

LEGISLATIVE COUNCIL

Thursday, 31st October, 1991

The President took the chair at 10.30 a.m.

The President offered the Prayers.

COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Report

The Hon. D. J. GAY [10.34]: I desire to lay upon the table of the House a collation of evidence of the Commissioner of the Independent Commission Against Corruption, Mr Ian Temby, Q.C., on general aspects of the commission's operations, before the Committee on the Independent Commission Against Corruption on Monday, 14th October, 1991.

Ordered to be printed.

The Hon. D. J. GAY, by leave: As part of its role in monitoring and reviewing the exercise by the commission of its functions, the former Committee on the Independent Commission Against Corruption established a regular pattern of public hearings with the Commissioner, Mr Ian Temby, Q.C. The current committee has resolved to continue this practice. These hearings enable committee members to question the commissioner about matters of concern, issues arising from commission reports and general aspects of the commission's operations. Issues dealt with at the hearing on 14th October included the carrying of firearms by ICAC officers, the effects of suppression orders on legal representation, and the commission's proposal that transcripts of its hearings should be able to be used in prosecutions. By conducting these hearings in public and subsequently producing a collation of the questions and answers, the committee hopes to assist in informing the public about the Independent Commission Against Corruption.

It should be noted that this collation represents an edited version of the minutes of evidence of the hearing. In some cases the order in which questions were asked has been altered to enable the questions and answers to be categorised under appropriate subject headings for easy reference. Furthermore, there have been some deletions from the text, and some further written advice from the Independent Commission Against Corruption has been incorporated where appropriate. However, a verbatim record of the hearing, the minutes of evidence taken by the Hansard reporters, is publicly available. Under the new sessional orders I believe there is

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provision for 30 minutes' debate on this collation on Thursday morning. I look forward to members of the Committee on the Independent Commission Against Corruption debating some of the important issues discussed with Mr Temby on 14th October.

PETITIONS

Abortion

Petition praying that because of recognition of the right to life of the unborn child, the House support the Procurement of Miscarriage Limitation Bill, received from the **Hon. Elaine Nile**.

Abortion

Petition praying that the House not support the restriction to hospitals of the existing abortion services in New South Wales or any restriction at all to a woman's right to choose to control her own fertility, and that the House vote against any proposal to change existing arrangements or to limit women's access to medically safe abortions., received from the **Hon. Ann Symonds**.

Stray Dogs

Petition praying that the Premier fulfil his promise to ban the sending of stray dogs to laboratories within New South Wales, received from the **Hon. R. S. L. Jones**.

Citizen-Initiated Referendums

Petition praying that because of public concern that elected governments are not obeying the will of God, the House will support the private member's bill entitled the Constitution (Citizen-Initiated Referendums) Amendment Bill, received from the **Hon. Elaine Nile**.

BUSINESS OF THE HOUSE

Precedence of Business

The Hon. R. S. L. JONES [10.40]: I move:

That on Thursday 31 October 1991, Government Business shall have precedence of General Business, except for consideration of Committee Reports Order of the Day No. 1 relating to the Standing Committee on Social Issues Report on Medically Acquired H.I.V.

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It is most unusual for a non-Government member to propose that Government business take precedence on a private members' day. For many years the Government has run roughshod over Opposition members and crossbench members and has preferred to use Parliament as a rubber-stamp for the Executive. From March 1988 to May 1991, when the Greiner-Murray Government did not have a majority in this House, we were able to work amicably with the Hon. Ted Pickering to ensure that there were many opportunities for crossbench and Opposition members to have their say on private members' days. On 27th August the Hon. Ted Pickering decided that he wanted to take over all private members' days for Government business. The House rejected that when even Reverend the Hon. F. J. Nile voted against the proposal. Since then Reverend the Hon. F. J. Nile has proved that he is in fact not an Independent but a de facto member of the Liberal Party, just as his colleague Jim Cameron was and is now again a member of the Liberal Party.

Reverend the Hon. F. J. Nile showed this to be true by refusing, by his vote, to allow the House to sit on 10th, 11th, 17th, 18th and 19th September. If the honourable member had been seriously interested in private members' days, as opposed to manipulating the House and its sitting days for his own convenience, he would have allowed the House to debate private members' business on those days. The honourable member wanted to delay debate on his Procurement of Miscarriage Limitation Bill until he was able to organise what turned out to be a dismal failure of a demonstration. Further evidence that the honourable member was just a de facto member of the Liberal Party came to light in no uncertain terms during the debate on the Industrial Relations Bill. There were a number of amendments that any true Independent worth his or her salt would have supported. One would have thought by the way in which Reverend the Hon. F. J. Nile voted that the industrial relations legislation was perfect to the letter.

When the Hon. J. R. Johnson moved his amendment that, for the purposes of the clause being considered, dismissal on the grounds of race, colour, sex, religion, genuine moral conviction, national extraction or social origin is harsh, unreasonable and unjust unless dismissal on

those grounds is necessary to give effect to a distinction, exclusion or preference based on the inherent requirements of a particular position, and that grounds should not be limited on which dismissal, or threatened dismissal, may be found to be harsh, unreasonable or unjust, Reverend the Hon. F. J. Nile, instead of doing the honourable thing and supporting this amendment, which must surely have been in line with the policy of his political group, turned around and did a deal with his Liberal colleagues. Reverend the Hon. F. J. Nile detailed at some length the deal he did with Minister John Fahey. He read the letter he had received from the Minister, which explained that the Minister had asked Cabinet to consider the two bills that Reverend the Hon. F. J. Nile was proposing. By this deal Reverend the Hon. F. J. Nile proved that he was in fact just another de facto Liberal Party member. Thus, what should be private members' days are turning into Fred Nile days and are effectively just more days to debate proposed legislation by someone who is effectively a de facto Liberal Party member.

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Reverend the Hon. F. J. Nile said in his speech on 22nd August, reported at page 369 of *Hansard*:

. . . private members' days are an important part of the functions of the Legislative Council. They are an important part of our democratic process and allow an input by members, as distinct from the Executive Government, in presenting business to the House. Private members' days should be sacrosanct . . . They should be suspended only in an emergency.

We have such an emergency. Reverend the Hon. F. J. Nile and his Liberal colleagues wasted five potential private members' days on 10th, 11th, 17th, 18th and 19th September. Now Reverend the Hon. F. J. Nile, to suit his own schedule and convenience, wants to debate his pathetically flawed legislation between now and Christmas. He had abundant opportunity to debate his legislation on those five days in September. Now we have a maximum of 13 sitting days between today and Christmas. We have also once again reached a serious crisis in the running of this State. Every year about this time, because of the ineptitude of bureaucracies and Ministers in charge of those bureaucracies, there is inevitably a huge build-up of legislation. It happens year in and year out. It really is an extremely inefficient way of running this State.

I am told that we have a massive avalanche of 80 pieces of legislation waiting to pass through this Chamber between now and Christmas. The previous Government would have rammed these bills through, one every few minutes until the early hours of the morning on every sitting day. This Government will not be able to do that because I am sure that members of this House will not allow debate to be curtailed in such an unseemly way, to force bills through like sausages out of a sausage machine! This State has just suffered a billion dollar deficit. This financial year it will once again suffer a massive deficit because of the grossly inflated and unachievable revenue forecasts by Treasury. This State is in crisis during the worst recession for 60 years and here we have a massive backlog of legislation waiting to pass through this Chamber with only 13 sitting days to go. This is no way to manage a State in crisis. If this Government seriously wishes to redeem its appalling reputation on management, it must be seen to be serious about the way in which it runs its legislative program. Members of the public and the media would be aghast to see how the Government's legislative program is being run. They would be shocked to realise that legislation will be rushed through by Christmas with scant attention paid to the details and import of the legislation and scarce time allowed for meaningful debate.

Reverend the Hon. F. J. Nile could not care less that 80 pieces of legislation are waiting to pass through the House. He could not care less that this State is in an unprecedented social and economic crisis. He is concerned merely about pushing his particular political barrow. As a de facto Liberal, he should be concerned about ensuring that the legislation waiting to pass through this House receives the proper attention it deserves, even if he does intend to vote for every single piece of

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legislation without amendment. He will have every opportunity to debate his worthless pieces of legislation when Parliament resumes early next year when the current legislative crisis will have passed. I have not taken lightly the decision to move this motion. I cherish private members' days as much as any other member of this House. I believe, however, that my responsibility to the taxpayers of this State must override my own personal considerations and my desire to debate private members'

bills and motions. I am happy to wait until Parliament resumes to debate the bills of which I have given notice.

I think it would be a disgrace to allow this Chamber to sit until Christmas Eve to attempt to rush through the huge volume of legislation that is waiting. If Reverend the Hon. F. J. Nile were a true Christian, he would not consider allowing members of this Chamber to be separated from their families at Christmas time. The Christmas period is a time when families should be together and not a time when spouses and children should be waiting at home alone. It will certainly be interesting to see whether the Government itself, which tried to cancel all private members' days some weeks ago, will support my motion or whether it is so beholden to Reverend the Hon. F. J. Nile that it is willing to delay its own legislative program and make it impossible for members of this Chamber to debate legislation in a proper manner. Yesterday Reverend the Hon. F. J. Nile boasted to me that he had the power to prevent me from ever debating one of my private member's bills in this House. He evidently believes that he runs the Government. Let us see by this vote today whether Reverend the Hon. F. J. Nile does in fact run this Government and whether it is prepared to disadvantage all the taxpayers of this State just to fulfil its sordid deals with Reverend the Hon. F. J. Nile. I will leave it up to the Government to support my motion. If Government members wish this motion to pass, they will have to add their voices to mine and declare that the ayes have it. Unless I receive the support of the Government, I will not call a division.

The Hon. M. R. EGAN (Leader of the Opposition) [10.47]: It will come as no surprise to honourable members to learn that many Opposition members, including me, have more than a sneaking regard for many of the points that the Hon. R. S. L. Jones has made. Nevertheless, the arguments that he has put forward today are quite pointless. Private members' days should be regarded as inviolable, in particular by Opposition members and those on the crossbenches. Private members have few opportunities to sponsor motions or bills before the House. In recent decades that has been the pattern in all Parliaments following the Westminster tradition, but it has not always been so. Until the turn of the century the majority of parliamentary time was taken up by private members' business. We should be seeking to return to that custom. The Parliament is not a tool of the Executive Government. All members of Parliament, in particular all private members of Parliament, including backbench members, should take and seize every opportunity to ensure that their rights are not eroded. Time and again executive governments have attempted to remove the rights of private members to raise and sponsor matters in Parliament. As pointed out by the Hon. R. S. L. Jones, earlier this session the

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Leader of the Government attempted to abolish all private members' days for the whole of the session.

The Hon. E. P. Pickering: That is not so.

The Hon. M. R. EGAN: That is so, and the Hon. R. S. L. Jones was quite properly opposed to that move. Simply because the Hon. R. S. L. Jones has an argument with the bill that the Reverend the Hon. F. J. Nile is currently sponsoring before the House -

The Hon. E. P. Pickering: That is the point.

The Hon. M. R. EGAN: It should not be the point.

The Hon. E. P. Pickering: That is his point.

The Hon. M. R. EGAN: I will support the right of the Hon. R. S. L. Jones to bring before this House on private members' days any motion or bill whether I agree with it or not, and I will support the right of Reverend the Hon. F. J. Nile to do likewise. The Hon. R. S. L. Jones made pertinent comments about the role of the Call to Australia group in this Parliament and its almost invariable

support for the Government, including support for matters on which I believe all non-government members should be taking a view that upholds the rights of Parliament as against the rights or demands of the Executive Government. The fact that the record of the Call to Australia party is imperfect is no reason for the Hon. R. S. L. Jones to adopt a course of action that is -

The Hon. Dr B. P. V. Pezzutti: He is doing it without cynicism.

The Hon. M. R. EGAN: Is that directed towards me or the Hon. R. S. L. Jones?

The Hon. Dr B. P. V. Pezzutti: The honourable member's voting record is not in question.

The Hon. M. R. EGAN: I can assure the honourable member that both in opposition and, more importantly, in government my record establishes me as a parliamentarian first and foremost. I remind the Hon. Dr B. P. V. Pezzutti that this House now has an adjournment debate at the end of every day, when members have the right to speak on any matter they wish. I take some pride in the fact that that practice was introduced under a Labor government by a former Leader of the Government in this House, the Hon. Barrie Unsworth, when there was no need for him to do so. That Government had absolute control of the House; it had an absolute majority. I prevailed upon the Hon. Barrie Unsworth -

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The Hon. Dr B. P. V. Pezzutti: That was to give the honourable member a platform to become Leader of the Opposition.

The Hon. M. R. EGAN: I was not even a member of the House then, but I was able to convince the Leader of the House at that time that private members had few opportunities to raise matters in this House. Being the true parliamentarian he was, the Hon. Barrie Unsworth agreed with my point of view. I remember sitting down with the Clerk of the Parliaments at that time to work out the sessional order that would enable members to speak on any matter that took their interest. I make no apologies for my role in protecting and enhancing the right of private members of Parliament. Therefore, I shall have no truck at all with the motion moved today by the Hon. R. S. L. Jones. The motion will come back to haunt him and, unfortunately, all private members of the House. It should be condemned and opposed.

Reverend the Hon. F. J. NILE [10.52]: I had not planned to speak to the motion, because, obviously, I oppose it. The Hon. R. S. L. Jones in hypocritical manner has moved the motion to try to discredit me and the Call to Australia party. His efforts are totally unsuccessful; they have failed, and they will continue to fail. By moving the motion he has become an arch hypocrite in this Parliament. I do not know whether he is bitter because he has lost preselection from the Australian Democrats or whether he no longer has their support. Obviously he cannot call for a division, for it appears to me that he does not even have the support of his own leader because of the way in which he has moved the motion. It is an attack on the rights of all honourable members, not just members on the crossbenches. Any member can move private members' business. As honourable members know, recently the Leader of the Opposition moved about five bills. The Call to Australia group informed the Opposition that it would support the introduction of these bills when they came before the House. However, for party reasons the bills were withdrawn.

Private members' bills may come from the other place if they are passed. It becomes a question of the ability of all members of Parliament to introduce private members' legislation. There will always be strong views on legislation. It is difficult to introduce a piece of legislation that will receive unanimous support, but that is to be expected in this Parliament. The purpose of the Parliament is to

allow various views to be expressed and debated and for matters to be voted on and accepted or rejected. Honourable members could spend some time arguing whether the bill they will debate this morning is the most important piece of legislation to come before the House. It depends upon one's perspective and one's view of the issue. I imagine that the Hon. R. S. L. Jones believes that his dog bill and his cat bill are the most important bills to come before this House. I do not think they are. However, a bill that deals with human life, which is a life and death issue, should be at the top of the agenda and the most important matter that a parliament could debate.

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My record will show that the Call to Australia group has avoided entering into the sort of vindictive attack that the Hon. R. S. L. Jones has launched. I have plenty of ammunition I could use against him if I wished, but I do not believe that is Parliament's role. Parliament is not a place where people should smear each other under parliamentary privilege. Honourable members know that the Hon. R. S. L. Jones has taken advantage of that privilege on more than one occasion, but the Call to Australia group will resist the temptation to lower itself to the gutter where he operates and take cheap political shots. The honourable member will have to live with his own conscience on this matter. As I have said previously and as I said at the end of the debate on the Industrial Relations Bill, the Call to Australia group seeks to use responsibly whatever influence it has in this Parliament. It has the balance of power, which we call the balance of prayer and responsibility. It is a heavy responsibility to use that power in a responsible way and not as a weapon of blackmail.

I should be happy for all government members from the Premier down, including the Minister for Industrial Relations and Minister for Further Education, Training and Employment, to come before this House one by one to testify that on no occasion have I endeavoured to use that power to blackmail the Government in any way though I have had many opportunities to do so. I could say, "I will support this bill if you vote for my pro-life bill", but I have not done that. I have done exactly the opposite. I have said to the Government, "All I want you to do is to allow free debate on these matters and to allow all members to express their views". Where a matter is a conscience issue - and sometimes that matter has to be debated first - all members of Parliament, whether they be members of the Liberal Party, the National Party or the Australian Labor Party, should be able to express their views. I would feel dishonourable if I tried to achieve a good purpose by evil means. In my mind, as a Christian, the end does not justify the means. If I tried to get a pro-life bill passed dishonestly, the end result would not be justified.

The PRESIDENT: Order! The honourable member's time for speaking has expired.

The Hon. ELISABETH KIRKBY [10.57]: It is proper that I put on record the reason why I cannot support the motion moved by my colleague the Hon. R. S. L. Jones. Honourable members may not be aware that Australian Democrats members have the ability to have differing points of view on matters. They are not bound by any caucus or cabinet decisions as are members of the Australian Labor Party or the Liberal Party-National Party coalition. I cannot support the motion that my colleague has moved, because at this time when private members' bills are part of the arrangement that the newly elected Independents in another place are trying to negotiate with the Government - to have even greater ability for private members' motions and bills to be introduced into another place than has ever been possible in the past - it is not sensible for us who in this Chamber have always had the opportunity to introduce and debate a private member's bill, though we may not have been successful in having it carried, to restrict our existing right. I do not believe

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that right should be diminished in any way. Few weeks of sitting are left before the Christmas break, though I am fully aware that the House will be sitting for far more than the 15 days mentioned by my colleague. It will probably sit for three weeks in November and two, if not three, weeks in December.

The Government Whip has made me well aware that an enormous legislative program lies ahead of us. Frankly, I am not looking forward to contending with so much legislation in such a short time. However, since the election the Leader of the House has been far more reasonable than previously so far as sitting hours are concerned. The House has sat on Mondays and Fridays and with

very few exceptions we have not experienced the marathon sittings that occurred prior to the election when the House sat until the early hours of the morning. It is still possible for private members' business to be dealt with today and for the House to be not unduly burdened with late night sittings when future Government business is dealt with. I turn to the second reason why I cannot support my colleague. When the Opposition wished to vote at the second reading stage against the Procurement of Miscarriage Limitation Bill introduced by Reverend the Hon. F. J. Nile, I made it clear that I did not support that course of action. The Opposition wanted to kill the bill at that time and I could not support that. Reverend the Hon. F. J. Nile is well aware that I do not support his bill. I shall place it on the record now that I do not support other private members' bills he intends to bring before this House, particularly the troika of bills relating to abortion, sterilisation and the rights of doctors and nurses.

Though I do not agree with the legislation being prepared by members of the Call to Australia group, I cannot deny them the right to debate it. If I did so, I would make it impossible for myself or my party to bring forward other issues that the Australian Democrats believe are of first importance but I know many other members would not regard as important. If I support a motion that is likely to stifle the rights of the Call to Australia group, I know perfectly well that at some future time other members of the House will try to stifle the right of the Australian Democrats to introduce bills they believe are of vital importance to the nation. Obviously, it is not easy for me to tell my colleague that I cannot support him. However, he is aware of that; I told him before I entered the Chamber. It is proper that honourable members realise why I cannot support my colleague and it is important that I place those reasons on the public record.

