditions on assessing how much work the barrister is doing.

She then proceeded to write about the types of restrictions and repressions I have mentioned:

Such requirements are contrary to Human Rights Charters. I reiterate - only the Courts should control the Bar. There is a danger of the Bar Council being politically motivated. This
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smacks of taking self-regulation too far. The Bar historically and in the public interest is of necessity riddled with idiosyncratic personalities and there must be no curb outside the Courts in this system.

Another barrister, Peter Dent Q.C., wrote to me in the following terms:

I am astonished that this startling legislation is before the House. I am counsel of 34 years standing and an elector of the Bar Council and spent nine years straight as a member of that council.

My first concern is that the amendments vest in the Bar Council enormous power over the commercial viability of barristers. The Bar Council is a part-time body of generally busy practitioners and its meetings are not open to the public or the Bar at large. There always exists the risk that its decisions will be influenced by rumour and otherwise inadmissible "evidence".

My overall concern is that I am unaware of how the Council would assert it has a membership mandate to seek the powers given. I find it astonishing that the Council should have power to in a case such as my own impose the conditions set out in Section 32(4) or power to cut the ground from under me economically by the exercise of the powers to be granted in the new Section 35, possibly in the middle of a Court case.

Honourable members should think about that. If there were a court case where the barrister was taking on the bar council over the premises or over its behaviour as a licensed club, what chance would he have? He would have Buckley's chance. Mr Dent went on to say:

Its all very well to argue that an appeal lies to the Supreme Court against the decision. Enormous damage can be done to the barrister's interests in the meanwhile.

I am immensely curious why the Bar Council seeks the powers in the new Sec 35(1)(a)(b). I for my part do not understand their meaning!

At a time when Australia is lumbering towards national nationhood and an Australia wide legal profession one is forced to question the utility of granting powers to dig entrenched positions in the profession and the new S.35(1)(a) and (b) do seem to have just that potential.

I have placed questions on notice concerning representations made to have Miss Wentworth declared a vexatious litigant. Fortunately, the matter was thrown out of court. Other attempts have been made to have her declared a vexatious litigant. I asked

whether the opposition to the admission of Miss Wentworth as a barrister was taken in the public interest. If that were the case, why does the Attorney General not give us the reasons? As an individual in this society am I not entitled to know, in the public interest, the reasons for my non-acceptance? Am I to be denied, as Kate Wentworth was, access to documents? Am I to be subjected to rumour? Am I, as a member of Parliament, to support a bill that not only entrenches that power but increases it? It is absolutely outrageous. Why is it that the court does not determine entry to the bar? Why is it that such power is in the hands of a few privileged people? Where is the consumer in this process? Where is the representation of consumers? Where is the public interest in this process?

I challenge the Minister for State Development, and Minister for Arts, representing the Attorney General, to tell me what the public interest is, other than the trojan horse excuse - that it is really about standards of education. Let me put those standards of education aside for a moment and let the Minister tell me, as an ordinary citizen, why we need to entrench existing powers and add to existing restrictive trade practices, giving control to a powerful group of people and thereby adding to the

problems in the legal industry. That is the challenge facing members of this House. Tell me where this serves the public interest? Tell me why the bar council should not be subjected to deregulation, which is a central plank of this Government? Why are these people so privileged? They are the challenges that I throw down as a lay person in this Parliament to the Attorney General and those who support this outrageous piece of legislation.

Mr COLLINS (Willoughby - Minister for State Development, and Minister for Arts) [10.35], in reply: I have listened with interest to the comments of the honourable member for South Coast and, on a previous occasion, by the honourable member for Ashfield, who spoke on behalf of the Opposition. I want to deal in some detail with the comments made by other contributors to the debate and to thank all those who participated in the presentation of this important reform for the New South Wales bar. At the outset let me restate that this is an important, albeit minor, reform for the New South Wales bar and is perfectly in keeping with increased demands for improved professional responsibility, and higher standards in the profession to which consumers of legal services in this State are entitled. The Legal Profession (Practising Certificates) Amendment Bill is clear and simple in its effect. It will require barristers to complete a reading program before being entitled to an unconditional practising certificate. It will enable a condition to be placed on the practising certificate, requiring the barrister to complete a further course of study or to read with another barrister for a period of time.