The Hon. E. P. PICKERING (Minister for Police and Emergency Services and Vice-President of the Executive Council) [11.3]: As the Government Leader of the House, I am flabbergasted by the motion moved by the Hon. R. S. L. Jones, particularly as it has been blatantly put on the record in an endeavour to prevent not so much private members' day as debate on a particular bill. Any move to prevent members raising in this forum what they believe to be issues of legitimate concern to the community strikes at the basis of democracy in this State. The Hon. R. S. L. Jones will have to suffer for a long time the consequences of the speech he made. It will do his party irreparable political damage because the Australian

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Democrats hold themselves out to be the defenders of the principles of democracy. I am absolutely staggered that the Hon. R. S. L. Jones would make such a political mistake because of his emotional involvement in opposing the bill introduced by Reverend the Hon. F. J. Nile. He has allowed emotion to get in the way of logic and reason. He has further exacerbated his position by using the motion to launch what could only be described as a vitriolic attack of a highly personal nature against Reverend the Hon. F. J. Nile. I believe all members of this House deplore the strategy of playing the man rather than playing the ball. In my view the Hon. R. S. L. Jones stands condemned by every member of this House, including his own leader, who has courageously placed on the record her reasons for not supporting the motion. The Hon. R. S. L. Jones is using this device to occupy the time allocated for debate on the bill introduced by Reverend the Hon. F. J. Nile. I will not take any more of the time of the Chamber to debate this motion which will clearly be lost. The business of the House, which is not Government business, can then be dealt with.

The Hon. R. S. L. JONES [11.5], in reply: During the four years I have been a member of this House, I have never heard such hypocrisy. Early this year the Leader of the House attempted to remove all private members' days and then denied honourable members five days during which private members' bills could have been debated. We are now running out of time between now and Christmas. After Christmas there will be no problem about private members' days. There will be plenty of time then. Perhaps after Christmas some days when Government business is dealt with can be given over to private members' business so that there will be two private members' days per week. At that time there will probably be no other work, as has been the case in this House for the last several weeks. The House did not sit for five days because there was no business to debate. That is an absolutely outrageous way to run the State. I am not trying to deny Reverend the Hon. F. J. Nile the opportunity to debate his bill. He has waited 10 years to get this far and I am merely saying that he can wait a little bit longer. Another few weeks would help the taxpayers of New South Wales make sure that the State is

being run in a proper manner. There is no doubt that it is not being run in that way at present. It is being run in the most shocking way.

The Hon. J. R. Johnson: It is not being run at all.

The Hon. R. S. L. JONES: It is not being run effectively at all. It is being run into the ground by this temporary government. Unless the Government manages to sell the GIO before the end of June next year and uses the proceeds to shore up the deficit, in all probability there will be another billion dollar deficit this year. Nevertheless, it is gratifying to hear that members of this House are so strongly in favour of private members' days. It appears that the Government and the Opposition, Reverend the Hon. F. J. Nile and my colleague are very much in favour of private members' days. Next year we can look forward to ensuring that private members' days are sacrosanct, as Reverend the Hon. F. J. Nile said in his speech a few weeks ago. There will be no attempt by the Minister for Police and

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Emergency Services or whoever is the Leader of this House next year or the year after to try to remove private members' days. In a perverse way the lack of support for this motion demonstrates gratifying support for private members' days. I have flushed out the support of the Government for private members' days. By supporting the right of Reverend the Hon. F. J. Nile to debate his bill and any other bill that any other member determines to bring before this House, the Government has expressed its support for private members' days.

If the Minister tries to introduce another motion at another time, whether it be in relation to a private members' bill or a rush of Government business, no doubt he will have a problem. Between now and Christmas honourable members can look forward to private members' days every Thursday, perhaps during the Christmas break as well. I am sure the House will be sitting in January unless the Government decides to put off its entire legislative program until next year. Perhaps all Thursdays in January will be private members' days. Private members' days in this House are safe for evermore. I am pleased the Minister for Police and Emergency Services, who tried to remove private members' days, now gives them his total support. All members of this House now totally support private members' days. For the next four, five, six, seven or 10 years, however long we are members of this House, we can be certain that private members' days will never be taken away again. That is one thing that has been achieved today and I am gratified by that. I look forward with interest to the debate on the bill introduced by Reverend the Hon. F. J. Nile and any other legislation to be debated today. I look forward to private members' day next week and in the future.

Motion, by leave, withdrawn.

The PRESIDENT: Order! Pursuant to sessional orders, take-note debates on standing committee reports will now take precedence for one hour.

STANDING COMMITTEE ON SOCIAL ISSUES

Report

Debate resumed from 24th October.

The Hon. ELISABETH KIRKBY [11.10]: I had almost completed my remarks when the debate was adjourned. I have great respect for my colleagues on the committee but I found it impossible to accept the view of the majority. When all other attempts to make out that people with medically acquired HIV were in a unique situation failed, they fell back on the reasoning that financial assistance should be awarded in New South Wales because financial assistance - indeed compensation - had been awarded in some other States and in other countries, and because divisions already exist within the HIV community. In my opinion this amounts to nothing

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more than going along with something because everybody else is doing it. That everybody else is doing it does not make it morally correct. Of course, I appreciate the desire of members who supported the majority report to do something to alleviate the suffering of people with medically acquired HIV but, as I said previously, the bottom line is that all people with AIDS suffer and if services for all are adequate that suffering would be lessened.

I support wholeheartedly the report's recommendation that AIDS services to the community as a whole be upgraded. I ask all honourable members to pay particular attention to the committee's recommendations, which are to be found on pages 60 to 75 of the report. There are many of them and they are very important. The Government should rapidly and adequately implement the recommendations, which will be very difficult in the current economic climate. However, I believe the implementation of the recommendations is essential if this terrible disease is to be brought under greater control and if the needs of those suffering from AIDS are to be met by the Government of this State.

The reasoning that people with medically acquired HIV are urgent cases and therefore cannot wait for an improvement to services for all obscures the crucial issue: if the Government had taken action years ago to ensure that services for all people with AIDS were adequate, and if the community had not relegated AIDS to the status of the disease of social outcasts, the suffering of all people with AIDS would have been lessened and there would have been none of this need to justify special treatment for a chosen few. In conclusion I refer again to the scientific paper written by Professor Leon Eisenberg, professor of psychiatry at Harvard Medical School, Boston, Massachusetts. In the preamble to his scientific paper he stated:

The public health response to the epidemic was seriously compromised by the stigma attached to the persons victimised by the disease; thus, the mobilization of adequate resources was markedly delayed. Irrational fears of contamination led to proposals for mandatory population-wide screening, in utter disregard of the high false to true positive ratio in screening tests when prevalence is low. Welcome as a vaccine to prevent HIV infection would be, it is not likely to be available, if it can be produced at all, before the end of the century. Control of the epidemic demands that stigma be vigorously combated and that all groups of the population be educated about the ways to minimize the likelihood of becoming infected and of transmitting the virus.

Again I would like to repeat the remarks of the 17th century physician Thomas Sydenham, the doctor who was criticised by some of his peers for teaching about the care of patients with syphilis. These are his words:

I have met with many persons who either from the praiseworthy desire of terrifying the unchaste by fear of future trouble, or for the sake of claiming credit for continence on their own part, have not hesitated to argue that the cure of the venereal disease should not be taught. With such I disagree. If we reject all cases of affliction which the improvidence of human beings has brought upon themselves, there will be but little room left for the exercise of mutual love and charity. God alone punishes. We, as

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best we can, must relieve; neither must we be too curious with respect to causes and motives, nor too vexatious in our censorship.

To me, that is a truly christian statement. We should remember that the founder of the christian religion was vilified in His time because He worked among lepers, regarded as unclean; He worked among people who were social outcasts; He worked against the teachings of His own church at the time; He worked against the teachings of the Pharisees and the Sadducees. My belief is that the christian religion started with Jesus Christ and my belief in christianity is not based, as fundamentalists base their belief, on the teachings of the Old Testament; I believe we should follow the example of Jesus Christ. That was taught to me by His teachings of the Sermon on the Mount. Therefore, I had to write and support the dissenting report.

The Hon. D. J. GAY [11.18]: As a former member of the standing committee and having worked with the former Chairman, the Hon. M. F. Willis, and the Hon. Ann Symonds on the first half of the committee's inquiry into medically acquired HIV, I should like to make a few comments pertaining to the stage the committee had reached when I left. I congratulate the committee on its report and have some understanding of how and why there could be differences in the report. The subject is hard to come to grips with. I shall not go over the comments that have been made by other members of the committee who have spoken in this debate. I concur with almost all of them, even though they differ in many ways.

I wish to place on record that I believe there is no such thing as innocent or guilty victims of AIDS. That point has certainly been emphasised in the committee's report. During the time I was a member of the committee I spent considerable time listening to people giving evidence. I was of the view that people suffering with medically acquired AIDS should be paid some sort of compensation, not because they had special needs but because insufficient precautions had been taken by the blood bank. That is not to say that there was any instance of deliberate neglect by the blood bank. No one would suggest that. Given the available overseas evidence and the steps that were taken, I believe there were reasonable grounds to consider compensating people with medically acquired AIDS, not because they were suffering more than other victims of AIDS but because their situation was a little like an insurance claim - perhaps that is a little harsh but it is the best analogy I can think of to describe my understanding of their situation.

I will not canvass the amount of compensation that was recommended to be paid, given the statements I have just made. Obviously had I remained a member of the committee eventually I would have come to that point of view. As I was not involved in the committee's latter discussions it would be unrealistic of me to comment on the amount of compensation that was recommended to be paid. I wish to comment on the need for a separate treatment centre for people with medically acquired AIDS. This need was identified by the people who gave evidence to the committee. I emphasise the word "separate" rather than segregated or any words with that connotation. The purpose of the centre would be to address the emotional

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problems of people with medically acquired AIDS in accepting or in coming to terms with how they became infected with AIDS and how they were addressing their own particular problems. Though the committee's recommendations come close they did not delineate that in any way. The centre should be separate -

The Hon. Franca Arena: We called them appropriate, an appropriate means suitable to different types of people.

The Hon. D. J. GAY: I accept that that may be the situation but from my reading of the report, it did not address that concern. It is a difficult case to put without appearing to be judgmental of one group as against another. I hope honourable members accept that I am not being judgmental. I am merely suggesting that this matter needs to be addressed, principally for people with medically acquired AIDS to be able to accept their condition, and to address their counselling and slightly different support needs.

The Hon. Ann Symonds: It is more a question of having suitable services for different categories of people such as women, children and men, rather than having them segregated and provided with separate services.

The Hon. D. J. GAY: I do not entirely agree with the honourable member. That is all I wish to say except to congratulate the chairman and the members of the committee on having come to a consensus on what is a difficult and delicate matter.

The Hon. ELAINE NILE [11.25]: I rise to speak to the report of the Legislative Council Standing Committee on Social Issues regarding its investigation into the compensation services for the innocent victims who acquired AIDS through the New South Wales public health service supply of AIDS-contaminated blood transfusions and blood products. Blood transfusions were mainly required by persons injured in car accidents. Blood products were mainly given to persons suffering from haemophilia. I agree with and fully support the dissenting opinion in the report of Reverend the Hon. F. J. Nile. I wish to read a letter that Reverend the Hon. F. J. Nile received from Mr R. J. Edwards of Bonnet Bay. That letter reads:

Dear Sir,

I am the father of a sixteen year old boy who is a haemophilia with HIV/AIDS.

I have read the report of Standing Committee on Social Issues concerning Medically Acquired HIV with great interest. I must say that until I came upon your dissenting opinion in the report, I was shocked and surprised to see so many of the committee try to put homosexuals who acquired HIV from lust actions, and made their own choice, to my son's case of having to use a blood product or die. To say the least I was hurt and angry.

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I then read your finding Mr Nile and a lump came to my throat to think at last someone understands how a father who loves his child feels towards this matter.

I can only thank you Mr Nile from the bottom of my heart and say truly you have lightened a great load I have to bear for my family.

Many parents have been and are going through this same trauma on reading the report. I should like to congratulate a member of the committee and a member of this House, the Hon. Franca Arena. I can remember in the past when we spoke about innocent victims of AIDS the honourable member would sing out, "No, they are all innocent", but I really thank God that because she has been on the committee and she has heard and seen these people with medically acquired AIDS she has changed her mind as to their whole position. I am really grateful to her for that. I should like to ask why the former Minister for Health, the Hon. Laurie Brereton, was not called before the committee or why the Federal Health Minister, the Hon. Neal Blewett, was not called.

In June 1983 my leader, Reverend the Hon. F. J. Nile, wrote asking for certain recommendations to be put by the Minister for Health, Laurie Brereton, to the New South Wales Parliament. It was known then through the Centre for Disease Control in Atlanta, Georgia, that the contamination was in the blood and it was coming through homosexual donations. On 1st June Reverend the Hon. F. J. Nile asked, "Would the Minister for Health prohibit these men from giving their blood?". AIDS testing, which has been referred to by various honourable members, did not commence until 1985. However, it was common knowledge that homosexuals were donating contaminated blood to the Red Cross. Mr Brereton, the Minister for Health in the Labor Government at the time said:

The other sanctions you asked for in your telegram are inappropriate at this time in view of the present dimensions of the AIDS syndrome in Sydney.

Why was Mr Brereton not called before the committee. If he had been associated with medically acquired victims or a member of his family had contracted the disease in this way, he would not have asked homosexuals not to give blood; he would have prohibited them from so doing. The donation of contaminated blood should have been made an offence. The health Ministers of the Federal and State

governments should have been called before the committee to explain why, given the dimensions of the AIDS syndrome, prohibitions were not imposed. Those Ministers are responsible for the deaths of more than 83 innocent AIDS victims. Under the Westminster parliamentary system the final responsibility rests with them. I pay tribute to Mrs Lorraine Cibilic for her courage and leadership while carrying the AIDS virus. Mrs Cibilic, a housewife, contracted AIDS when, after a car accident in 1981, she received more than 100 blood transfusions. During the following 4½ years she suffered from swelling and often found herself breaking out in hot sweats for no apparent reason. She was not told she had AIDS until March of 1986. I draw the attention of honourable members to an article that appeared in the *Daily Mirror* on Wednesday, 30th April, 1986, which reported:

"For a long time I could sense there was something wrong". Lorraine said.

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"I knew I'd had all those transfusions and I felt sure that whatever it was that was causing my illness had been passed to me in the blood.

"I asked my doctor about having a test for AIDS, but he just said that AIDS wasn't even around at the time I'd had the accident!"

As a result, she didn't have the test until earlier this year.

That was in 1986. The article continued:

She said her doctor reassured her she did not have the disease - but the test came back positive.

"I just went to pieces. My hopes had been raised and I'd thought all along that I didn't have it," she said.

"My main concern was that I'd passed it on to my husband and my son and to all my friends.

"And what if I had had children during that time? I might have passed it on to them."

Mrs Cibilic is now in the final stages of her life. Throughout her illness she has supported other medically acquired victims. From the time that she formed the IDSIA group she has suffered immense stress and pressure. Those who witnessed her and other medically acquired victims giving evidence saw at first hand that stress. George Cliff, whose wife was given contaminated semen through the artificial insemination program, has gone downhill rapidly. A number of his friends have expressed concern about his health; he has a breathing problem. He was upset when he was told that he could not ask his solicitor to read his statement of evidence; he had to read it himself, despite his apparent difficulties. I speak on the telephone with many such people. I spent two hours one night talking to Mr Cliff. He wanted to talk to someone. With regard to Lorraine Cibilic, in 1986 she was not told by doctors how long she had to live. She was told, however, that as she was otherwise healthy it was unlikely that she would suffer any of the extreme symptoms of AIDS unless another disease set in. She informed the committee of the numerous viruses, including hepatitis B, that she is carrying in her blood. The article in the *Daily Mirror* referred also to a friend of Mrs Cibilic, Lyndal Johns, who also has the AIDS virus. I met both ladies in 1984. In 1984 Lyndal Johns was involved in a serious car accident and to prevent dangerous loss of blood she was given a plasma transfusion at the scene of the accident. The article reported:

Lyndal recovered from her injuries, but found herself suffering from a new, more disturbing set of ailments.

Although usually energetic, she was overcome by numbing fatigue, troubled by painful swelling in her armpits, neck and groin, and felt sick on and off during the following four months.

Her doctor told her it was glandular fever and that she had nothing to worry about.

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Later Lyndal, who had previously always donated blood to the blood bank, was told that she had AIDS. I am talking about ordinary women who have suffered from discrimination. Mrs Cibilic, in the early days of her illness, was informed by her hairdresser that for health reasons, though gloves would be used, she could not have her hair permed. These ordinary people are suffering and, I am sad to say, dying. Honourable members will recall that in 1988 the Premier gave compensation to the victims of a flood. Lyndal Johns, who at that time lived at Westmead, received some compensation because of damage caused by the sewerage system overflowing through her home. At that time she said, "if you are a flood victim you will get all the help you need. If you are a blood victim, no one wants to know about you". I urge the Government, in spite of the economic climate, to go beyond the recommendations in the report and adopt the Western Australia solution, which is fair, just and compassionate. Given the suffering and the way in which the disease was contracted, a sum of \$280,000 is modest. The Hon. Elisabeth Kirkby drew a distinction between the Old Testament and the New Testament. She said that she followed, as she put it, the sermon on the mount. Orthodox Christians regard the Bible as a combination of the Old and New Testaments. Jesus said that we must respect the teachings of the Old Testament, the Ten Commandments and so on. If Jesus Christ were here today, he would be standing beside these innocent victims of AIDS, especially the women and children.

The Hon. P. F. O'GRADY [11.38]: The Hon. D. J. Gay referred to the requirement for services - in my view, inadequate services - for the medically acquired HIV group. He said that separate facilities for the group were required because of the emotional trauma people in that group experienced in endeavouring to come to terms with their predicament. That is one of the key issues that need to be addressed when considering the recommendations of this report. I have no objection to the range of recommendations that deal with the types of services that should be available to those with HIV. A problem arises, however, with the issue of financial compensation and the stigma attached to the so-called innocent and guilty victims of HIV. The concept of choice has been used by some people to support the recommendation on financial assistance. Gay men and drug users are said to have had a choice about whether or not they contracted the HIV virus. The issue is the stigma attached to AIDS. That issue is extremely difficult for any parliamentary committee and for society generally to come to terms with. Whether we like it or not, or fight against it, a stigma is attached to AIDS. That stigma engenders a lack of feeling for those who have died from AIDS.

Recent media reports speak of research that indicates that Australians feel more sympathy for people who kill themselves through drinking or smoking than they do for homosexuals who die from AIDS. I do not believe that any amount of money can compensate a person for loss of life. A point often made in debate was that the families of those with medically acquired HIV should be considered. We should also consider the families of gay people or drug users who have died from AIDS, who also have families in precisely the same way as any other person. That fact should be remembered. Many mothers, fathers, brothers and sisters have taken

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loved ones to the grave. It is not a pleasant experience to watch people die from AIDS or to attend their funerals. That applies right across the board and not to one group of people who have this disease. The issue has been controversial for the committee and the community. The day the report was handed down in the Parliament was the first time I was exposed to the anger displayed by people with medically acquired HIV. I was interested to see how they felt. I understand completely their anger, but that anger cannot be dealt with or resolved by a financial handout. I am committed totally to adequate and proper services for every person who is suffering. People suffering in that way have to work through their anger. That is not easy and cannot be achieved without pain, but necessary services must be provided to assist them in that process. Anger causes stress, and those who are HIV positive

must avoid stress. The anger which those people demonstrated in this Parliament both to gay people and to the security officers should be placed on record.

The Hon. Franca Arena: They were forbidden to come in.

The Hon. R. S. L. Jones: Money would not relieve their anger.

The Hon. P. F. O'GRADY: The anger which I saw displayed on that day - the only occasion I have personally seen that anger - could not possibly be resolved by a payment of \$10,000, \$50,000, \$100,000 or any other sum. The issue to be dealt with is the anger, not a financial grant supposedly to clear someone's conscience. The issue will not be resolved by giving them money. We must ensure that adequate and proper services are provided and that a division is not created between two groups of people. In response to the interjection that those people were forbidden to come in - so were other people. At the first press conference held by the chairman of the committee no people outside the Parliament were allowed in. The behaviour of the two groups deserves to be recorded. We often hear of the violence of the gay community at demonstrations and rallies. It should be noted that one of the people with medically acquired HIV apparently hit one of the security guards. I do not support such behaviour, but it demonstrates the hostility and anger of those people. Money will not resolve that hostility and anger. It should be noted also that everyone was barred from coming into that first press conference. It is not correct that the gay community was there and people with medically acquired HIV were not.

The Government will have to consider very carefully this difficult issue before justifying to the Parliament its acceptance or rejection of the recommendations before it. The issue is causing and will continue to cause much heartache in the community because of the tragedy associated with the disease. It should be viewed not in hindsight but by looking at how it occurred. We can be proud that Australia has led and is still leading the world in its response to AIDS. In May 1985 Australia became the first country to begin HIV testing. Comments about the World Health Organisation deserve a response. The World Health Organisation has been said to be responsible for the spread of AIDS through Africa. In the late 1960s that

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organisation embarked on a program to eradicate smallpox from the face of the earth. In 1988 the Hon. Elaine Nile, in a totally irrational attack on the World Health Organisation, I think in her maiden speech, claimed that AIDS was spread when hundreds of thousands of people were injected intravenously with the smallpox virus. That statement contained two errors. The smallpox vaccine is actually cowpox. It is never injected intravenously but is applied to the skin which has been scratched.

The other issue is about the blood bank. The response of the Department of Health and the blood bank to AIDS arose from a consideration of the information available at that time. The disease AIDS was identified in the United States in July 1982. In December 1982 it was suspected, and only suspected, that blood products may be involved. The organism had not been isolated. The head of the FDA said there was no evidence that blood transfusions spread AIDS. In May 1983 the National Haemophilia Society urged haemophiliacs to continue using blood products, yet in Australia the blood bank was already asking people at risk not to donate blood. It was not until July 1984 that the first case of medically acquired HIV occurred in Australia. The Department of Health and the blood bank acted responsibly and promptly. If only we could be assured that all health care institutions in the world would respond as well to any new health problems that arise. In New South Wales there have been no cases where the blood bank has been found negligent. In fact, under close scrutiny the reverse has been found to be the case. The issue has received a lot of publicity in response to the debate. Honourable members must ensure that the education process continues, to overcome the stigmas and biases that are associated with the disease. That will not occur overnight; everyone will have to work on it. It is a responsibility of every Parliament in Australia and throughout the world to ensure that in future the disease is not stigmatised and that the present stigmatisation does not continue.

The Hon. Dr B. P. V. PEZZUTTI [11.50]: Every member of the committee obviously spent a great deal of time and energy on the report. In speaking briefly to its content and recommendations, I support the dissenting opinions of the Hon. Ann Symonds, the Hon. Elisabeth Kirkby, the Hon. K. J. Enderbury and the Hon. Helen Sham-Ho, which are to be found at the back of the report. I do so for the reasons given in the dissenting opinions. I have taken an interest in the subject from the beginning of the AIDS debate, before I entered Parliament. I was interested to read the 160-page judgment on the first real attempt to sort out this matter. Unfortunately, I cannot give honourable members a reference to the judgment, but I vividly remember reading it because of its content. In many ways the committee members had to be like Solomon, but the dissenting view expressed in the report has my support. There is a need to speed up and facilitate the many outstanding compensation cases. If one person is successful in proving fault, the finding should be applied to other cases. I support strongly recommendation No. 8, not just for people who acquire the human immunodeficiency virus but for others who suffer other injuries. I agree that the State should initiate discussions with the Commonwealth Government and locally about a no fault

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insurance scheme, which would lead to less wastage of public funds and allow people to be compensated at the earliest possible time -

The Hon. Ann Symonds: On a rational basis.

The Hon. Dr B. P. V. PEZZUTTI: - on a rational basis. I commend the report and the committee members.

The Hon. Dr MARLENE GOLDSMITH [11.52], in reply: I thank honourable members for their contributions to this debate. The range of views expressed on the report has reinforced my conviction that the majority position on financial assistance was the best possible resolution of what was perhaps an irresolvable issue. The committee provided recognition and acknowledgment of medically acquired HIV as a uniquely catastrophic illness inflicted by a public health authority, yet it provided for recognition in an achievable and practical way. Since the publication of the report it has been reported that the South Australian Government has awarded nine South Australians with medically acquired AIDS \$2.45 million. The number of governments awarding such payments to people with medically acquired HIV is increasing.

The Hon. Dr B. P. V. Pezzutti: The South Australian Government announced it today.

The Hon. Dr MARLENE GOLDSMITH: That is what I just said. There has been, in community debate on this report, a determination on the part of some groups to see the issue in only one way: as either pro-gay or anti-gay. The tragedy of such unwarranted polarisation is that it ignores the needs and just deserts of the people who were the subject of the committee's terms of reference, the medically acquired HIV community. Were the ideologues to step off their bandwagons for just long enough to try to walk a little way in the shoes of the medically acquired HIV community, to understand the cost and pain and betrayal of what has happened to those people, perhaps the focus of the argument might be placed back where it belongs - on the people who were the subject of the inquiry. Much has been said in this debate about rights and justice. I believe in the pre-eminent right of the individual and the related right of individuals to gather in a group for a common interest. But I do not believe in the right of a larger group to trample on a smaller group, nor the right of the more articulate to crowd out the less articulate. I particularly do not accept that in order to avoid the perception of prejudice against a larger group we have the right to visit actual prejudice on a smaller group, and that is what the committee majority has been told it should do in this case.

The committee has been told that nothing can be done for medically acquired HIV people because of the possibility that this might be regarded as prejudice against gays - not that it is, necessarily, prejudice, but that it might be perceived as such. So the actual needs of the medically acquired HIV community are expected to be sacrificed on the altar of gay sensitivity. That happened once before, in mid-1983,

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when the blood bank, aware of a link between homosexuality and AIDS, but unsure of its nature, requested all homosexuals to stop donating blood. As a result, radical homosexuals, protesting against this perceived discrimination, picketed the blood bank until it backed off and limited the request to homosexuals with multiple partners - a description that was confusing and ambiguous. Who knows how many people may subsequently have been medically infected, people whose lives and suffering might have been spared had extremist homosexual sensibilities not been considered more important than human lives? And where is the regret for those possible deaths by the extremists? I have yet to hear it.

The principles that I hold dear are not about the rights and needs of the many and the strong taking precedence over the rights and needs of the few and the weak. And no one can deny that medically acquired HIV people are needy. It would be difficult to imagine calling a parliamentary inquiry into the needs of any other suffering group in the community - certainly one that is suffering as these people are - and have that inquiry report back to Parliament that everything is fine and that those people have no special needs. That is not how parliamentary inquiries work, and for an inquiry into any other area but this, such a response would be derided as callous and ignorant. Yet, in this instance, we are expected to turn away, to state that these people have no special needs. On the contrary, the majority of the committee found many needs and strong justification for their stand. No one reason is sufficient perhaps to single out the medically acquired HIV community from all other groups, and it is indeed possible to take any one reason in isolation and agree that either it does not cover all cases or that it might include some other cases. It is on such arguments that most of the minority debate of the majority report has been focused. Yet only two - the combination of AIDS, plus infection by a public authority - are sufficient, when taken together, to make this group unique. The total picture, which includes nine special factors in all, is a profile of very real, very stark need.

The provision of special assistance would allow the medically acquired community to access services while there is still time, in widely scattered locations and on their own terms. Considering the sense of betrayal these people feel in having been infected by the hospitals they trusted, allowing them some control over their service choices seems only humane to the majority of the committee. I must reiterate that the funds are for services, not compensation. Though I respect the views of the Hon. Franca Arena and Reverend the Hon. F. J. Nile, the committee as a whole did not feel qualified to determine negligence where courts could not and where the committee's legal advice was, on balance, that courts would not. It would be very sad, though, if in the controversy over financial assistance, the great majority of unanimous recommendations of the committee was ignored - recommendations that cover the whole HIV community and its needs, recommendations including the support of a national no fault insurance scheme, which would prevent the tragic financial situation of the medically acquired HIV community from ever recurring.

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The PRESIDENT: Order! Pursuant to sessional orders, business is interrupted for the taking of questions.

QUESTIONS WITHOUT NOTICE

STATE BANK LOANS

The Hon. M. R. EGAN: My question is directed to the Leader of the Government in this House, representing the Premier, Treasurer and Minister for Ethnic Affairs. Has the State Bank of New South Wales experienced a severe blowout in problem loans? What is the extent of this blowout? What impact will it have on the likely sale value of the bank, the Government's asset sales program and the State's credit rating?

The Hon. E. P. PICKERING: I am amazed that the Leader of the Opposition has not bothered to co-ordinate questions asked in this House with those asked in the other House. It is a waste of the time of both Houses.

The Hon. M. R. Egan: It is quite a different question.

The Hon. E. P. PICKERING: It is the same silly question - a fishing expedition. I take the trouble to find out what goes on in the other place at question time. If the Leader of the Opposition did the same, he would not waste the time of this House.

DARLING HARBOUR AUTHORITY TOURISM STRATEGY

The Hon. BERYL EVANS: My question is directed to the Minister for Planning and Minister for Energy. Will the Minister explain to the House how the Darling Harbour Authority will contribute to plans by the State Government to earn tourism dollars in 1992?

The Hon. R. J. WEBSTER: I thank the Hon. Beryl Evans for her question and for her continuing interest in tourism in New South Wales. Obviously the question is important when one considers that last year tourism earned New South Wales \$7.4 billion and at present employs 153,000 people. That makes tourism our number one industry and, as such, it must be properly developed and treated as the major money earner it is. That is why the Government has linked tourism and State development in the one portfolio, a portfolio that is being looked after in a very creditable fashion by my colleague the Minister for State Development and Minister for Tourism. With a combined budget of almost \$70 million, Mr Yabsley has the job of overseeing the economic development of New South Wales and ensuring that

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our industries are strong, competitive and export oriented. The Darling Harbour Authority has released a strategy to increase attendance levels during 1992 by 10 per cent to 16 million visitors. The strategy includes increasing the number of tourists to Darling Harbour by one million. Last year Australian domestic tourists made 3.75 million visits to Darling Harbour and a further 900,000 international tourists went to the site. The opening of new hotels and attractions at Darling Harbour provide greater opportunities to increase tourist visits by one million in 1992.

The authority's marketing budget for the 1991-92 financial year is \$3.2 million. The bulk of these funds will be directed to the domestic market to further establish Darling Harbour as an integral part of Sydney where people can enjoy themselves in a friendly, festive atmosphere and to encourage repeat visits, especially on holidays and weekends. This will be achieved through an events-led strategy of co-ordinating community entertainment and street theatre, and creating themed monthly festivals. In future these monthly festivals will eventually become events of international status. Approximately \$650,000 is earmarked to promote access and awareness to visitors on arrival in Sydney, in addition to upgrading signage and visitor information services on site. A further \$250,000 will be spent to increase overseas tourist visits from 900,000 to 1.25 million. The funds will be used in a program of sales missions in conjunction with the Australian and New South Wales tourist commissions.

The importance of overseas tourism to the New South Wales economy cannot be overemphasised. Though economic growth in traditional industries has fallen, gross tourism expenditure in New South Wales has jumped from \$3.3 billion in 1981-82 to more than \$7.5 billion in 1989-90, an extraordinary increase. That represents an annual compound growth rate of 10.8 per cent. New South Wales continues to be the most popular destination not just for overseas travellers but for Australian holiday-makers as well. To accommodate the tourist influx, the number of accommodation rooms in the State increased 35 per cent from 37,000 rooms to 50,000 rooms between 1985 and 1990. By the year 2000, the year during which I am sure all honourable members hope Sydney will host the Olympic Games, it is expected that 3.3 million visitors will arrive annually. To complement the authority's strategy, the Darling Harbour Yacht Club will host the world championship of the America's

Cup class of yachts. This will tie in well with the promotion of the Australian Tourist Commission of 1993 as the year of Australian sport.

BUILDING INDUSTRY ROYAL COMMISSION

The Hon. J. W. SHAW: I ask a question without notice of the Minister for Police and Emergency Services and Vice-President of the Executive Council, representing the Minister for Industrial Relations and Minister for Further Education, Training and Employment. Having regard to the answers the Minister gave yesterday to questions concerning the royal commission into the building industry,

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was the overseas trip being undertaken by the royal commissioner authorised by decision of Cabinet? If so, when was that decision taken? In particular, was it at the time the commission was first constituted or more recently? Is the decision to appoint a third commissioner, the Hon. David Yeldham, in any way related to or associated with the absence overseas of the royal commissioner? By whom was the decision taken to appoint Mr Yeldham to the royal commission?

The Hon. E. P. PICKERING: I continue to be amazed by the interest shown by honourable members opposite in the activities of the royal commissioner who is obviously doing a splendid job and, I would have thought, would have received the support of all members of this Chamber. Clearly he is cleaning up an industry that has had the odd problem over the years and there is no doubt that that process will benefit the nation as a whole. Capital works programs in this State will be undertaken more cost effectively. Any costs that might be involved in the appointment of another person or a small trip overseas pale into insignificance when compared with the long-term benefits that will result from the royal commission. I suggest that the Hon. J. W. Shaw ought to concentrate on some of the more important matters of State and let the trivial matters glide by.

MECCA SAVOY THEATRE PRESERVATION

The Hon. R. S. L. JONES: I ask the Minister for Planning and Minister for Energy is he aware that the art deco theatre, the Mecca Savoy at Hurstville, is in imminent danger of demolition? Will the Minister save this important part of the heritage of New South Wales by ensuring that a conservation order is placed on the building?

The Hon. R. J. WEBSTER: Honourable members may be surprised to learn that I am not aware of that fact.

The Hon. Franca Arena: It is part of our heritage.

The Hon. R. J. WEBSTER: The Hon. Franca Arena says it is part of our heritage. About one million buildings must be part of our heritage and I am expected to know about every one of them. Really!

The Hon. R. S. L. Jones: The Minister should get his staff to investigate it.

The Hon. R. J. WEBSTER: I will get my staff to investigate it. Every day the Hon. R. S. L. Jones asks one of his cute questions and expects me to be some sort of walking computer where I press a button and I will know about every building and wetland in New South Wales. I will investigate the matter he has asked about and report back to the House in due course.

DEPARTMENT OF HOUSING LOAN REPAYMENTS

The Hon. I. M. MACDONALD: I direct my question without notice to the Minister for Health and Community Services, representing the Minister for Housing. Will the Minister confirm that there were 3,481 cases of two-months-in-arrears housing loans for April 1991? Is it the case that the Department of Housing, faced with this disaster, rescheduled mortgage payments by lengthening the term of the loans such that it is unlikely that low income earners will ever be able to pay out the loans?

The Hon. J. P. HANNAFORD: That question would normally be placed on notice. It is not a matter about which I have immediate details. However, I will obtain an answer for the honourable member in due course.

RUGBY WORLD CUP

The Hon. D. J. GAY: My question is to the Minister for Planning and Minister for Energy, representing the Minister for Sport, Recreation and Racing and Minister Assisting the Premier, and in his capacity as a former star rugby forward in the Desperate Dogs Crookwell rugby team.

The Hon. M. R. Egan: Bob Carr says he would not tackle.

The Hon. D. J. GAY: Bob could not see the ball. Will the Minister request the Minister for Sport, Recreation and Racing and Minister Assisting the Premier to send a message of support and best wishes to our gallant Wallabies for the grand final match against England at Twickenham on Sunday morning our time?

The Hon. R. J. WEBSTER: It is with a great deal of pleasure that I assure the honourable member, who also was a member of that gallant football team to which he referred, that I will ask the Minister for Sport, Recreation and Racing and Minister Assisting the Premier on behalf of, I hope, all members of this House to convey a message of best wishes to the Wallabies for the World Cup final on Saturday night. Over the past four weeks the game of rugby union has demonstrated to me and to most Australians that sport played in a team framework in the right spirit can do a great deal to promote international good will and understanding. Sixteen countries were represented at the World Cup final series. The Hon. Franca Arena would be very pleased to know that Italy was one of the countries in the final series, and it played very creditably.

The Hon. J. R. Johnson: How did the Irish go?

The Hon. R. J. WEBSTER: I will come to that.

[Interruption]

The PRESIDENT: Order! The Minister for Planning and Minister for Energy has the call.

The Hon. R. J. WEBSTER: The outstanding player of the final series was David Campese, who, as the Hon. Franca Arena would know, came from Queanbeyan, and his family are of Italian extraction. I note that 25 per cent of all New South Wales households were tuned in to the semi-final last week. I know the Hon. J. R. Johnson took a great deal of interest in the game against Ireland, as did many other members with an Irish background. That game also was played in a tremendous spirit. Rugby is the only game in which the whole of Ireland - the Republic of Ireland and Northern Ireland - is represented in the one team: there is no differentiation between the north and the south of

Ireland. If ever there was a game which is played in the right spirit and which has the capacity to bring the world together it is the game of rugby. Mr President, may I say a few brief words about what is undoubtedly one of the great rugby teams of all times? Not only does it contain a majority of New South Welshmen, the captain is a New South Welshman. In fact, he went to my old school, Newington. I believe he is a very fine ambassador for the game. The coach, Bob Dwyer, is also a New South Welshman. He is doing an exceptional job. Simon Poidevin has played rugby for Australia for more than a decade. He comes from the city of Goulburn: he is a Goulburn boy. He went to the old school of the Minister for Health and Community Services, the Hon. John Hannaford, St Patricks College, Goulburn, one of the finest schools in New South Wales.