I view the amendments as measures aimed at protecting the interests of consumers by allowing the bar council to ensure that newly admitted barristers have adequate training to enable them to properly protect the interests of their clients. The completion of academic studies should not of itself be sufficient to allow a person to practise law. As one of many people in this place who has completed the necessary academic requirement to practise law in this State and who was a reader before being admitted to the bar, I have great sympathy for this legislation. It is timely. It is overdue. It will provide greater flexibility. It will provide the bar council with the means to ensure that those who practise law in New South Wales are up to the mark and adequately trained for the job. If not, the bar council will be able to ensure that, as well as having an academic qualification, barristers meet other standards which are required for them to practise proficiently in this State. As well as having to satisfy the Supreme Court that he or she is a fit and proper person to be admitted, a legal practitioner is also required to undertake practical and ethical training. After I completed my law degree at

the University of Sydney I had to undertake a course of study in ethics, and, no doubt, Mr Speaker, when you were studying to join the bar you undertook a similar course. So it should be. Law students who wish to practise as solicitors must complete a program at the College of Law. The effect of this bill for intending barristers will be to require pupils to complete a reading program and to read with an experienced barrister before they are entitled to an unconditional practising certificate.

I do not consider such requirements to be unreasonable. This is not a "get Kate Wentworth" bill. It is not about giving unchecked powers to the bar council. It is about ensuring that each and every barrister in this State meets minimum standards of competence before being permitted to start, or allowed to continue, in practice. Such a requirement is clearly in the public interest. Any persons aggrieved at the imposition of a condition on their practising certificate under the Act will be able to appeal to the Supreme Court. The honourable member for Ashfield has raised a number of issues. The first is the date of effect of the legislation. I note the bill currently provides that it commences on assent. Proposed new section 29A provides that the power of the bar council to refuse a practising certificate is effective on or after 1st July, 1992. Of course, Page 5885

at the time the legislation was introduced and second read the effect of the new section was retrospective. It may now be suggested - and has been by the Opposition - that that section would effectively validate a decision of the bar council, made since 1st July, 1992, to refuse to issue a practising certificate to those who have completed their pupillage in that time. It must be noted that proposed new section 29A applies only to a barrister who is a pupil and did not satisfactorily complete the reading program. Therefore, the 1st July date will only affect the 28 students who have completed the mandatory portion of the reading and pupillage program since that date.

I have a letter from Mr John Coombs, Q.C., President of the Bar Association of New South Wales - brother of the barrister mentioned by the honourable member for South Coast, Janet Coombs - stating that all 28 members of the program were told on the first day that the council may have the power provided by the bill by or shortly after the end of their program. Mr Coombs advises that no students sought to withdraw from the course as a result of being given that information. I understand that Mr Coombs has written to the honourable member for Ashfield in similar terms. Nevertheless, to avoid any suggestion of retrospectivity as raised by the honourable member for Ashfield, the Government will move to amend the bill to change the relevant date to 1st October.

I turn now to the transitional provision. The honourable member for Ashfield has queried the effect of the transitional provision. The legislation is not retrospective by virtue of the transitional provision. Rather, the effect of the provision is to allow the power of the bar council to cancel, suspend or impose a condition on a practising certificate to apply immediately. If the transitional provision did not allow the legislation to operate in relation to current practising certificates, the effect may be to suspend the operation of the legislation until the reissue of practising certificates in July 1993. I turn to proposed new section 32, which deals with unrestricted practising certificates. The honourable member for Ashfield also raised this matter. The effect of this new section will be to allow the bar council to impose conditions on barristers' practising certificates. Of course, at present the bar council has no power to do so. A barrister, upon completion of the reading program, is entitled to an unrestricted practising certificate. Section 3 of the Legal Profession Act defines "unrestricted practising certificate" as a practising certificate that is not subject to a condition other than a condition requiring the holder to complete a course of further education. This definition does not, of itself, give any authority to the bar council to impose such a condition. The bill is aimed at rectifying that situation.