The Hon. P. F. O'Grady: You did not go to it, though.

The Hon. R. J. WEBSTER: No, I said I went to Newington - the same school as Nick Farr-Jones, and Phil Kearns, incidentally - a very fine rugby school.

The Hon. P. F. O'Grady: What did they call you at school?

The Hon. R. J. WEBSTER: I will not ask what they called you at school. I say to the House in all seriousness that even those members who would not know what a rugby ball looks like would want to wish the Wallabies next Saturday the very best of luck as very fine representatives and ambassadors of our country. Let us hope that they give the poms a sound thrashing.

MAROUBRA EARLY CHILDHOOD CENTRE FUNDING

The Hon. J. KALDIS: Has the Minister for Health and Community Services received requests to continue funding for the Maroubra Early Childhood Centre? Will the Minister assure the House that the Government will continue to pay the 37.5 per cent levy towards the annual rental of the land on which the Maroubra Early Childhood Centre is located as the previous Minister for Health had promised?

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The Hon. J. P. HANNAFORD: I must admit that I do not recall a specific request from the Maroubra Early Childhood Centre for funding assistance. But now that the honourable member has drawn the matter to my attention I will certainly take particular interest in the request and ensure that a copy of my reply to that centre is forwarded also to the honourable member.

POLICE INTERNAL SECURITY UNIT

The Hon. J. M. SAMIOS: Is the Minister for Police and Emergency Services and Vice-President of the Executive Council aware of a campaign by some members of the executive of the New South Wales Police Association to undermine the effectiveness of the internal police security unit?

The Hon. E. P. PICKERING: There is a good deal of evidence to support the suggestion contained in the honourable member's question. At present the Police Association appears to have two major objectives. The first is to undermine and possibly destroy the internal police security unit and the second is to persuade the Government to pay its legal bills in those instances in which police are not convicted of criminal charges brought against them. There is, of course, a connection between the two, since it is obviously through the efforts of the IPSU that police are charged, thus obliging the association to incur expense in defending them. The question of reimbursing the association for the cost of defending police who are not convicted has been discussed between the Government and the association and the Government has made it clear that police will not be treated differently from other citizens.

The association at its last biennial conference adopted as its theme "Integrity - what price". This theme covered the two elements that I have referred to. The association's argument, if I have understood it properly, and I am sure that I have, is that the efforts of the Police Service, through the IPSU, in purging dishonest elements from within its own ranks have been overzealous and that on occasions injustices have arisen. This argument cannot be entirely ignored. However, I remind honourable members that when the IPSU was created it was at a time when, in the words of a previous police Minister, the police force was experiencing institutionalised systemic corruption. Indeed, the Police Board in its first annual report emphasised that point. Bold measures were needed to cope with a desperate situation. The story told in an extensive television program shown recently on Sydney television had its origins during those early days of IPSU and the problems caused by the incident depicted have been very fully ventilated. But let us equally recall that the trauma associated with such issues applies equally to investigators and to those being investigated. One fact not mentioned on the program was that one of my first acts on becoming Minister was to reverse the previous practice of not paying officers who were suspended from duty. Not being paid was a cause of great hardship to suspended officers, particularly those suspended for long periods.

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In the past year or so there have been numerous articles in the media, no doubt inspired by members of the Police Association executive, which unfortunately contained blatant errors, misrepresentations and half-truths. Often the circumstances of these cases are extremely complex, and I have no doubt that, in telling these stories to the media, the association's spokesmen naturally give only the information that suits them and place their own interpretation upon that information. One excellent recent example is an article that appeared in the *Sydney Morning Herald* earlier this week, in which it was claimed, quite incorrectly, that two internal security police security officers had been transferred from the unit following the death of a police officer. It was also claimed, again incorrectly, that the officer involved was on sick report at the date of his discharge. No hurt on duty payments to him were stopped, as alleged. The article was factually flawed and so far as I am aware the journalist responsible for the article merely accepted the word of her informant - no doubt from the Police Association - and made no effort to check the information.

If it is alleged that officers from IPSU have done the wrong thing - or police officers anywhere else in the service, for that matter - then they have to answer for it in accordance with well-established procedures. I view with considerable concern the organised campaign that the association is conducting against IPSU. IPSU plays a most important role in the New South Wales Police Service. It is most irresponsible of the Police Association to deliberately set out to undermine that role. Honourable members should be aware that part of the motivation behind the association's attacks on IPSU is its own unfortunate financial situation. It is no secret that each year the association is obliged to pay a significant proportion of its income defending members charged with offences, and that this burden is proving increasingly onerous. However, the association must not, for purely pecuniary reasons, continue its campaign against IPSU.

Without IPSU there can be no real teeth to the efforts of the service, initiated by John Avery and the original Police Board, to strengthen the process of cleaning up corruption and creating an ethical Police Service of which the people of New South Wales can be extremely proud. I should like to hear what price the association puts on integrity. Judging from its anti-IPSU campaign, it is obvious the association does not value integrity very highly. The association should be made aware that officers attached to IPSU are becoming extremely angry - and with every justification - at the campaign being waged against them. The association should publicly acknowledge, as I do, that officers in IPSU do an important and difficult job and, with very few exceptions, they do it exceedingly well. The community, the Police Service and the Police Association have every reason to be thankful to IPSU officers for the sacrifice they make in joining that unit. IPSU is an essential element to any Police Service determined to achieve and maintain the highest public reputation for its integrity and accountability.

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BROKEN HILL PROPRIETARY COMPANY LIMITED SPILLAGE

The Hon. DELCIA KITE: I direct my question without notice to the Minister for Police and Emergency Services and Vice-President of the Executive Council. Will the Minister hold a full inquiry into the spillage at BHP at Newcastle on 23rd October? Why is there no constant security and supervision of such hazardous industries and why was there no notification at the time of the incident to emergency services personnel, so they could contain the spillage and prevent damage to the water table? Will the Minister consider making it compulsory for all hazardous industries to maintain 24-hour security and supervision of their premises?

The Hon. E. P. PICKERING: At face value the honourable member's question is a valuable one and I will certainly refer it to the responsible Minister who, on this occasion is the Minister for Industrial Relations and Minister for Further Education, Training and Employment. Though I am responsible for emergency services personnel, the investigation envisaged by the honourable member would be conducted by Minister Fahey's department. If it is correct that emergency services personnel were not called to that particular incident, it would be a matter in which I, as a Minister, would also have a direct interest. I am doing the honourable member the honour of accepting at face value the import of her question. From my long experience as a member of this Chamber I accept without reservation that she is a responsible member. Accordingly I will pursue the matter with due diligence and report to her at an appropriate time.

ISOLATED SCHOOLS STAFFING

The Hon. D. F. MOPPETT: My question is directed to the Minister for School Education and Youth Affairs and is centred on the provision of teachers in isolated areas. Is the Minister aware of the vigorous campaign being conducted by the Teachers Federation alleging that teachers will no longer be attracted to serve in isolated areas? Will the Minister inform the House of steps that have been taken by the department to attract teachers to serve in those isolated areas?

The Hon. VIRGINIA CHADWICK: I thank the honourable member for his question and his interest in education generally and the interest he has taken in the provision of educational opportunities for children in rural New South Wales, and in particular in isolated communities. Unfortunately it is true that in recent times a mischievous campaign has been conducted by the New South Wales Teachers Federation alleging that procedures are in place which would ensure that teachers in the Western Division of New South Wales do not receive any incentives, any recompense for the isolation factors and other professional difficulties that may be encountered. These allegations have generated considerable anxiety among the teachers concerned. The federation has further alleged that teachers who took up such an appointment would not be able to transfer to more favourable locations after a period of time. I have been most distressed to hear of these matters and I say

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categorically that the fear campaign being stirred up by the New South Wales Teachers Federation is without foundation.

Since I became Minister for School Education and Youth Affairs I have spent considerable time talking with teachers in isolated areas and with the New South Wales Teachers Federation about incentives and packages for people teaching in such areas. Late last year I announced an incentive package which was aimed at attracting and retaining teachers in isolated areas. The basis of the incentive package was the retention of the transfer system for teachers in remote areas. This means that teachers in eight, six and some four point schools will be able to transfer from isolated schools to an area of their choice after teaching for a particular period of time at an isolated school. I am pleased to inform the House that this incentive package is in place and that further incentives will apply. From the beginning of next year teachers in isolated schools will not only retain their transfer rights and will be placed in seniority listing for transfer after a set period of time.

Again, this further incentive has been decided after extensive consultation with the people involved. The top 15 applicants will be listed in order of seniority or transfer points, giving these teachers credit for the number of years served in a school. In future teachers working in isolated areas will be invited to sign appointment agreements specifying a period of service, the available incentives and guaranteeing their priority transfer. Those agreements, which outline the salary and conditions that apply, and the time limits involved, will, I hope, put to rest the somewhat mischievous and unnerving campaign being conducted in such a heartless fashion by the federation.

Teachers in remote areas can rest assured that priority transfer will be provided following completion of their service to schools in isolated areas. Furthermore, a range of other incentives will apply. These include an annual payment for teachers to cover additional costs incurred in isolated areas; an additional week of school vacation for teachers in the Western Division of the State; the retention of the teacher housing subsidy in difficult-to-staff areas; four additional professional development days for teachers in six point and eight point schools, and one additional day for teachers in remote, four point schools; and teachers at eight point schools and those employed in 1990 at four point and six point schools will receive the two incentives of an attraction allowance of \$2,500 and two long weekends a year. The overall incentives package, which is generous, will continue to be monitored to ensure a fair and equitable system for teachers in isolated areas of our State. This is good news for teachers and school communities in isolated areas. It will ensure that committed and highly professional teachers will continue to be provided at all schools and for all communities, no matter their geographical location. The incentives package is yet another example of the Greiner Government's commitment to working with all major educational groups to ensure the best possible education system for our children.

DRINK-DRIVING

Reverend the Hon. F. J. NILE: I ask a question without notice of the Minister for Police and Emergency Services and Vice-President of the Executive
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Council, representing himself and the Premier, Treasurer and Minister for Ethnic Affairs, the Attorney General, Minister for Consumer Affairs and Minister for Arts and the Chief Secretary and Minister for Administrative Services. What action is the Government taking to reduce horrific alcohol-related road accidents, particularly those resulting in deaths, especially the deaths of teenagers as occurred last week when two teenagers died when the car in which they were travelling with four other teenagers collided at high speed with a telegraph pole? The motor vehicle was full of beer cans. Will the Government lift the legal drinking age from 18 years to 21 years? Will it introduce stronger restrictions on the sale of alcohol to teenagers in hotels, and especially in liquor shops? Will the Government make it an offence to sell alcohol to an intoxicated person?

The Hon. E. P. PICKERING: The honourable member has raised a valid matter that I am sure is of concern to all right-thinking people in the community. However, it must be put in perspective. I remind honourable members that on a year to date basis the road toll in New South Wales now is comparable to the low road toll of the early 1950s. That is a splendid achievement, given the dramatic increase in the number of motor vehicles and their capacity for speed today compared with the number of vehicles that used our roads in the early 1950s. Clearly the gamut of measures adopted by the Government with regard to road safety is working.

The Hon. Ann Symonds: Perhaps the Minister could respond to the first report of the drug abuse among youths inquiry. Then some action would be taken with regard to alcohol.

The Hon. E. P. PICKERING: The honourable member should be careful not to provoke me with regard to action on alcohol. Now that the honourable member has been rude enough to interrupt -

[*Interruption*]

The Hon. E. P. PICKERING: I remind the honourable member that some years ago in this House I tabled the annual reports of the motor traffic accident research unit that was established by this Parliament to inform the Parliament about the cause of accidents and what could be done to prevent them. The reports were extremely lengthy. I informed the House on that occasion that despite the fact that almost 50 per cent of accidents were caused by alcohol, the word "alcohol" had never been used in any annual report presented by the accident research unit. That revelation caused such consternation among members of Parliament that random breath testing was introduced. I had pushed that suggestion to the Government of the day about 18 months earlier. Since then governments of all persuasions have faced up to their responsibilities realistically with regard to alcohol and the road toll. However, although things are improving there is no room for complacency. The carnage and horror on our roads today are just as important and of concern to this Government as they would have been to former governments, when the problem was

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even greater. Soon after becoming Minister I adopted the proposal that allowed police for the first time to use mobile random breath testing patrols which were not linked - as they were under the previous Government - to static random breath testing patrols.

I am pleased to report to the House that the mobile patrols have been extraordinarily successful. They operate wherever they like in the State. Their hit rate, in terms of people being charged with offences, is ten times higher than that of static patrols. Today the Police Service has advised that the effectiveness of that action has created another problem. Many people who have lost their licences as a result of driving while under the influence of alcohol are being caught driving without a licence. The hard core people - only a small percentage of the community - who have a problem with alcohol and drive while under the influence of alcohol should have their licences taken from them. Because they are inclined to be irresponsible, they continue to drive and flout the law. It is difficult to detect people who drive without licences. Recently I was informed of a suggestion that as in other countries a curfew should be placed on young people, who are disproportionately responsible for the drink-driving problem. Some American States have placed curfews on young people driving at night.

The Hon. Ann Symonds: The Government has a report on problems that youths encounter with drugs and alcohol.

The Hon. E. P. PICKERING: I am most reluctant to think in such draconian terms. In response to the interjection of the Hon. Ann Symonds I inform the House that the Government is considering a range of possible responses to the problem. I assure the honourable member that the Government will continue to monitor the situation actively and to introduce programs designed to further diminish the road toll. The initiatives that have been introduced by this Government to address the road toll - with regard to such matters as drink-driving, seat belts and fatigue, which has not been looked at effectively - have brought about a remarkable reduction in the road toll. On rough figures, to the halfway point of this year the road toll is of the order of 400. At the same time in 1982, which was not that long ago, it was of the order of 800. That is a remarkable achievement. Though I am pleased with the results, I assure the House that I am by no means complacent. So far as I am concerned one death or one seriously injured person is one too many. It might be pie in the sky to think that ultimately we will get rid of the problem - obviously that is possible - but the Government is striving to reduce the toll further, and it will continue to work at that.

DRUG ENFORCEMENT AGENCY HEROIN SEIZURE

The Hon. BERYL EVANS: I direct a question without notice to the Minister for Police and Emergency Services and Vice-President of the Executive Council. Is it true that recently the New South Wales Drug Enforcement Agency

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seized heroin worth more than \$1 million and property and money worth almost \$300,000?

The Hon. E. P. PICKERING: I am pleased to inform the honourable member that the answer to her question is yes. About two months ago two task forces of the Drug Enforcement Agency, operating under the auspices of the State Crime Commission, initiated an inquiry targeting a national of an Asian country suspected of being a principal in the importation and distribution of considerable quantities of heroin. I am proud to advise that that initiative was part of a new reference given to the State Crime Commission to look into Asian crime generally, as part of other responsibilities that the commission is assuming from the National Crime Authority.

This operation culminated in the arrest in Sydney yesterday of a male of Asian background. As a result of that operation, police seized 1.2 kilograms of high-grade heroin and jewellery, including four Rolex watches worth about \$200,000, and \$95,000 in cash. The offender has been charged with supplying and possessing a large commercial quantity of heroin. Various other charges have been laid in relation to the property and cash. The work that is being done in this State by the Drug Enforcement Agency in combination with the State Crime Commission is the most remarkable that I have ever seen in my three years as police Minister. The tragedy about its work is that the vast majority of it must remain secret. If only one could tell the community about the work these people are doing, the community would be thrilled to bits. The men and women of that unit constantly day by day put their lives on the line in the pursuit of these criminals who bring heroin into this country. The members of that unit are the unsung heroes of our society. I am sickened that these young men and women put their lives on the line every day while others make gratuitous slighting remarks to the police force.

COUNTY COUNCIL STAFF FREE ELECTRICITY

The Hon. DOROTHY ISAKSEN: My question without notice is directed to the Minister for Planning and Minister for Energy. Following confirmation that eight senior staff receive free electricity from Prospect County Council, will the Minister inform the House if there are any other circumstances in which staff, board members or any other persons receive free electricity from domestic electricity distribution authorities such as Sydney Electricity, Prospect County Council, Shortland County Council, or Northern Rivers County Council, or is this an isolated situation?

The Hon. R. J. WEBSTER: The benefits paid to senior officers at Prospect County Council include payment of their electricity account. An amount greater than \$500 per annum would be classed as a fringe benefit by the taxation department and would be subject to taxation. The purchase of electrical appliances from Prospect County Council also would be subject to fringe benefits tax.

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The Hon. Dorothy Isaksen: Is this an isolated case?

The Hon. R. J. WEBSTER: I will answer the question and the honourable member can then ask a supplementary question. All other employees of the council except corporation officers are permitted to credit their bonuses for both 1990 and 1991 against their electricity accounts for any payment under \$500. It is the ruling of the taxation department that no FBT is to be paid for any amount of benefit less than \$500 if the benefits are taken in the form of goods produced by that organisation. The contracts were approved by the council on the basis that no additional cost was incurred by the council. Only salaries and benefits already in existence were used to make up the total remuneration packages. County councils are part of local government. They are created under the Local Government Act, and I have some authority over them under various Acts under my administration. The agreements that are made with senior executives by county councils are entered into by those county councils themselves and not subject to ministerial approval. But those county councils are run by elected officials. I noted in the recent spate of local government elections that many members of the Australian Labor Party have become chairmen of various county councils. In fact, members of the National Party - and no doubt members of the Liberal Party - are chairmen of county councils.

I am told, because of the recent local government elections in parts of the west, Labor Party members or sympathisers comprise a majority on the new Prospect County Council. I am sure the honourable member will be gratified by that information and will seek to ensure that in the case of Prospect County Council those salary packages and other details that I have referred to in my answer are put under close scrutiny. I am constantly accused of interfering in local government. In this case, provided these salary packages and fringe benefits are awarded according to the law and to the appropriate award structures of local government, I as Minister have no power to intervene and do not intend to do so.

FREE ELECTRICITY SUPPLIES

The Hon. DOROTHY ISAKSEN: My supplementary question, as the Minister did not finish answering the question I asked, is: Is this an isolated case or are there other county councils that give free electricity to staff?

The Hon. Ann Symonds: Does the Minister get it?

The Hon. R. J. WEBSTER: No, the Minister does not get it. I thought I had pointed that out to the Hon. Dorothy Isaksen. There are 25 county councils in New South Wales. I have not done a survey based on allegations made in particular by Dr Metherell to find out whether they all give free electricity to their executives or not. The truth is that if there are irregularities in award payments made to county council officials or in their contracts, if senior executive service arrangements apply, I am happy that those irregularities should be pointed out to me. But I am not going

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to do a survey of county councils. It is for them to decide. If the honourable member is suggesting that I should interfere in some way in that sort of matter, I would be rightfully accused of interfering in matters that are naturally the sphere of local government.

The Hon. Dorothy Isaksen: We have a right to ask.

The Hon. R. J. WEBSTER: Ask the question. It is a local government matter. Honourable members opposite want to have it both ways. When it is politically convenient for them they belt the Government of the day for interfering in local government; when they think they can score a few points, they want the Government to interfere. Is the honourable member insinuating that something wrong has been done by these county councils or not? If she is insinuating that, she should get her facts together, bring them to me, and I shall investigate them fully. I have given the honourable member the answer on Prospect County Council. The answer is that what Prospect County Council is doing, I understand, is quite within its right to do.

TEACHER SALARIES

The Hon. JAN BURNSWOODS: My question without notice is directed to the Minister for School Education and Youth Affairs. Has the Minister determined that the staff salaries issue for promotions positions in primary schools is now settled? Does this mean that the Minister will persist with the current state of affairs where deputy principals in schools with more than 700 children are paid less than principals in charge of fewer than 25 children?

The Hon. VIRGINIA CHADWICK: The honourable member, with her background, would be well aware that the determination was reached by the Industrial Commission, with the support

of the New South Wales Teachers Federation, with which I believe the honourable member has had a long association. However, as in all staffing matters, discussions are ongoing between all elements of my department over matters of any concern about possible future directions. For example, fairly intensive discussions are taking place between the personnel branch of the department and secondary principals councils about the potential for any readjustment of the allocation of their salaries. It would not surprise me in the least if similar discussions were going on between the department and the primary principals council if there are matters for concern there. However, recommendations have not been brought to my attention. As is right and proper in New South Wales, unlike some other States of Australia that are even more strapped for cash than New South Wales and have not been able to pay teachers the award rates that have been set down by an industrial commission, which has been the cause of some consternation in Labor States, at least New South Wales has found the money to do what it should do.

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The Hon. Franca Arena: Which State?

The Hon. VIRGINIA CHADWICK: South Australia and Victoria.

The Hon. Dr B. P. V. Pezzutti: Those States do not have enterprise agreements.

The Hon. VIRGINIA CHADWICK: Perhaps if they had enterprise agreements they might do a little better.

[Interruption]

The Hon. VIRGINIA CHADWICK: I do indeed. The department registered an enterprise agreement a fortnight ago. If the matter raised by the honourable member is a matter for concern to primary principals and discussions are not under way between the people involved and the department, I urge them to take it up with the department. Within the confines of the award and available resources the Government wants to ensure that teachers receive a fair and proper salary that recognises not only their professional expertise but also the level of responsibility they have. If that means that the honourable member is suggesting the department should pay some deputy principals less than they are receiving, I suppose in "Yes, Minister" terms that could be a courageous decision but it is one to which I am not attracted.

FIREARMS LEGISLATION

The Hon. ELISABETH KIRKBY: In view of the answer that the Minister for Police and Emergency Services and Vice-President of the Executive Council incorporated in *Hansard* of 30th October about decisions made at the Council of Police Ministers, with reference to agenda item 2(A), which deals with licensing, will he inform the House whether licences in New South Wales will bear a photograph of the holder and have to be renewed every four years, as recommended by the Committee on Gun Control? If not, why not?

The Hon. E. P. PICKERING: I can answer in the affirmative that Cabinet has decided that licences will bear photographs. Though Cabinet accepted the recommendation of the select committee on the frequency of licence renewal, at the Council of Police Ministers Victoria took a strong view that its - from memory - six-year cycle ought to become the standard. Police Ministers accepted that. That must now be endorsed or rejected by the Premiers Conference. If the Premiers Conference adopts that recommendation, I assume that Cabinet in New South Wales would accept that modification to a decision that it has taken already by way of a Cabinet minute that I shall produce following the Premiers Conference. The honourable member can take it as read that New South Wales will have photo

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licences, and it is likely that they will be renewed every six years, in line with the national approach. However, that will be a Cabinet decision.

POWER STATION VISITORS MULTILINGUAL AUDIOTAPES

The Hon. R. T. M. BULL: I address my question to the Minister for Planning and Minister for Energy. Has the State Government taken steps to encourage people from non-English speaking backgrounds to participate in tours of the State's power stations?

The Hon. R. J. WEBSTER: I do not understand why honourable members are so amused. I thank the honourable member for his question. I am sorry that the Hon. Franca Arena is not here, because I know she has a special interest in ethnic affairs. I am sure honourable members will be pleased to hear about the initiatives of the Electricity Commission for people of non-English speaking backgrounds. I am delighted to be able to announce to the House today that the tour guide at the commission's Vales Point power station on the Central Coast can now show visitors around the site and give commentary in up to 10 languages. Mr Roy Cavanagh, who has been tour guide at the station for the past four years, is now inviting non-English social or community groups to visit the station to take advantage of his special multilingual running commentary. Mr Cavanagh has developed a commentary link using a frequency modulated radio transmitter and lightweight headset receivers and uses prerecorded cassettes to make sure his tour groups hear him and get the message.

Visitors to the power station, on the southern end of Lake Macquarie about 35 kilometres south of Newcastle, can hear in 10 languages a comprehensive description of the power station, its role in the State's power system and how electricity is made. The Electricity Commission has organised the translation and recording of the visitors guides on audiotapes. The tapes are available in Italian, Greek, Japanese, Vietnamese, German, Spanish, French, Arabic, Russian and Indonesian - the languages in most demand by visitors. The tour tapes will give access to the commission's work to a wider range of interested groups. Last year, Vales Point power station recorded more than 5,000 visitors. Visits to the State's power stations have proved popular over the years, with about 20,000 people last year touring the four stations open to visitors. This is just one of the many initiatives that demonstrate the Government's commitment to ethnic affairs and people of non-English speaking backgrounds.

The Government continues to enhance the role of the Ethnic Affairs Commission, which was established to encourage the full participation of all persons in the social, cultural, political and economic life of the community, regardless of their cultural and ethnic background. This financial year the State Government has increased its budget allocation for the Ethnic Affairs Commission from \$7.6 million to \$8.1 million. Increased funding and programs, such as the Vales Point initiative

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I have outlined today, are just some examples of the Government's commitment to ethnic affairs.

BUILDING INDUSTRY ROYAL COMMISSION

The Hon. Dr MEREDITH BURGMANN: My question without notice is addressed to the Minister for Police and Emergency Services and Vice-President of the Executive Council, representing the Premier, Treasurer and Minister for Ethnic Affairs. Further to the question I asked yesterday about the overseas trip of royal commissioner Gyles, were deficiencies discovered in Professor Ireland's written report on his overseas fact finding mission? Is it true that Commissioner Gyles has deemed it necessary to visit only three building sites in Australia?

The Hon. E. P. PICKERING: One could say that the honourable member's question brings to an end an electrifying question time. I have no knowledge of the matters she raises -

The Hon. J. R. Johnson: But the Minister will find out.

The Hon. E. P. PICKERING: - but I will, of course, find out.

CUDGEN CREEK DEVELOPMENT

The Hon. R. J. WEBSTER: Yesterday the Hon. R. S. L. Jones asked me a question relating to conditions attached to the consent authority to protect State Environmental Planning Policy 14 wetland No. 44. The consent for the Sahben development south of Kingscliff was subject to 35 conditions, eight of which relate directly to the protection of State Environmental Planning Policy 14 wetland No. 44 and Cudgen Creek. The conditions require, first, the preparation of an ongoing water quality monitoring program; second, the implementation of a Cudgen Creek foreshore management program including landscaping; third, no removal of vegetation within 10 metres of land zoned 7A wetland; fourth, the dedication to council of a 30 metre buffer along Cudgen Creek; fifth, the erection of a physical barrier along State Environmental Planning Policy 14 wetland and Cudgen Creek to protect them during construction; sixth, the submission of the details of measures to contain site runoff during construction; and, seventh, the deletion of jetties on Cudgen Creek from the consent. I am satisfied that the conditions imposed on the consent, particularly those I have listed, will protect the wetlands and Cudgen Creek and will prevent damage by the proposed development.

SPECIAL ADJOURNMENT

Motion by the Hon. E. P. Pickering agreed to:

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That this House at its rising today do adjourn until Friday, 1st November, 1991, at 9 a.m.

[The President left the Chair at 1.7 p.m. The House resumed at 2.30 p.m.]

STANDING COMMITTEE ON SOCIAL ISSUES

Report

Debate resumed from an earlier hour.

The Hon. Dr MARLENE GOLDSMITH [2.30]: Prior to the adjournment I was referring to the possibility of a national no fault insurance scheme for people with medically acquired illnesses. Had such a scheme been in place, the tragic financial difficulties of those with medically acquired HIV would not have arisen. Our inquiry would not have been necessary as the medically acquired HIV community would have been covered. It is unlikely that any hostility would have been created by such a scheme, if it had been put in place, even though under such a scheme the non-medically acquired HIV community would not have been covered. Such a scheme operates in New Zealand. A similar scheme would include medically acquired illnesses other than AIDS, though presumably payments to victims of other infections would be substantially less than payments for those with AIDS, reflecting the devastating consequences of AIDS on its sufferers. Similarly, I would not disagree were the Government to accept our recommendations regarding financial assistance for those with medically acquired AIDS and extend them to cover other fatal infections of long-term duration, though I would expect payment for other illnesses to be lower. The committee was in no position to make specific recommendations in this area because it was outside our terms of reference and we had little information on such illnesses.

I thank the Hon. D. J. Gay for his comments in debate and for his support of the recommendations in the report to which he contributed. I thank the Hon. D. J. Gay for his sterling contributions during the time he was a member of the committee. The honourable member expressed

concern in this House about separate services for people with medically acquired HIV. That was the basis of some of the testimony received. The committee, when framing its recommendations, grappled with the fact that medically acquired HIV sufferers have medical needs and at times it is necessary for sound medical reasons that they be treated, with other HIV sufferers. I praise that recommendation and hope that ultimately it will allow medical practitioners to make responsible choices about the most important factors in choosing where such patients should be treated. The committee was well aware of the concerns raised by the Hon. D. J. Gay, which are included in the recommendation to which the honourable member alluded.

I commend also the Hon. P. F. O'Grady for his moving comments about the stigma associated with AIDS. That issue weighed heavily on the minds of committee

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members when the recommendations were being developed. I do not propose to canvass the issues any further as they have already been widely aired in this debate. At this stage of discussion, however, it is appropriate to pay tribute to former members of the Social Issues Committee and in particular to the President of this Chamber. The Hon. Max Willis, as the founding chairman of the committee, developed its ethos, its sense of working as a team, in spite of a variety of political and philosophical backgrounds among its members. Overcoming this diversity, our first two reports under his chairmanship have both been unanimous, which was a great tribute to him. Although it was perhaps always inevitable that the current report on HIV would not be unanimous because of the strongly differing views of many members on this subject, the intellect and wisdom of the Hon. Max Willis, as chairman through most of the time span of the inquiry, made my task of chairing the concluding phases of the inquiry far less difficult than it might otherwise have been.

I am sure I can speak for all the members of the committee when I express gratitude to the Hon. Max Willis for the tradition he established for our committee and standing committees of the Legislative Council generally. These committees, so far, have had a brief history and can only be as effective as their members allow them to be. I have personally found the experience of working with people of different political persuasions, towards the single goal of achieving the best solution to a social problem for the people of New South Wales, very exhilarating. It was the ethos developed by the Hon. Max Willis that made this sense of purpose, and indeed of trust, possible for all of us, and I thank him for it. It is a strong ethos, and I am sure it will survive the divisions experienced with this inquiry. The issues with which we deal affect people's lives profoundly, as we have seen during the inquiry. Such issues are too important to be sacrificed to personal ambitions and short-term political grandstanding. I am confident that the tradition established by the Hon. Max Willis will continue. Again, I thank all members of the committee and staff.

Motion agreed to.

PROCUREMENT OF MISCARRIAGE LIMITATION BILL

Second Reading

Debate resumed from 17th October.

The Hon. R. B. ROWLAND SMITH [2.38]: Prior to the adjournment of this debate some weeks ago I was discussing the whole ambit of the bill, individual liberties and the right to choose. The bill makes quite clear that the only place for the termination of pregnancies will be a public hospital. I pose the question: why are public hospitals singled out, not private hospitals or approved abortion clinics? Surely private hospitals can provide the necessary services for the termination of a pregnancy, as indeed can approved abortion clinics. Already our public hospitals are

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overburdened with patients seeking elective surgery. It is possible that some hospitals will apply for exemption from performing termination of pregnancy. Under the proposed legislation a woman could no longer seek an abortion in the safe and supportive environment of an approved abortion clinic, where a

non-judgemental approach is taken, high medical standards maintained, and future contraceptive choices clearly explained. It has been said that public hospitals are unsympathetic towards women who decide to have a termination. Staff rarely have the specialised training required, and aftercare and follow-up are often inadequate. The restriction of abortion to public hospitals would simply return women to the days of high complication rates, a service approach that dehumanises and takes away a woman's dignity and privacy and, in the final analysis, would restrict access to abortion.

The Hon. J. R. Johnson: And kills the baby.

The Hon. R. B. ROWLAND SMITH: The honourable member will have his opportunity to state his point of view. I know it is difficult for the Hon. J. R. Johnson to be quiet, but I should appreciate his listening to the other side of the question. The opportunity for hospitals to obtain exemption will intensify the problem of access. There are, for example, publicly funded hospitals run by religious organisations that oppose abortion. Those hospitals will probably seek exemption. I suggest that St Vincent's Hospital, about which the Hon. J. R. Johnson knows something, would be one of those. Restricted access will mean long waiting lists, with the possible added risks of late abortions. It will increase the risks in what is now a safe and simple medical procedure. Dealing once again with approved abortion clinics, a logical, clear letter was received by members from the Bessie Smyth Foundation. In the letter the author set out clearly the function of the foundation, which was established 14 years ago as a non-profit making organisation to provide women with safe, non-judgmental, affordable and legal abortion.

I ask why abortions cannot take place in private hospitals. I have not yet heard any arguments that have convinced me that they should not be carried out in a private institution. That brings me to the whole question of abortion. It is true to say that one of the best cases put to honourable members by a church group on the question was the discussion paper from the Uniting Church in Australia, New South Wales Synod Board for Social Responsibility. This was, if I may say so, the church having a little bit each way but, nevertheless, standing up for the rights of individual people to make their own decisions on the issue of abortion. The paper stated:

Even if we were to put aside questions of medical information and look only at the social effects of abortion any worthwhile research would be very expensive and not likely to be conclusive.

For example, though there would be women who believed they had wrongly been forced to have an abortion, there would be women also who felt, equally strongly, that they had wrongly been prevented from having an abortion against their will.

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The paper went on to say that it is unrealistic to imagine that any definitive christian perspective can be reached that gives a yes or no answer on abortion.

Reverend the Hon. F. J. Nile: That is how wrong they are.

The Hon. R. B. ROWLAND SMITH: That may be what Reverend the Hon. F. J. Nile feels, but I am quoting from a paper of the Board of Social Responsibility of the Uniting Church, of which I believe he is a member. One of the pertinent points set out in the paper referred to the special committee established by the Presbyterian Assembly in 1973, and it set out the consequent resolutions adopted by the assembly as follows:

- (1) Acknowledge that Christians may conscientiously hold different views as to the permissibility of abortion in varying circumstances.
- (2) Believes that the basic decision concerning legal abortion should be left in the hands of the individual woman as advised by her qualified medical practitioner and other

professional advisers who are in the best position to discover all the relevant factors and weigh them up in each particular situation.

[*Interruption*]

The Hon. R. B. ROWLAND SMITH: Reverend the Hon. F. J. Nile has the right of reply and may query what I have said and, indeed, what the church has said. The Methodist general conference in 1972 adopted a statement on abortion, of which the following is a part:

In our view, abortion may be justified when a serious mental or physical disorder exists in the mother or there is a high probability that it exists in the fetus.

I accept that there may be other valid humanitarian reasons for termination - reasons that must be considered individually in the light of christian compassion for all concerned. In making a decision to have an abortion, the woman has to choose between the value of the life of the foetus and other values, both personal and social. To assist her to take into account all the factors relevant to her decision, it is necessary to have counselling facilities readily available to her and to those persons with whom she is most closely involved. It is interesting to note also that in 1989 the World Council of Churches, in conducting a review of member church statements on abortion, said in its report:

None of the churches which sent statements for this study, rejects abortion totally.

Some time ago Rabbi Brian Fox of Woollahra, who is of the Jewish faith, wrote to the editor of the *Australian*. Honourable members have quoted various church groups and have heard what Reverend the Hon. F. J. Nile had to say.

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Reverend the Hon. F. J. Nile: It does not represent the Jewish faith - Judaism.

The Hon. R. B. ROWLAND SMITH: I do not believe Reverend the Hon. F. J. Nile represents the Uniting Church of Australia. That is for sure. The rabbi wrote the letter some time ago in which he made assertions as a priest of the Jewish faith. It is important for the Reverend the Hon. F. J. Nile to listen.

Reverend the Hon. F. J. Nile: I have read it.

The Hon. R. B. ROWLAND SMITH: I shall read it though, because probably Reverend the Hon. F. J. Nile thrust the letter aside and said, "I probably will not like what I shall see". The rabbi said:

While Cardinal Clancy does not actually state that abortion is murder his twice-repeated "deliberate" destruction of human life certainly led to that conclusion. Where does the church get this from?

Neither the Hebrew Scriptures nor Civil Law consider it as such. The killing of a foetus in biblical times and today incurs the punishment of damages and is not judged to be an act of homicide. Even today, in no place where abortion is banned, is the punishment for this performance the same as that for murder.

I hark back to what the Hon. Elaine Nile had to say when she repeated that abortion is murder. The rabbi continued:

Overstatement exists on both sides of the argument. Surely in the face of rampant domestic and social violence, wars across the face of this world, ten per cent unemployment, starvation, AIDS, disease among minorities, alcoholism, drug addiction, closure of hospitals and schools, Cardinal Clancy grossly exaggerates when he writes "One does not exaggerate in saying that abortion is the single most horrifying feature of society today".

The fact is that there is nothing comparable to pregnancy: it only happens to women.

I think Reverend the Hon. F. J. Nile ought to listen to this. The rabbi said:

Perhaps only women between the ages of 14 and 40 should have the right to change the law on abortion.

[Interruption from gallery]

The DEPUTY-PRESIDENT (The Hon. D. J. Gay): Order! I remind persons in the gallery to be quiet during the proceedings of this debate.