I turn now to proposed paragraphs (c) and (d) of section 29A(2). The honourable member for Ashfield queried the exemption, pursuant to that measure, from the requirement to satisfactorily complete a reading program. The nature of the exemptions will relate to two categories of persons. First - and consistent with the exemption given to holders of statutory office in proposed paragraphs (a) and (b) of section 29A(2) - exemptions will be given to persons engaged as barristers in statutory positions at State and Commonwealth levels. The matter must be left open to allow for the establishment of future offices. For example, a body such as the Independent Commission Against Corruption may be set up at the Commonwealth level and employ barristers on its staff. This could be acknowledged by an exemption given by regulation. Second, there will be persons who by virtue of experience in other areas are deemed unnecessary to complete the reading program. This will relate primarily to interstate barristers who have completed a similar program in their own jurisdiction. However, it could also include such persons as barristers returning to the roll following a break from practice or a period in practice as a solicitor. Clearly, there is a legitimate basis to allow classes of such persons to be specified as not required to complete the reading program.

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The exemptions may only apply to classes of persons and not individuals and can therefore not be directed at giving an exemption to any particular persons. The honourable member for Ashfield correctly noted that proposed new section 35 gives additional power to the bar council to suspend or cancel a practising certificate for failure to comply with a condition on a certificate. The other bases set out for the suspension or cancellation of the certificate are already present in the Act and are simply brought forward.

The power to suspend or cancel a practising certificate for failure to comply with a condition is a necessary consequence of the grant of power to impose a condition. Without such a provision the condition could be imposed but not enforced other than by bringing disciplinary action to have the barrister removed from practice. It must be noted that the power to impose a condition, the power to cancel or suspend a practising certificate of a barrister for failure to comply with that condition is in substantially similar terms to that which is presently granted to the Law Society in relation to solicitors and which has been present in the Act since it was introduced in 1987. Section 37 was the final matter raised by the honourable member for Ashfield. This relates to appeals to the Supreme Court. Section 37 of the Legal Profession Act, as it now stands, provides a right of appeal to the Supreme Court in relation to the failure to issue a practising certificate. The proposed amendment will extend the right of appeal against the imposition of the condition. Appeals are to be made to the Supreme Court in relation to practising certificates issued to barristers and solicitors because they are officers of the court. At all times the court has supervisory jurisdiction. It has inherent powers in relation to the conduct of legal practitioners. It would be quite improper for appeals in relation to the issue, cancellation, suspension or imposition of a condition on a practising certificate to go to any other forum. No one should lose sight of the fact that barristers are officers of the Supreme Court of New South Wales.

I turn now to comments made by the honourable member for South Coast. We are not talking about the legal industry; we are talking about the legal profession and practitioners who are officers of the court. I shall dwell on that for a moment. There are very few other forms of activity - in fact, I cannot think of any other form of activity in this State - where the practitioners are officers of the court or in any other way officers of our legal system. This is a unique situation. It is not a legal industry. Judges are not simply company directors at the head of the legal industry. Barristers and solicitors are not line managers. One cannot simply equate industrial provisions - as the honourable

member for South Coast would have it - to this profession, because this profession is inextricably bound up with our legal system and with a tradition which stretches back into antiquity. The honourable member for South Coast has from time to time used all the pejorative terms about the legal profession. He has called it a club and used the word "conspiracy", pointing out that the bar council is a private company. The honourable member for South Coast has made the fairly standard frontal attack on the bar. It is not the first time he has expressed these sentiments - no doubt it will not be the last.

When it comes to the crunch and this Parliament must look at the performance of the legal profession and how it is regulated, we are prepared to do that. When I was Attorney General I was able to refer some of these matters to the Law Reform Commission of New South Wales. No doubt the commission will report in some considerable detail, and this Parliament will ultimately debate its recommendations. The comments that have been made by the honourable member for South Coast are largely overtaken by the review of the legal profession by the commission. I would expect it will provide an extremely useful basis for public discussion, parliamentary debate, and not simply on one or two fairly esoteric items. Certainly on this particular occasion the

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honourable member for South Coast has chosen the wrong battleground. This is not a "get Kate Wentworth" bill. This is a bill to enable the bar council to do something about people it regards as insufficiently trained and insufficiently qualified to have an unconditional licence to practise in this State. It is all about giving consumers of legal services better value for their money. It is all about raising professional standards, self-regulation by the profession, peer assessment, and the maintenance of standards by people who serve this State as officers of the Supreme Court of New South Wales.