The Hon. R. B. ROWLAND SMITH: The rabbi said:

If a foetus is a distinct human being from birth why does no religion have a funeral for an aborted foetus? After 20 weeks a burial is mandatory. Do priests, ministers or rabbis conduct a burial service for a foetus? Is a miscarriage an occasion for sadness and frustration or death rites? If not the latter, surely that is tacit admission that a foetus is not a person? At best a foetus is a potential life and not a distinct human being.

As I understand it no one on the pro-choice side would say that the loss of potential life is anything but just that: a loss. But we always have loss when we have a scale of priorities: actual lives always takes precedence over potential lives.

Actual citizens take precedence over potential citizens: hence our strict immigration laws. Potential citizens are lost. Actual students take precedence over potential students: hence enrolment procedures at all education institutions. Students are lost. And actual children take precedence over potential children: hence the availability of a variety of contraceptive methods including those acceptable to the Catholic Church. Lives are lost.

The rabbi concluded his letter by saying:

The American experience shows exactly that backyard abortions and travel to abortion clinics, wherever they are, increase when local aseptic clinics are closed. Where will young women in New South Wales go for the abortions they will most assuredly find if we close our local clinics?

I have a deep and abiding believe in God, that Creator and Guide of my life. I believe that God gave us life in order to protect and nurture it. But God also gave us the ability to provide quality life for actual people and to stop life when potential people endanger it. This, of course, says nothing of the poor quality of life of the unwanted baby born of an unwanted pregnancy.

Sympathy, sensitivity and support are needed, but if abortions are banned countless women will be sent on to the slag heap of sickness, sadness and death.

Two evenings ago honourable members would have been profoundly shocked to read in the media of the callous attitude of Father Ahern in Melbourne in relation to baby M. I was absolutely horrified to read the article in the *Daily Telegraph Mirror*. Father Ahern is the vice-president of what Reverend the

Hon. F. J. Nile claims is a breakaway Right to Life organisation. Father Ahern said he had done what he believed to be correct. On the other hand, the baby's parents, who are committed Catholics and who have three children aged 8 years, 4 years and 6 months, said they had been devastated by the claims of the Right to Life organisation. The mother said, "We don't even think of them as Christians". I realise that what happened to baby M was a terrible tragedy and perhaps the mother said that in the heat of the moment, but that priest had no right to interfere under the circumstances.

Those who still see value in promoting legislation to seriously restrict abortions or even prevent them should ponder recent revelations from Romania. Legalising contraception and abortion was one of the first measures undertaken by the new government in Bucharest. Romania had one of the highest rates in Europe of women dying in childbirth or as a result of complications arising from back-street

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abortions. There are 13 million orphans under three years of age in Romania. The abandonment of unwanted children was another consequence of the Ceausescu regime's laws banning contraception and abortion. It is well known that when abortion is illegal corruption is inevitable. I remind honourable members of the police corruption in the bad old days. People with resources inevitably find ways around the law, and backyard abortions with all their associated risks are the only choice available to the poor. The rich can be well looked after but the poor are left to the devices of these quack doctors. Among letters members will have received was one from Petrea Salter in which she stated her opposition to the legislation. It is important that members ponder and consider these letters because we have been inundated with hundreds upon hundreds of letters from the anti-abortion lobby. I quote from that letter:

I am a woman who is asking the Government not to take away my rights but instead encourage understanding in the community. Please understand our point of view. Abortion is a very personal and sometimes traumatic event for a woman. Abortion clinics are there to help and make the events less traumatic for a woman. Sydney is already closing down hospitals and the demand for beds is far greater than supply. How does Fred Nile expect women to have abortions within the safe period (three months)? Why is it confined to rape victims and special cases? Am I less of a woman in the community because I have not been raped or am not a special case? Do I have any rights? Our Constitution gives us the right to religious freedom. So, why should Fred Nile's religious beliefs be forced on the community? Does the Australian Constitution mean nothing?

The letter continues:

It is not up to us whether we believe in abortion or not, it is up to the individual. The Bill will not stop abortions. It will just endanger women. We are not asking for your acceptance or forcing you to change your personal belief. What we want is freedom of choice. Don't send women to their deaths, emotionally or physically. Banning safe, clean abortion clinics is letting unhygienic unsafe backyard ones to open. A woman who wants to abort will do it regardless if it is legal or not. Don't let this happen to our society.

That is a sound, sane and logical approach and one which all members should ponder. I stated earlier that there seems to be a stigma attached to abortion clinics. Therefore I took quite a deal of time and trouble to ascertain from various people their opinions in respect of abortion clinics. Counselling was given to those women who attended and were uncertain as to whether they should have an abortion. I believe counselling is one of the fundamental issues involved. Having given the matter a great deal of thought, I have come to the conclusion that the bill must be opposed. It will re-establish the backyard abortion clinics that existed years ago and those who will suffer most of all will be the poorer people in our community.

Reverend the Hon. F. J. Nile: The honourable member is going against his own church.

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The Hon. R. B. ROWLAND SMITH: And you are a man, not a woman.

Reverend the Hon. F. J. Nile: You are going against your own church.

The Hon. R. B. ROWLAND SMITH: What the Archbishop said is not the stated position of the Anglican Church and Reverend the Hon. F. J. Nile knows it.

Reverend the Hon. F. J. Nile: You are going against your own church.

The Hon. R. B. ROWLAND SMITH: I am an Anglican and Reverend the Hon. F. J. Nile knows my opinion. It is ironic that Reverend the Hon. F. J. Nile is opposed to abortion - and he has made that abundantly clear in the past - and yet he now says, "If you wish to have an abortion, you can do so in a public hospital". If that were the case, public hospitals would be unable to cope with the thousands of women seeking abortions. We must face the fact that if that happens, the risk involved will be tremendous. If the honourable gentleman is sincere, he is putting at risk - I repeat, he is putting at risk - those women who want to have an abortion, indeed need to have an abortion, because the public hospital system will not be able to handle them. I pose this question to Reverend the Hon. F. J. Nile: why are you restricting abortions to the public arena and not in the private arena?

The Hon. J. R. Johnson: Move an amendment.

The Hon. R. B. ROWLAND SMITH: I have spoken about abortion clinics and I believe they pass the test, but little or nothing has been said by Reverend the Hon. F. J. Nile about the private hospital system. The Hon. J. R. Johnson has interjected and said, "Move an amendment". I cannot believe his hypocrisy. He also says there should be no abortions, yet he intends to support the bill. How ridiculous! Private hospitals have all the facilities necessary for any type of emergency and yet Reverend the Hon. F. J. Nile is singling them out and saying, "No, you cannot go to a private hospital to have a termination of a pregnancy". That is utterly ridiculous. When concluding his contribution to the second reading debate, Reverend the Hon. F. J. Nile said:

I emphasise that no woman will die because of this bill.

Again Reverend the Hon. F. J. Nile is making himself out to be God. That statement reminds me somewhat of a person in Canberra who said, "No child will live in poverty by the year 1990". Reverend the Hon. F. J. Nile stated that no woman will die because abortions have been restricted. That has not been the case in the few States of the United States of America where abortion has been made illegal. In those States there has been an increasing number of deaths as a result of backyard abortions. I use as my reference for that statement a video about abortion in the United States which I believe was sent to all members. Reverend the Hon. F. J. Nile went on to say:

On the contrary, women will be better off in a public hospital with all of the facilities and other specialists that are available to assist.

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That statement demonstrates the hypocrisy of Reverend the Hon. F. J. Nile. He says he is opposed to abortion, but to get a foot in the door he has introduced a bill of this kind. That statement is nonsense and the honourable gentleman knows it. All the necessary facilities are available at the best abortion clinics and at private hospitals. Reverend the Hon. F. J. Nile concluded his case by making this incredible remark:

Some people are concerned that if there are restrictions on the abortion clinics or they are put out of business there will be a surge in backyard abortions and women may die as a result of having abortions. It is clear with the passage of this bill the demand for abortions will be reduced.

This is absolutely nonsensical. It is completely and utterly incorrect. Demand for abortions will not be reduced but the likelihood of deaths certainly will be increased. The conclusion I must reach is that Reverend the Hon. F. J. Nile wants to limit severely the number of abortions that will be carried out, without consideration of the welfare of the people concerned. Little does he realise the risk that he is placing these poor unfortunate women in by doing just that. And I thought the man had Christian compassion. I have spoken to many women, including those in my family, about the whole issue of abortion. Practically all those to whom I have spoken have said that it is wrong for legislators to step in and tell a woman what she should do or not do with her body.

The Hon. J. R. Johnson: It is not her body.

The Hon. R. B. ROWLAND SMITH: Nobody tells you what you can with your body. I said earlier and I repeat that the decision must be that of the woman. Freedom of choice for her in our society must be the way to go. This issue has been canvassed very carefully by honourable members and I am firmly of the opinion that the bill will be thrown out exactly where it ought to go. If the bill were passed, certain hospitals would apply for exemption from performing terminations of pregnancy. This would mean that women could no longer seek an abortion in the safe and supportive environment of a specialised clinic where counselling is provided, a non-judgmental approach is taken, high medical standards are maintained and future contraceptive choices are clearly explained. Hospitals are notorious for their unsympathetic attitude towards women who make the decision to have a termination. The opportunity for hospitals to obtain exemptions would intensify the problem of access. There are, for example, publicly funded hospitals which are run by religious organisations which oppose abortions. I conclude my remarks by referring to what I said several weeks ago on this bill: I sincerely do not believe that we as legislators have any right to make a determination of the kind set out in this bill. I oppose the bill.

The Hon. J. R. JOHNSON [3.3]: Mr President, I seek leave of the House to have incorporated at the end of my contribution a bibliography of the references in my speech.

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Leave granted. [*See Addendum.*]

I thank the House. Because Reverend the Hon. F. J. Nile proposes a bill to this House that does not make it wrong. I am happy to add my voice in support of the bill. The Liberal Party and National Party Government tried to prevent this debate coming on. Reverend the Hon. F. J. Nile has had the opportunity to present this bill because the Australian Labor Party and the Australian Democrats refused to frustrate but facilitated the bill coming before the House. Recently we have seen an overthrow of communism in the Soviet Union. After 70 years of rule the truth about the oppressive, unjust and incompetent nature of the Soviet regime could no longer be hidden or suppressed by lies or distortions. It is very consoling to me that the truth, the reality, will always be revealed in the end. No human being, not even one as powerful as Stalin was, can suppress something forever.

It has been approximately 20 years since abortion became widely available in New South Wales, because the Attorney-General at the time refused to appeal against a decision of a single judge. In that time there have been at least 300,000 - perhaps more than half a million - abortions in this State. I refer to reference No. 1 in the bibliography. At last the truth is coming before us, and the

truth is that the life of every individual in this House, every human being on the face of the earth, began at conception. From the moment of conception every human being has dignity and rights that are inalienable. The most fundamental of these rights is the right to life. That means at the very least a right not to be killed, and a right to food and shelter and all the other necessities of life. Abortion clinics are opposed to this truth. They exist to violate the rights of the unborn, and they suppress and distort the truth in order to do so. The Procurement of Miscarriage Limitation Bill 1991 is pro-life, pro-freedom, pro-human rights, and pro-democracy because it would close abortion clinics. Anyone who disputes that a human being's life begins at conception is out of date with modern biological knowledge. The Senate select committee that inquired into human embryo experimentation in 1986, after the most thorough investigation of the world's evidence, said:

The Committee in adopting the usage "embryo" to describe the fertilised ovum and succeeding stages up to observation of human form, means, to speak of genetically new human life organised as a distinct entity oriented towards further development.

Let me also quote from Jerome Lejeune, Professor of fundamental genetics at the Paris University:

As soon as the 23 paternally derived chromosomes are united through fertilisation to 23 maternal ones, the full genetic information necessary and sufficient to express all the unborn qualities of a new individual is gathered - . . . the new being begins to express himself as soon as he has been conceived . . . each conceptus is unique and therefore irreplaceable.

I refer to reference No. 2. The declaration of Geneva in 1948 formulated from the Hippocratic oath by the World Medical Association, vows that a doctor will have the
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utmost respect for human life "from its conception". Honourable members have heard, through the Hon. Elaine Nile, that abortionists admit that "abortion is murder". That is reference No.3. This truth is no longer a matter of opinion or philosophical standpoint; it is objective fact. Any well-informed member on either side of this House would not dispute that. It is perhaps this fact that has caused even those who would permit abortions to say it is neither a desirable nor happy outcome. For example, recently the New South Wales Womens Advisory Council wrote to me in the following terms:

. . . ideally no abortion should have to occur at all and abortion should remain the last resort . . .

That is reference No.4. The Family Planning Association promotes contraception as a means of avoiding abortion, obviously implying that abortion is an undesirable outcome to be avoided. However, rather than present it as a last resort, abortion clinics promote abortion as the first option. The Hon. Elaine Nile stated that the vast majority of pregnant women who present at abortion clinics have their abortions on the same day. Often these women are told to fast before coming to the clinic - a prerequisite for abortion. These women are not informed of what is happening inside them. Dr Turnbull, a female general practitioner who regularly counsels women who have had abortions said:

Many of these women complain that they never have any mention before the abortion that the so-called tissue to be removed was a baby. There was never any mention of the details of the development of their baby.

That is reference No.5. Women should be informed of the options available to them before they choose whether or not to have an abortion. Abortion clinics do not fully inform patients of their rights. Common sense dictates that counselling by abortion clinic employees will be biased in favour of abortion.

The Hon. Patricia Forsythe: There is no obligation in the bill for public hospitals to engage in counselling either.

The Hon. J. R. JOHNSON: Then move an amendment. This is confirmed by the fact that pro-life counselling results in the majority of women having their babies, all of them being happy with the result. That is reference No.6. The profit motive of abortion clinics has been well covered by the Hon. Elaine Nile. Even those so-called non-profit clinics, must pay the wages of their employees. It should be noted that abortion clinic staff, especially so-called feminist operated non-profit clinics are proud of their commitments to women's reproductive rights, the main one being to facilitate the right to abortion. They advance this as a major reason for the clinics' existence; so that women can have abortions. Because they are so committed to the abortion ideology they subconsciously promote abortion in preference to other options, such as adoption, single motherhood and financial support from numerous establishments.

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Another consequence is that women do not return to abortion clinics for post-abortion counselling where they would be regarded as ingrates. No such counselling is given by pro-lifers, to the best of my knowledge. I shall give a concrete example. Recently a pro-life counsellor was telephoned by a woman wanting an abortion. The counsellor asked why and the answer given was that the woman was three weeks behind in the rent. The counsellor then said, "If we paid the rent, would you still have the abortion?", and the answer was, "No, of course not". That question would not have been asked by an abortion clinic. Needless to say the rent was paid. That is reference No.7. Abortion clinics are not set up to provide the kind of material support that saves the child's life. That fact and the expedience of an abortion being done then and there would have limited that woman's choice and brought about the death of her baby while the ideologues of the clinic would have congratulated themselves on helping the poor woman. Merely exterminating the child in the womb to help the poor is no more expedient than giving material support. As a man who has tried to give the poor a fair go for decades, it makes my blood boil to hear this practice called a service or a right. In addition to this damage abortion clinics flaunt the law. The Crimes Act places severe penalties on those who participate in abortions. Mr Justice Levine introduced some arguable exceptions to the Crimes Act but he specifically rejected abortion on demand, which had been presented by the defence counsel as an interpretation of the law. That is reference No.8. Yet it is widely acknowledged that abortion clinics provide abortion on demand. Thus they are in open contempt of the law of this State.

On 2nd June, 1988, this Parliament passed a motion which called for the enforcement of the law but nothing has been done. Though many may not take this seriously, it is in fact a threat to our civil order. The law exists to protect the weak from the strong and to educate citizens that justice prevails; not violence. Every time the law is mocked people lose respect for it and lose those inhibitions that stop them resorting to violence. Abortion clinics undermine the law and in so doing, they undermine democracy. It is not surprising that promoters of abortion should use these tactics, because abortion is fundamentally undemocratic. Like Communism, it suppresses the poor, the weak, the defenceless group of human beings. It did not surprise me that pro-abortion members of this House abdicated their democratic duty to debate this issue on 12th September when they walked from the Chamber so that they would not hear the truth. It did not surprise me that anti-life forces wanted to gag debate to suppress the truth. It did not surprise me when a radio station refused to put to air a paid pro-life advertisement concerning the truth. It did not surprise me but it does disgust me. Where is the love of freedom, of democracy, and of the truth? Where is the love that brought the people of Moscow out on the streets in August, the love that caused five citizens of Moscow to give up their lives so that their land would be free, or the love of freedom that made unarmed people stand before tanks in Tianamen Square? The poor, defenceless unborn must have a voice in this democracy or it will cease to be a democracy.

In response to this many would say that the woman should have a voice in the issue. In fact some say that she alone should speak on it since it is a women's

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issue. Of course women have a voice in this issue. When I sat down and listened to that voice I found the other victim of abortion: the woman suffering from post abortion grief and guilt. Obstetricians and gynaecologists are only now realising more and more that grief comes from spontaneous abortions.

What have these women lost that they grieve for? Their human child, of course. Common sense would dictate that when induced abortion occurs with the participation of the mother, the grief is worse. Experience shows this to be so. For years doctors did not know what to call this problem. Of recent times they have come up with the words "post abortion syndrome". Indeed, there are numerous groups throughout Australia that deal with post abortion syndrome. In Victoria there is the rather large group called WEBA - women exploited by abortion. A study conducted as recently as 1987, entitled "Psychosocial Aspects of the Stress Following Abortion", found the emotional responses to abortion even more dramatic - with grief, guilt, anger, fear and depression being the most prominent. A large proportion of samples - more than 85 per cent - reported experiences with all five emotions. That is reference No. 10.

An article in the Canadian Psychiatric Association's journal stated that symptoms of severe grief, isolation from social settings, suicide attempts, abdominal pains, and severe depression surface some time after abortion. Some abortionists may not see this reaction. That same journal published research showing that post abortion depression hinders mother-infant bonding and subsequent pregnancies and may lead to child abuse. That is reference No. 7. It was no surprise to me that the Hon. Elisabeth Kirkby conceded that the incidence of child abuse in our society has risen to the most appalling heights. That is reference No. 8. She conceded also that this increase has occurred at a time when abortion is available on demand and occurring at a rate of one abortion for every two live births. Surely the now hollow promise of the abortionists, that the killing of unplanned babies in the womb would somehow reduce child abuse, must be either rank stupidity or an outright lie. In any case, on statistics the reality is incontrovertible: abortion, as a means of preventing child abuse, is a failure. Indeed it is worse than that: it is the ultimate form of child abuse.