I reject the imputations made by the honourable member for South Coast. While it may be fair to criticise some elements of the legal profession for not moving quickly enough on some reforms, on this particular occasion they have actually got it right. This is a bill that should really be applauded by the honourable member for South Coast; he should be hoping there are more of the same. He raised the question of whether or not the public interest is served by this measure. Of course, the public interest is better served, because the standards of legal practitioners serving as barristers of the Supreme Court of New South Wales will undoubtedly improve as a result of this bill. I certainly welcome this initiative and I am sure members on both sides of the House who have thought about the issues involved would welcome these initiatives as well.

The Government is accepting an amendment proposed by the Opposition in relation to the possible retrospective application of the legislation to be moved shortly. The honourable member for South Coast has given me notice of an amendment he proposes to move. I have sought the views of the Attorney General in another place on that proposed amendment, which would see a built-in review mechanism on the proposal now before the House. On instruction from the Attorney General in another place, the Government will not accept the amendment to be proposed by the honourable member for South Coast. Reference of this issue to the Law Reform Commission can serve no useful purpose. The commission is already engaged in a number of important references. The resources of the commission should be directed to such matters rather than the examination of what is a peripheral and fairly esoteric issue. The reviews currently under way can well and truly encompass the points under discussion in this particular debate. The amendments introduced by this bill are concerned only with a small aspect of legal practice. The Government does not suggest the issue should be immune from review, but clearly a review restricted to such a limited issue has very little meaning. The issue raised by the honourable member for South Coast should certainly

not be immune from review, but such a review should not be restricted to the limited issue under discussion in this debate.

Far from being immune from review, the legal profession in Australia, and particularly in this State, is being examined through a number of inquiries, the most notable being conducted by the Trade Practices Commission and the Senate standing committee inquiring into the cost of justice. The Government is closely monitoring these inquiries as part of an agenda of reform for the legal profession in this State - a process in New South Wales that is proceeding with the significant co-operation of the legal profession to date. In the light of the many important issues warranting examination, the amendment proposed by the honourable member for South Coast is both unnecessary and is seen by the Government as wasteful of the limited resources of the Law Reform Commission. I thank him for his courtesy in notifying me about the terms of the amendment. The Government will not support that amendment but will support the amendment foreshadowed by the honourable member for Ashfield. I commend the bill to the House.

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

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Division called for. Standing Order 208(c) applied.

Noes, 3

Mr Hatton
Dr Macdonald
Ms Moore

Question so resolved in the affirmative.

Motion agreed to.

Bill read a second time.

In Committee

Schedule 1

Mr COLLINS (Willoughby - Minister for State Development, and Minister for Arts) [11.1]: I move:

Page 2, Schedule 1(1), proposed section 29A(1). Omit "1 July 1992", insert instead "1 October 1992".

In earlier debate I said that the point raised by the honourable member for Ashfield about possible confusion caused by the earlier commencement date which may imply a degree of retrospectivity should be clarified. Therefore the Government proposes to amend the commencement date to 1st October, 1992.

Mr WHELAN (Ashfield) [11.2]: Naturally the Opposition supports this commonsense amendment. Retrospective legislation has a significant deleterious effect on the lives of individuals, and is not a good precedent, especially when it deals with the livelihood of students. I received a letter from the President of the bar council stating

that 28 to 30 people undergoing their tutelage were advised of the date. That is not adequate. The Parliament is responsible for the legislation and therefore should be responsible for any consequential effect of retrospective legislation.

Amendment agreed to.

Mr HATTON (South Coast) [11.3]: I move:

Page 3, Schedule 1(1). After proposed section 29A(4), insert:

(5) The Law Reform Commission is to inquire into and report to the Minister on the policy objectives of this section and the impact of the enactment of this section on the legal profession, particularly the bar. The Minister is to cause the Commission's report to be tabled in Parliament.

(6) This section ceases to have effect on the first anniversary of its commencement.