A student newspaper entitled *Pelican*, published on the campus of the University of Western Australia, asked for contributions on "unplanned pregnancies". Note: there was no specific mention of abortion, let alone post abortion grief. Yet all, except a few of the dozens of articles received, were right on that topic. In particular I recall reading about how a young girl was pleased at first to discover that she was pregnant, only to find herself pressured into having an abortion by her boyfriend and her parents. Most moving to me was the individual testimony provided by a lass named Margaret - a brave woman who spoke at our parliamentary forum to which all members were invited on 18th August. Sadly only a few attended. Apparently some people cannot face the truth or they have a worried conscience. She said that she would rather be changing nappies and putting children to bed than presenting her speech on that occasion. But it was too late for that. She said she felt isolated, helpless and without options in the waiting room of the abortion clinic. She expressed great frustration when she discovered, after the

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abortion, that many people and organisations were willing to support her through her pregnancy. And some of us have put our hands deep into our pockets for a long time to assist in that regard.

The Hon. Patricia Forsythe: Money does not buy everything.

The Hon. J. R. JOHNSON: Money does not buy everything, but by God you hang on to yours. Where were the abortion clinic counsellors in that instance? Why was that young lass allowed to suffer in the way she did, without anyone counselling her? Why was she not informed of the pregnancy help services? My experience is that counselling in abortion clinics is brief and pragmatic, whereas pro-life counsellors spend a minimum of one hour at the initial visit discussing what are perceived problems and the options for the pregnant mother and her unborn child. Therefore, instead of women having more freedom, abortion clinics have limited their options. Women have been led into unhappiness so often because they have lacked the support of the fathers of the unborn children or were pressured into having an abortion by parents, husbands or boyfriends. We often hear the phrase "women have been liberated". Women were not liberated by free and open abortion: the boys were liberated. The boys won this battle. They have been able to walk away from their responsibilities, and we all know it. Before the advent of abortion clinics a father might have offered marriage or support. Now abortion is so available the usual offer is: "I'll go you halves. How much is it going to cost?" Abortion is so readily available that it is often expected of a woman that she get rid of her child. Indeed,

she may be frowned upon for not exercising her right. It can be seen from this that men too must be involved in the debate; they have a profound responsibility to their partners and their children. Abortion is a man's solution, cut and dried, expedient and unfeeling. It allows him to get the woman back into bed with him in a minimum of time.

The Hon. R. B. Rowland Smith: That is a dreadful thing to say.

The Hon. J. R. JOHNSON: But it is right - in a minimum of time, and with no real love or concern for the woman or the child. Most women agree that 40,000 abortions a year in New South Wales is too many. The bill, if passed, will reduce that number. Why do groups strenuously oppose this bill? Their loudest argument is about money. It would cost too much, they say. Is New South Wales to become the Scrooge State that says "Bah, humbug" to Christmas and says no to the birth of a child but yes to the death of a child in the womb, because it is too costly?

The Hon. Dr B. P. V. Pezzutti: Why do you not get back to the bill?

The Hon. J. R. JOHNSON: The honourable member will get a guernsey. He can ask to speak again. This indicates to me the cheap price that such people put on human life. The doctors started the stunt of talking women into abortions and the doctors can finish it. Aside from that, estimates are grossly exaggerated. First it

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was said that the number of abortions would remain the same, when experience is to the contrary. A few years ago no McDonald hamburgers were sold in this country. Now about ten million a week are sold. The more hamburger joints that are opened, the more hamburgers will be sold. The more abortion clinics that are opened, the more abortions there will be.

The Hon. R. B. Rowland Smith: What a load of rubbish!

The Hon. J. R. JOHNSON: It is right. It is assumed first of all that the number of abortions will remain the same, when experience is to the contrary. Research quoted by an abortionist, Dr Gardener, who is from the United States, shows that when alternatives were presented nine out of ten women went on to have their babies. That is reference No. 9. It was said that overall this would result in a great reduction in government costs. The estimates of those Scrooge-like calculations were based on the idea that all abortions involved an overnight stay in hospital. No abortion clinics are open after 5.30 p.m., so either the clinics provide substandard services or they are pushing women who have had abortions into the streets at night. That estimate is certainly an exaggeration. The Scrooges also ignore the benefits of those children being born. Apart from essential human benefits there are the economic benefits of children stimulating production by creating demand, which is invaluable. There would also be more children for adoption, if necessary.

The Hon. Dr B. P. V. Pezzutti: They are your riding orders.

The Hon. J. R. JOHNSON: I do not need riding orders. The Hon. Dr B. P. V. Pezzutti got his riding orders from the Premier. In 1975, before abortion clinics became numerous, there were 4,990 adoptions in Australia. In 1985 there were only 2,101. When we take into account population growth, this is a fall of 64 per cent - almost two-thirds. That is reference No. 10. Most honourable members of this House know that I have four adopted children. I am not alone in that respect in this House; other members of this House have adopted children. Abortion clinics, by making death the easy option, prevent people from receiving the happiness and love that my wife and I have experienced. What a good reason that is for closing them down. Those opposing the bill claim that it will lead to an increase in backyard abortions. In South Australia abortions are restricted largely to private hospitals. Recently one of my advisers approached Professor Lloyd Cox, who presides over the

committee which supervises abortion practice in South Australia. He said that since abortions had been restricted to hospitals backyard abortions in South Australia had disappeared. That is reference No. 11. The Hon. Dr B. P. V. Pezzutti has claimed that he could find no evidence of a reduction in abortions in South Australia as a result of this legislation.

The Hon. Dr B. P. V. Pezzutti: I said, "on women from South Australia".

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The Hon. J. R. JOHNSON: He only quoted some vague figures about adoption and single motherhood. He did not look at the number of abortions. In 1986 4,327 abortions were performed in South Australia. That is reference No. 12. The population of that State was then 1,345,945. In New South Wales there were an estimated 40,000 abortions - that is reference No. 13 - when the population was 5,401,881. That is reference No. 14. Simple division demonstrates that we have more than twice the per capita abortion rate of South Australia. Even if one takes into account the number of South Australians who have abortions in other States, which according to Medicare statistics was only 106 - that is reference No. 15 - the factor is still more than two. That would mean that 20,000 lives could be saved in this State if this bill were passed. Knowing this fact one cannot in good conscience vote against the bill. If one looks at experience and not conjecture, one knows that the Procurement of Miscarriage Limitation Bill will certainly not cause an increase in backyard abortions.

The Hon. Elisabeth Kirkby, who opposes this bill, protests that the way to prevent abortion is by prescribing contraceptives, whereas the statistics reveal incontrovertibly that contraception as a means of preventing abortion is a failure. Figures from the Senate estimates committee show that the increase in abortions is parallel with the funding of contraceptive programs. This is reference No. 16. In the United States the evidence is stronger. Aggressive in-school contraceptive programs were funded to the tune of \$80 billion in 1972 and this increased to \$316 billion by 1982. Over the same time, the number of abortions in teenagers in the United States increased from 191,000 to 430,000. Conversely, when in 1980 the State of Utah required parental consent before contraceptives could be given, the number of abortions went down. That is reference No. 17.

The Hon. Elisabeth Kirkby also deceptively quoted statistics on maternal deaths after abortion from the 1930s. That is reference number 18. She must know that medical techniques were much cruder then than in the 1990s. Antibiotics were not then available to treat infections of the womb. Even by 1969 the general maternal death rate had fallen from six per 1,000 births to 0.2 births per 1,000 - that is, one-thirtieth. The only reasons why a mother would die after an abortion would be through the sheer negligence or brutality of the abortionist or if she did not seek medical attention when complications set in. Mothers would not hesitate to do that now there is so little stigma attached to abortion these days. Let me remind the House of the mortality rate of abortions this year - 40,000 babies. This bill, if passed, will not cause the death of a mother. I remind the House of what Professor Lloyd Cox said, "No backyard abortions". It is obvious that to attempt to avoid abortion by contraception has the opposite effect. Women need support and care to be made easily available, not abortion. The poor need material support - not elimination in their womb and not the death of their children. Some members in this House may be reluctant to vote for this bill because they think that it does not go far enough in stopping abortions. Let me remind them that 93 per cent of abortions in this State are performed in abortion clinics.

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The Hon. Franca Arena: They do not want to vote.

The Hon. J. R. JOHNSON: The honourable member does not know what she is talking about, as usual. If they do not vote for this bill, they will sustain the damage that I have described today. Surely it will be a good start if it saves only one life - and it will save many more lives than one. I shall give some examples. When a similar bill came before the other House a woman rang up and told

Guy Yeomans and me that because of the information in the material that had been made available to her she intended to proceed with her pregnancy. Last year she brought the baby in: his name is James. Since debate commenced on the present bill, four women have contacted the Right to Life Association - four that we know of and other women could have contacted other clinics - and said that as a result of seeing news clips from videos supplied to television stations they were proceeding with their pregnancies. In summary, the benefits of the Procurement of Miscarriage Limitation Bill would include a reduction in the number of abortions through less contact with abortionists and more contact with pregnancy support services. Who could deny the happiness of the birth of a child and the innate goodness of that life? The proposed legislation would bring about a reduction in the number of women suffering post-abortion grief, guilt and conscience troubles.

[Interruption]

The Hon. J. R. JOHNSON: The Hon. Patricia Forsythe does not know what she is talking about. Other benefits would be secondary economic and social benefits from the stimulation of production and adoption. Some people might dispute my arguments by calling them emotional. To do so they must ignore the statistics and testimony I have presented. But I also say to them that sometimes the truth is emotional and that does not invalidate it. For example, if a person comes and says that a friend has died it causes emotions. That does not make it untrue or invalidate the information. It is natural for humans to mourn such a loss, and if we do not our hearts become hardened and we become inhuman. I have lost many tiny young friends through abortion. When I see two children playing I think of a third whose life was cut very short, for there is one abortion for every two live births in this State. In our society today we have new Herods, new experimenters like Hitler's Dr Mengele, who experimented on women. Drug companies have experimented on women. Honourable members are aware that IUDs were an experiment on women. Abortion is not a Catholic, Christian, Muslim or Jewish issue - it is a human rights issue.

The Hon. Patricia Forsythe: It is a women's issue.

The Hon. J. R. JOHNSON: It is a human rights issue. Truth is not established by referendum. Murder would still be wrong even though a referendum said it was right. Many members of this House have said that the bill is not the way to go. I challenge those members, if this is not the way to go, to bring in their own bill to help reduce the number of abortions. Opponents of the bill have tried to

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counter arguments that abortion clinics are making big money by claiming that the Preterm clinic pays \$40 per hour to abortionists on a sessional basis. Preterm has a large, well paid staff. Most of the clinics in this State are run by abortionists who make large profits.

The Hon. Franca Arena: They are doctors.

The Hon. J. R. JOHNSON: They are abortionists. No wonder they do not like the title abortionist. I know of two abortionists who started working at Preterm part-time. They opened up their own clinic, business built up and now they operate a very profitable business. The Mediguide Family Planning Clinic at Longueville Road, Lane Cove, is a business of which Dr Dov Bernard Richter is the sole operator. Dr Richter worked part-time at Preterm during the 1980s. Dr Richter's main business is performing abortions - killing babies. His clinic, like the house of a crime boss, is protected by security alarms and is surrounded by a high steel fence, giving it all the appearance of a fortress. It carries no name, no red lamp, no sign with hours of surgery. It is lit up at night like a Christmas tree. Lights are left on to give the impression that it is occupied at night; but it is not. Dr Richter has done well out of abortion. He lives with his family in a well appointed house in expensive Longueville. Dr Richter's name is not listed in the yellow pages as a medical practitioner. However, he advertises his abortion clinic under the heading "Pregnancy Termination Services" under the name Mediguide Family Planning. The large advertisement in the yellow pages continues:

Lawful Abortion

Local and General Anaesthesia
Pregnancy Counselling
Family Planning Service
LANE COVE
Clinic open Mon - Sat
Appointments made seven days
Bulk Billing Available

Do opponents of the bill claim that Dr Richter does not make big money out of abortions? Dr Geoffrey Brodie also worked at Preterm. He admitted on oath in a Sydney court last year that he controls the company Australian Birth Control Services which operates an abortion clinic at Randwick. His company employs two other abortionists part time and four nurse counsellors at any one time. Dr Brodie works up to seven days per week and spends 75 to 80 per cent of his operating time performing abortions. About 50 abortions per week are performed at the clinic. About 98 per cent of women who present for abortion at his clinic have abortions. Dr Brodie has no post-graduate qualifications. His clinic's large advertisements in the yellow pages offers "lawful abortions to 18 weeks awake or asleep, pregnancy counselling, free pregnancy testing. Bulk billing available." Do opponents of the bill claim that Dr Brodie does not make big money out of abortion? Dr Geoffrey Davis runs his PSI Clinic at Queens Street, Woollahra. He has made big money out of abortion. Dr Neville Marinko runs the company Contraceptive Services Pty

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Limited which operates an abortion clinic at 195 Macquarie Street, Sydney - opposite this Parliament. Honourable members know that recently he put a woman into Sydney hospital next door.

The Hon. Dr B. P. V. Pezzutti: It was not his fault.

The Hon. J. R. JOHNSON: Who was the bloke with the knife? He uses various names for his clinic and various phone numbers. He profits considerably from abortions. When it is all boiled down, I ask each member to ask this question: as a result of abortion how many teeth are extracted or how many babies are killed? The baby always dies with an abortion. All of the victims of abortion are innocent victims: the baby always dies. I make one further comment. The last time this bill was before the House I observed a young lady who I have known since her birth. She was outside these premises protesting for the right to abortion. I remember her parents when she was conceived. I remember the arguments between her mother and father over whether the mother should have an abortion. That lass, who stood out the front of this place with a placard, should reflect upon this: had her father not been insistent or had her mother not been insistent, she would not have been outside with a placard; the lass would not be here. The baby always dies.

Addendum

1. Senate reports 20th November 1990, pp 4419-4423.
2. Lejeune's testimony before the Senate subcommittee of the U.S.A. on separation of powers 1981 via "Dr Bernard Nathanson speaks" a Foundation Genesis Pamphlet.
3. Hansard 17th October 1991, p. 59 sec 23.
4. Letter 27th August 1991.
5. Post Abortion grief syndrome Myth or Reality; DBI Study Booklet number 13th August 1989; p. 2.
6. cf Carmel Jeffries and Simon McCaffrey.
7. cf Carmel Jeffries.
8. cf Regina vs Wald DCR Vol 3, p. 25.
9. Senate Debate 9th November 1978 at p. 1854.
10. Post Abortion Grief Syndrome Myth or Reality: Papers given at the sixth annual DBT conference 1989 in the DBI study booklet No. 13.
11. Hansard 17th October 1991 p. 78 end section 31.

12. Abortion The Personal Dilemma p. 223.
13. Australian Bureau of Statistics.
14. Reflection of the South Australian experience in the Light of Procurement of Miscarriage Limitation Bill 1991.
15. 18th annual report for the year 1987 of the Committee Appointed to report on abortions notified in South Australia.
16. Extrapolation from medicare statistics.
17. 1986 Census Australian Bureau of Statistics.
18. Senate reports 26th November 1990 pp 4419-4423
19. Brian Harradine.

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20. The War against Population by E. Kasun pp 142-144.
21. Hansard LC 17th October 1991, p. 17.

The Hon. PATRICIA FORSYTHE [3.50]: I support my colleagues who have opposed this bill. In doing so I am sure I will not earn the thanks of some people in the gallery nor the support of some of my colleagues. Abortion is not for me an issue of a right. I do not see it as a right to have an abortion. I agree with the Hon. Elaine Nile, who said the only equitable choice is the choice that a man and a woman make before the woman becomes pregnant. However, I believe that as a politician I have to make decisions for the real world. I have to consider my philosophy against the practical realities of life. It is the real world that we make decisions for and it is the real world that I considered when I looked at this bill. In opposing the bill I want to take just a few words from the speech of the Hon. Elaine Nile on 12th September. The honourable member said that those of us who oppose the bill would refer to the old chestnut of the backyard abortionist. Then she said:

Whilst abortionists have moved out of the backyards, back streets and hairdressing salons, while women no longer have to go to mystery premises at night and obtain entry only if they know the password, nothing has really changed.

Of course it has changed. Our obligation is to provide a safe and reliable system within the law.

The Hon. J. R. Johnson: The majority of abortions are outside the law.

The Hon. PATRICIA FORSYTHE: I will come to that soon. I want to look at some of the reasons that have been given by way of example by the Hon. Elaine Nile. Indeed, the Hon. J. R. Johnson referred to the same issue. We have heard of the woman who wanted an abortion because she could not pay the rent. I agree that that alone is not good reason to seek an abortion. The Hon. Elaine Nile said, "We spoke to her, her rent was paid and she did not have the abortion". I presume the consequence of all that is that she lived happily ever after. If this bill is passed it will not be just one rent but many rents we have to pay. We have heard much about handicapped children and about the decisions some mothers take. I accept the view that many disabled children bring enormous happiness to families and I can think of some examples of people I know. But not every woman, and not every family, can cope with that sort of thing, and it must be considered in that context. In that circumstance there has to be a choice without a sense of guilt being borne by the mother. To face the consequence of carrying a handicapped or disabled child alone is difficult. The choice must be there. That falls clearly within the legal grounds for abortion. Reverend the Hon. F. J. Nile spoke about so-called psychological reasons for abortion as perhaps just an excuse, that there is no reality to it and perhaps the women involved should go to a psychiatrist. I think that was the gist of his speech.

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The Hon. J. R. Johnson: In South Australia 98 per cent of all abortions are performed for psychiatric reasons.

The DEPUTY-PRESIDENT (The Hon. D. J. Gay): Order! The Hon. J. R. Johnson has had his chance to contribute to this debate.

The Hon. PATRICIA FORSYTHE: I will come to that issue. We have heard much in this debate that does not go to the heart of the issue. The question of whether psychiatric reasons are valid is germane to the issue. I do not know what it is like not to want a child. I know the joy of being pregnant. I know the joy of the nine months in which I waited to have each of my children. I know the very high emotions, the extreme feelings of joy and excitement. I can only assume that my experience of joy, pleasure and excitement must contrast with the extreme depression, loneliness and difficulty for any woman who, for whatever reasons, finds they she does not want the child she has conceived. It is not so much that she does not want the child, but that she cannot cope with the consequences of it. How can one say that the psychological problems that will develop are not valid, because that is the inference to be drawn. There has been mention of counselling. Perhaps many of these issues can be resolved by counselling. In each of the speeches in support of the bill we have heard reference to counselling being offered. The profession of social worker has been damned over and over again. Reverend the Hon. F. J. Nile admitted there were qualified social workers in clinics, yet qualified social workers were somehow or another merely motivated by profit.

I am conscious of the time and I know members want to vote on this issue, so I will conclude with some comments about the consequences of passing this bill. Where does it take us? What is the bill about? It is about shifting from private clinics to the public hospital system. It is about saying that if there are legal grounds for an abortion, those people can go to public hospitals. It is about saying that if all the 40,000 people have a valid legal reason for an abortion, the hospitals should be able to cope with them. That 40,000 is an additional 4 per cent of admissions to the public hospitals. I am sorry that the Hon. Delcia Kite politicised this issue by talking about public hospitals. The reality is that time is of the essence when we talk about abortions. The public hospital system alone will not cope. It may well be that all 40,000 abortions are for good, legal, valid reasons. This bill is not a bill about life alone. It is about the health system.

Reverend the Hon. F. J. Nile: It is a pro-life bill and you cannot escape that.

The Hon. PATRICIA FORSYTHE: That is what the letters have told us about. Honourable members have received letters telling them they will be murderers if they oppose the bill. Those behind the letters are the frauds. The bill is a fraud because it shifts the onus from the private clinics to the public hospitals and does nothing to address the issue of the validity of abortions. I will conclude with just one thought. We have heard so much in this debate about the attitude of
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churches, that somehow those of us who are Christians and support Christianity and all it stands for should in some way have our consciences tortured by the passing of this bill. I received a letter from a very senior churchman in my own Anglican diocese of Newcastle, and I will quote one sentence from it:

There is within the Anglican Church in New South Wales an attitude to abortion which is both reasoned and compassionate and which in no way is represented by the Call to Australia party.

This is a conscience issue and I accept that members of this Chamber have addressed their consciences. But this bill is not a bill about life. It is a bill about the hospital system.

The Hon. J. R. Johnson: It is trying to stop the deaths.

The Hon. PATRICIA FORSYTHE: First we must prove that the 40,000 abortions each year are performed illegally. So far, nothing in the speeches of any honourable member has established that.

The Hon. FRANCA ARENA [3.59]: I wish to congratulate the Hon. Patricia Forsythe on her first speech of a few days ago and, above all, on her speech today. She spoke well, and may she speak like that for a long time to come. While listening to the debate I was reminded of Dr Bertram Weiner, who fought for years for the right of women to choose. He was persecuted for his struggle and died in his young years. Before I start to speak to the bill, I salute his memory. I intend to make a short speech to oppose the bill. Though I should like to reply to some of the statements that honourable members have made, I shall be short so that the bill can be voted upon and honourable members can dispose of it where it belongs - in the dustbin. I have spoken on other occasions on abortion, and my position has not changed. The decision to have an abortion should be made by the woman alone - no one else. I do not like abortion, and I do not support it as a means of fertility control. I believe most women would support my position. However, I believe it is a woman's decision to have an abortion, and once she has made that decision, she should be able to have an abortion in a safe way, in a safe place, under medical supervision. Abortion is a very personal and sometimes traumatic event for a woman.

Clinics such as those run by the Preterm Foundation are there to help and make the event less traumatic for a woman. They are not run for profit, as several honourable members have claimed, but are non-profit organisations that provide excellent quality medical care, counselling and support for pregnant women who are contemplating abortion. The ramifications of this bill, if passed, are horrific. It would mean the return to the bad old days of abortion when the rich were always able to get abortions and the poor were butchered in back street places. I am always angered that the people who oppose abortion are the same people who oppose sex education in schools and also oppose family planning. I wish to thank all the people

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who wrote to me either asking me to support or vote against the bill. I appreciate receiving letters from the constituency. I intend to refer only to a small sample of the letters. I must have answered the first hundred letters I received, but as my secretarial resources are limited, I was not able to answer all. I have another pile of letters upstairs. I shall refer to a few of the letters that were the most telling. The Women's Advisory Council, which was set up by a former Labor government and is now supported by the Liberal Party-National Party Government, comprises a body of women well respected in the community who come from all social classes and all political parties. The chairperson of the Women's Advisory Council, Jane Stackpool, wrote to me on 27th August and said:

Dear Franca,

The NSW Women's Advisory Council adopted the following pro-choice stance on the issue of abortion in August, 1989:

"That the Women's Advisory Council believes, ideally, no abortion should have to occur at all and abortion should remain the last resort in the control of fertility. Nevertheless, in cases where abortion becomes an issue, we have to support the woman's right to choose as a fundamental right".

The legislation currently before the House seriously undermines the position by curtailing women's choice.

We are surprised that certain members still feel abortion to be a public agenda issue. Such a stance seems inconsistent with the philosophies underpinning recent advances in government initiatives regarding the safety and personal well-being of women, and their role in society as other than social chattels.

Many people say that women should give up children for adoption. As a member of the adoption inquiry carried out by the Standing Committee on Social Issues, I heard thousands of women say what a terrible shock it was for them to give up their child for adoption. After they had had the child it was covered by a sheet or a cushion. Those women never saw their children, and for the past 20, 40 or 50

years they have gone round the streets looking for them. It is all very well for some people to think that other people should become the vessel that bears their children. If a woman decided to have a child and give it up for adoption, it should be her choice. Women should not be compelled to have children for other women. How dare they! The New South Wales Council for Civil Liberties Incorporated wrote to me on 11th September and said:

The NSW Council for Civil Liberties urges you to oppose this Bill as it would seriously interfere with the civil liberties of many people -

- the patient's right to choose a medical practitioner and the place to have a termination;
- the rights of the potential users of operating theatres (listed patients) who might be subject to longer delays;

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- the right of private medical practitioners to choose the most appropriate way of meeting patient's needs.

Exactly! Medical practitioners are the best people to make the choice. The last letter I wish to quote briefly I received from the Uniting Church in Australia. My esteemed colleague the Hon. R. B. Rowland Smith referred to this letter from the Reverend Harry Herbert, the general secretary of the church. I found it one of the most thought provoking letters I have received because it brought out the huge dilemma that this issue poses for the churches. I understand that and respect it. The general secretary wrote:

Those who conduct abortion clinics are often portrayed as rapacious murderers whose only interest is increasing the number of abortions. In fact, many abortions in N.S.W. are performed by non-profit organisations which were originally established with charitable base. For example, Preterm, where 27% of abortions in N.S.W. are performed was established in 1974 with interest-free loans from sympathetic supporters.

That is an important quotation from an established church, not from a ratbag in the community. The Reverend Harry Herbert continued:

It is not recommended that the church attempt to make a definitive statement on whether abortion is morally right or wrong. Certainly this is not the purpose for this paper. Given the historic stand of the Christian church and the Christian respect for life, it is impossible to imagine that the church could give an unequivocal "yes" to abortion. However, because the church lives in the real world and appreciates the dilemmas of individuals in their lives an unequivocal "no" is also not possible.

These are thinking people, church people who have a conscience, not people who see everything in black and white. The letter continued:

The Uniting Church would most likely find itself in the third position of the three outlined in this paper. As indicated, this position should not be characterised as "abortion on demand" but abortion as "available when this is the decision of the woman".

I have always said that it should be the woman's decision. The Reverend Harry Herbert continued:

This position places the responsibility at the right place. In other words, it acknowledges that the decision is better taken by the woman than by legislators, doctors, police, or even theologians. It is appropriate for the Uniting Church to affirm the value of life and the life-giving possibilities of the fetus, but still to indicate that there are circumstances when a woman believes an abortion is appropriate.

Mr President, I have been in this Parliament for 10 years but I know that you have been here a lot longer. We have spoken on this issue on many occasions. Every time I have made my position very clear. Yesterday and the day before I had three or four telephone calls from people who tried to give me an earbashing on this issue. I respect their feelings but they must understand that I have my own feelings and my own position on this issue and that will not change. The Allan Guttmacher Institute
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in New York established that fewer adolescents became pregnant when there was good contraceptive advice and good sex education. Those people who tell us that abortion is evil and that it should not take place do not want sex education in schools. They cannot have it both ways. People have to know what choices are available to them. It is evil for people to impose their moral standards on others. People should be given a choice. That is what freedom is all about. They can make their choices.

The Hon. Elaine Nile: In the classroom?

The Hon. FRANCA ARENA: Yes, in the classroom. People should be told what sex is all about and what risks are involved. As children grow up they should be told what life is all about. The Hon. Elaine Nile knows that there are ways of doing this which are not offensive. The most terrible thing in life is ignorance. I thank all those people who have written to me. I reassure them that I have given their letters due consideration. I state unequivocally that nothing will change my strong belief that the decision whether or not to have an abortion should be made by the woman. Once she has made a decision to have an abortion she has the right to have a safe abortion. The decision is not up to legislators, doctors, police or theologians; it is a woman's decision.

The Hon. Dr MARLENE GOLDSMITH [4.13]: I express my concern for this important matter. I believe no one could possibly doubt the sincerity and commitment of Reverend the Hon. F. J. Nile and the Hon. Elaine Nile. I know that they and many people in New South Wales have strong views on this issue. Abortion should be treated as a most serious matter. However, I have two problems with this bill. I am reminded of something Reverend the Hon. F. J. Nile said earlier - that the means does not justify the end. Though the end in this case is the intention to limit abortion in New South Wales we cannot avoid facing the fact that the means used by Reverend the Hon. F. J. Nile is a bill to limit abortion to public hospitals. If we accept that, within certain limited areas, with certain strict provisos that we have in our law, abortion is a legal activity in New South Wales, I feel very uncomfortable in limiting it only to public hospitals. The bill is about one thing but it intends to do another. I am very uncomfortable about that. I also experience certain discomfort as I believe it might be counter-productive. It might not result in fewer abortions but we might have a problem with waiting lists at public hospitals. Waiting lists do not necessarily mean fewer abortions; they mean later abortions. I believe that later abortions are most reprehensible.

[Debate interrupted.]

The PRESIDENT: Order! It being 4.15 p.m., pursuant to sessional orders debate is interrupted to permit the Minister to move the adjournment of the House should he so desire. Before I call on the Minister I wish to report the receipt of a message from the Legislative Assembly.

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JOINT SELECT COMMITTEE UPON CONSTITUTION (FIXED TERM) PARLIAMENTS BILLS

The President reported the receipt of the following message from the Legislative Assembly:

The Legislative Assembly has this day agreed to the following historic resolution—

1. That a Joint Select Committee be appointed to consider and report upon the Constitution (Fixed Term Parliaments) Special Provisions Bill and the Constitution (Fixed Term Parliaments) Amendment Bill;
2. That the Committee shall consist of fourteen members of whom nine will be members of the Legislative Assembly (of whom five shall be Government Members, three shall be Opposition Members and one shall be an Independent Member nominated by the Leader of the Government) and five members of the Legislative Council (of whom two shall be Government Members, two shall be Opposition Members and one shall be a non-Government Member nominated by the Leader of the Government);
3. The Committee shall elect as Chairman a member of the Legislative Assembly appointed to the Committee as a supporter of the Government;
4. That at any meeting of the Committee eight members shall constitute a quorum, provided that the Committee shall meet as a Joint Committee at all times; and
5. That the Committee have leave to sit during the sittings or any adjournment of either or both Houses; to adjourn from place to place; to have power to take evidence and send for persons and papers; and to report from time to time;
6. That should either or both Houses stand adjourned and the Committee agree to any report before the Houses resume sitting:
 - (1) The Committee have leave to send any such report, minutes and evidence taken before it to the Clerk of the House;
 - (2) The documents shall be printed and published and the Clerk shall forthwith take such action as is necessary to give effect to the order of the House; and
 - (3) The documents shall be laid upon the Table of the House at its next sitting.
7. The Committee shall report to both Houses with respect to the Constitution (Fixed Term Parliaments) Special Provisions Bill by 3 December 1991 and with respect to the Constitution (Fixed Term Parliaments) amendment Bill by 31 March 1991.

and seeks the concurrence of the Legislative Council in this resolution.

Legislative Assembly
ROZZOLI
31 October 1991

K. R.
Speaker

APPROPRIATION BILL

BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL

MOTOR VEHICLES TAXATION (AMENDMENT) BILL

PUBLIC FINANCE AND AUDIT (NET APPROPRIATIONS) AMENDMENT BILL

ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL

Bills received and read a first time.

Suspension of certain standing orders agreed to.

The PRESIDENT: Order! Pursuant to sessional orders I now inquire of the Minister whether he wishes to move the adjournment of the House.

ADJOURNMENT

The Hon. J. P. HANNAFORD (Minister for Health and Community Services) [4.18]: I move:

That this House do now adjourn.

WOLLONGONG HOSPITAL CONSTRUCTION WORKS

The Hon. ELISABETH KIRKBY [4.18]: I wish to bring to the attention of all honourable members problems relating to new construction works at Wollongong Hospital. When I was in Wollongong a few weeks ago prior to the local government elections I was made aware that, in the grounds of Wollongong Hospital, work had ceased and there was what was described as a very large hole - I think it could be called a black hole. Work was not continuing on a tunnel that was supposed to be being built. At the beginning of this week I received a letter from Wollongong Hospital. Attached to that letter was a letter to the local paper, the *Illawarra Mercury*, which outlines the position of the local medical profession. I believe it should be placed on the public record. The letter to the editor of the *Illawarra Mercury* states:

We wish to express our concern at the recent suspension of building activity on the new Clinical Services Block at the Illawarra Regional Hospital, Wollongong campus.

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We believe that many services which should be available locally will not be possible if this building is not continued.

As you are aware, work on this building has been ceased in progress, leaving a large hole in the ground. It is important to be aware that the suspension of work comes at a time when new capital works projects in other areas of the State have been given approval to start. The question should be asked, is it fair to the people of the Illawarra that a long-term plan for essential services be suspended while new capital works projects are approved for other communities?

We plead that resource allocation in health care should be an apolitical process based on fully planned population requirements not on political whim which appears to be the current situation.

The letter is signed by Dr Warner, chairman of the medical staff council; Dr Clingan, deputy chairman of the medical staff council; Dr Mackie, secretary of the medical staff council; Dr Dunn, chairman of the

division of surgery; Dr Meagher, chairman of the division of surgery; Dr Lee, chairman of the division of extended care; Dr O'Halloran, chairman of the division of general practice; Dr Nikolich, chairman of diagnostic imaging; Dr Wise, chairman of the division of pathology; Dr Gregory, chairman of the division of anaesthetics; Dr Dunlop, chairman of the division of paediatrics and Dr Pakula, chairman of the division of psychiatry. It seems obvious that those members of the staff of Wollongong Hospital are extremely concerned that the work has not been completed. I have been informed by other people in the area that if - and at present it is a big if - there is any heavy rain, the incomplete work, which of course has left the site piled with dust and soil, will become a morass of mud which could lead to severe landslides and be hazardous to workers in other parts of the hospital.

It would mean also that a great deal of remedial work would have to be carried out before the construction work could continue. I believe it should be emphasised in every possible way that the project at Wollongong Hospital cannot be postponed when it is partially complete. If the work had not been started and the Government was short of money, the project as a whole could have been delayed. To start the project and proceed a certain way, then stop when the project is partially complete is unsatisfactory to the citizens of the Illawarra and the medical staff and patients of the Wollongong Hospital. I urge the Minister to consult further with his counterpart, the Minister for Health Services Management, to ascertain if the work can be continued without further delay.

LOOK AT ME NOW HEADLAND OCEAN OUTFALL AND EMERALD BEACH PROTESTOR ARRESTS

The Hon. R. S. L. JONES [4.22]: I wish to make it clear that I did not intentionally mislead the House in relation to the protest against the ocean outfall at the Look At Me Now Headland, Emerald Beach. The legal situation is that the matter has been listed for hearing in the Land and Environment Court on 8th
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November. An interim injunction was applied for by the Coffs Harbour Environment Centre but was not granted, although the court ordered an expedited hearing. The error I unwittingly made was a result of scrambled lines of communication coming from the protesters at Look At Me Now Headland. Today the protest leaders apologised to me for the confusion and I wish to set the matter straight. It should be pointed out that the centre is basing its challenge on claims that the Coffs Harbour Council is in contravention of its own local environmental plan and is therefore acting illegally.

Since my last statement about the protest I have been advised that the level of police intimidation at Emerald Beach has reached extraordinary proportions. I am reliably informed that a retired woman who works as a volunteer for a number of community organisations has been in gaol for the last 48 hours and will remain there until 18th November when there will be a hearing. She has refused to comply with the conditions of bail and is being held because of that refusal. Residents have called me to say that their daily morning meeting on the headland is now being filmed by police who drive through the crowd noting car registration numbers. Every protest and press conference has been noteworthy for the fact that police are filming the protesters. On 30th October Superintendent Ian Campbell is quoted on the front page of the *Coffs Harbour Advocate* as saying:

I consider this -

He is referring to the police presence:

- is a waste of resources and believe we should apply for costs to be levied against the protesters.

Does the Minister share this view? To what costs does Superintendent Campbell refer? Does the Government intend somehow to levy these costs from all protesters? On Tuesday, 29th October, seven young men were held overnight in gaol cells. I understand that one young man was doing his higher school certificate examination. I am told there was no necessity for the seven to be kept

overnight in gaol and that this action resulted from a conflict between the magistrate who waived the bail conditions restraining access to the Emerald Beach protest sites and the police who insisted these conditions be set. I ask honourable members to note that Emerald Beach has approximately 300 residents and so far 117 people have been arrested. That is a ratio of almost one in three citizens of the village. The people of New South Wales are entitled to know who has given the order to arrest these law-abiding citizens. They are entitled to know who gave the order to charge these people under section 545B of the Crimes Act. They are entitled to know whether the Premier of the State condones assertions by police and the Hon. Ian Causley, who today bought into the dispute by claiming that costs will be sought in court from arrestees. This is absurd. Not only are the taxpaying residents of Emerald Beach paying for the expensive police presence but they are now being threatened with court costs to cover the costs incurred by their arrests.

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The people of this State are entitled to know why the Government is setting the police against the people. What is the hidden agenda at Look At Me Now Headland? Is this a scorched earth policy by the Greiner-Murray Government to facilitate Japanese investment in the area? Are the people of Emerald Beach being used as pawns to be pushed over in the obscene rush to lay down sewerage infrastructure that will benefit property developers and Japanese interests, and perhaps even the interests of the Yakuza, who are active on the coastline? I ask honourable members to make themselves aware of what is happening at Emerald Beach. To ignore the plight of these ordinary citizens is to ignore the survival of democracy in New South Wales. The people have a legitimate right to protest, and the Government has no mandate to use the police as their personal stormtroopers. Close your eyes at Emerald Beach and it is not hard to imagine you are in the deep south of America. This cannot be allowed to happen in New South Wales. Yesterday I read an editorial in the *Advocate* that asked why the Government was allowing this to happen, why the Government allowed almost the entire population of Emerald Beach to be arrested, and why such a large number of police were used. The situation is serious and clearly it has got out of hand. I understand that members of the other House and possibly of this House will visit Emerald Beach in the next few days to see for themselves what is happening. Clearly the Government must act immediately before the situation gets any worse.

Motion agreed to.

House adjourned at 4.27 p.m.