As this bill is destined to become law, despite my vigorous opposition and that of the honourable member for Bligh and the honourable member for Manly, this amendment seeks to ensure that proposed section 29A will cease to have effect after a year's trial, when it will be referred to the Law Reform Commission to ascertain whether it has been in the public interest, whether it has had an educative effect, whether it has improved the standards of the profession or whether it has merely had a restrictive function; and how
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the bar has used this power. I cannot understand how honourable members could oppose this amendment. The argument put forward by the Attorney General was thin. He said that the Law Reform Commission will ultimately hand down a wide-ranging report on the legal profession. However, my amendment seeks to give the Law Reform Commission a specific reference - to look at proposed section 32, which subjects barristers entitled to a practising certificate to certain conditions, and review the powers that the bar council exercises over the barrister which require a barrister "to read with a specified barrister or with a barrister of a specified class or description for a specified period" and to comply with certain requirements whether in fact those provisions are in the public interest or whether they are merely restrictive measures that enhance the power of the bar council.

I instance the case of Ms Wentworth. The bar council has decreed that she is not a person of good fame and character. Apparently its decision was based on the conduct of Ms Wentworth as a litigant in the Supreme Court. It said that her conduct demonstrates that she is unfit to be a legal practitioner and that she is not of good fame and character. The bar council relied on matters which could easily have been dealt with by the Supreme Court, had those issues constituted contempt of court. However, they did not. Ms Wentworth has had no convictions. She has demonstrated no dishonesty or any leaning towards dishonesty. Nor has she demonstrated characteristics that would make her an unfit person to deal with the affairs of others, as any other legal practitioner would do. The basis of the bar council's complaint is how Ms Wentworth behaved as a litigant before she had received any legal training. She subsequently successfully completed her law course, but the council is saying that because she behaved in a certain manner before a court - though she had no legal training - she is not a fit and proper person to be admitted to the bar. The council has particularised at great length minute and trivial matters that are calculated to exhaust her both financially and emotionally.

The CHAIRMAN: Order! Several private conversations are being conducted in the Chamber. The Chair would appreciate it if they were conducted outside the Chamber.

Mr HATTON: Ms Wentworth is applying for admission to the bar as a legal practitioner for the first time. She has not been struck off. She has not been convicted of any offence. The council's ferocious opposition to her admission is not based on anything substantial. This is a classic case of bias because of the nature of the cases in which Ms Wentworth has tried to prove before a court that her former lawyer and other members of the bar have lied in court. In relation to one issue the court upheld that her former lawyer did lie. The message here is clear: do not take on the legal profession. Certainly do not stand up in court as an untrained person who has run out of money and accuse members of the legal profession of unprofessional behaviour, especially if they are key members of the bar, and then try to gain admission to the bar after successfully completing a law course. The club will ensure that you do not get in. This section of the Act not only reinforces the power of the club, it also adds to its power. It is quite unacceptable and it is not in the public interest. Those who argue, as the Attorney General does, that it is in the public interest, that it does serve an educative function, and that it is welcomed should have no objection to including a sunset provision in this clause, and having it examined by an independent group of academic lawyers who can tell us that it works in the public interest and has an educative function, or that it simply has a restrictive function and can be, and has been in the previous 12 months, used to abuse rather than enhance the system.

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Mr COLLINS (Willoughby - Minister for State Development, and Minister for Arts) [11.10]: Having heard what the honourable member for South Coast had to say, it would appear that his amendment to section 29A is inappropriate, and that it would be more appropriate for the honourable member to direct his remarks to section 32 of the Act. Accordingly it is proposed that this matter be adjourned overnight so that it might be further discussed with the honourable member for South Coast to ascertain which part of the proposed legislation he seeks to amend.

Progress reported and leave granted to sit again.

JOINT SELECT COMMITTEE UPON THE MANAGEMENT OF THE PARLIAMENT

Message

Mr Speaker reported the receipt of the following message from the Legislative Council.

Mr Speaker

The Legislative Council having had under consideration the Legislative Assembly's message of 1 September 1992, desires to inform the Legislative Assembly that it has this day agreed to the amendment to the terms of reference of the Joint Select Committee upon the Management of the Parliament as proposed in the Legislative Assembly's Message.

Legislative Council
16 September 1992

M. F. Willis
President

POLICE SERVICE (VOLUNTEER POLICE) AMENDMENT BILL

Bill received and read a first time.

BILLS RETURNED

The following bills were returned from the Legislative Council without amendment:

Real Property (Compensation) Amendment Bill
Supply Bill

House adjourned at 11.13 p.m.
