

LEGISLATIVE COUNCIL

Thursday, 5th December, 1991

The President took the chair at 10.30 a.m.

The President offered the Prayers.

SUPERANNUATION LEGISLATION (AMENDMENT) BILL

WORKERS COMPENSATION LEGISLATION (AMENDMENT) BILL (No. 2)

WORKERS COMPENSATION (BENEFITS) AMENDMENT BILL

PAY-ROLL TAX (AMENDMENT) BILL

Formal stages and first reading agreed to.

Suspension of certain standing orders agreed to.

EAST TIMOR HUMAN RIGHTS

The Hon. ANN SYMONDS [10.35]: As president of the parliamentary group of Amnesty International I move a matter of grave concern to all Australians. I move:

That this House:

- (1) registers its protest against the human rights violations documented in the Amnesty International report "East Timor - After the Massacre";
- (2) condemns the killing of about 100 people by the Indonesian security forces at Santa Cruz cemetery in Dili, East Timor on 12 November 1991;
- (3) expresses concern at the unconfirmed reports that between 60 and 80 more people were extrajudicially executed on 15 November 1991, and their bodies buried in large unmarked graves outside of Dili; and
- (4) calls on the Australian Federal Government to play a leading role in promoting a United Nations investigation of the Dili massacre under the auspices of the Secretary-General.

I urge all honourable members to support the motion.

Motion agreed to.

MEXICO HUMAN RIGHTS

The Hon. ANN SYMONDS [10.36]: As president of the parliamentary group of Amnesty International and in support of the recent Amnesty International report on continuing human rights violations in Mexico, I move:

That this House, while welcoming the increasing trade and cultural links between Mexico and Australia which can only be beneficial to the countries in the Pacific Rim:

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- (1) condemns the persistent use of torture in Mexico and the impunity accorded to the perpetrators of torture, as outlined by Amnesty International in its latest report;
- (2) calls on the Mexican Government to implement Amnesty's 16 measures to fulfil its obligations under the UN Convention against torture and other cruel, inhumane or degrading treatment or punishment to which Mexico is a state party; and
- (3) urges the Australian Federal Government to pass these concerns to the Mexican Government through bilateral and multilateral diplomatic channels on a systematic basis.

I urge all honourable members to support the motion.

Motion agreed to.

CANCER AWARENESS

Matter of Public Interest

The Hon. BERYL EVANS [10.41]: I move:

That the following important matter of public interest should be discussed forthwith:

The need for cancer awareness in the community.

This is the third year that we have conducted a cancer awareness week for women in the workplace. Each year it has grown and expanded, and this year it was statewide. Each year has shown more and more the necessity to conduct such programs, as the results continue to show not just how many women we have reached but how many we are not reaching. The disturbing fact is the number of women who continue to die unnecessarily. To show this sad fact let me give honourable members a few figures. In 1989, 2,430 women, or 29 women in every 100,000, died of breast cancer in Australia; each year 5,000 women suffer from breast cancer, of whom 2,000 will die; one in 16 women will experience cancer at some time in her life, and one in 24 women will die from it. Cancer is the leading cause of death in women aged between 40 and 54 years. In New South Wales 1,900 new cases of breast cancer and 800 deaths are recorded annually. Also, 300 women will develop cancer of the cervix, and 30 per cent of them will die. Similar figures can be given for men, who suffer from lung, bowel and throat cancer.

With the enormous development in technology for the early detection of cancer, there must be continuous education and assistance for men and women so that they are given every possible means to prevent unnecessary deaths. It never ceases to amaze me how agitated we become over a death that is obvious and visible, yet close our eyes and ears to those who slowly wither away with cancer. Adults seem to develop a shield around themselves with the attitude, "This will not happen to me". The only way we can break down that shield is to reach out and show those people we care, not by trying to show them that they have cancer of some form but, rather, to prove to them that by having tests they can make sure they do not have cancer. Over the past three years of the awareness campaign I have shown that to reach women in the workplace it was necessary to visit companies and ask them whether they would let their staff attend clinics and lectures during working hours. Their quick reaction was

astounding. They wondered why they had not done it before. The follow-up to those sessions has been even more pleasing, as it has alerted management to the need to offer medical checkups to all their staff. It has established a caring attitude and boosted working conditions. Healthy people are happy people. We are now receiving requests from many other organisations as to how they can conduct other health checks for their staff.

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The number of women we have reached in the three years remains small when one considers this nation's population. So many more groups still need help, and we must be able to reach them. Our migrant, non-English speaking groups are difficult to reach due to language difference, religions and differences in culture. This year I had hoped to visit a large factory in the city that employs approximately 300 women of 30 different nationalities. At the last moment, unfortunately, a clash developed between the unions and the management, which upset the program. That distressed me considerably, but I do not intend to be beaten and I shall meet with the management and the unions again very soon. One of the things that makes me cross is the articles that frighten people. Such articles, reported to be the result of recent research or a study done in some place or other, appear continually. Only some facts are reported, and always the worst facts. Such reports only deter people from having tests. Cancer awareness is a serious subject. Let me say once again that the message we are endeavouring to get through to people is that they should have tests regularly to prove that they do not have cancer. An article in a local newspaper published last week, headed "Pap smears can miss cancer", reported on a United States study in which the researcher said:

The pap smear never was a highly sensitive test. It was always an insensitive test and it missed things. There are sampling problems, there are laboratory problems and there are biological problems. Even if the smear is well taken by someone who knows what they are doing and evaluated by the best laboratories, there is still a chance that the disease will be missed.

Such statements can be made about anything. Of course mistakes can be made, but it annoys me that when such reports are made public the number of people who were saved by having regular tests is not made public. A week later another article appeared in a newspaper headed "New cancer method". It went on to say:

Doctors in London have developed a laser technique which makes it possible to treat many breast cancers in their early stages without surgery or through chemical means. This involves directing a laser beam down a hair-like fibre-optic cable contained in a needle.

If that is true, it is wonderful news, but it raises tremendous hopes in women before proper research is carried out or followed up into how successful the treatment is or where it can be obtained. Such a simple treatment instead of a major operation would tempt people to hesitate and delay having tests. Such reports can create false hopes and make people delay having available treatment. If they postpone commencing treatment, it may become too late to have treatment carried out. Such reports will continue. I hope and pray that the right answers will be found, and found quickly. For the moment it is important for women to have regular checks to ensure early detection. It is essential that every possible step be taken to reduce the figures I have given in this brief speech. I ask for the support of the House to pursue this subject further.

The Hon. J. P. HANNAFORD (Minister for Health and Community Services) [10.49]: Cancer is defined as a malignant tumour. It is the second largest cause of death in New South Wales, and in 1989 accounted for 24 per cent of all deaths in this State. Cancer is the leading cause of premature death in persons aged between one and 75 years, as determined by the years of potential life lost. It is the leading cause of death in the age range of 45 to 64 years. In 1984 the New South Wales crude incidence rate for all cancers was 334 males and 288

females per 100,000 population. Patterns of cancer occurrence differ between males and females. In males the main types are cancers of the lung, which accounted for 20 per cent of the total 1984 male cancer incidence, prostate cancer which accounted for 13 per cent, cancer of the colon which accounted for 9 per cent and melanomas and cancers of the bladder and rectum which each accounted for 6 per cent. In females the main types are cancers of the breast, which accounted for

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23 per cent of the total 1984 female cancer incidence; cancer of the colon, which accounted for 11 per cent; melanoma, which accounted for 7 per cent; and cancer of the lung, which accounted for 6 per cent. The incidence of lung cancer in women is known to be increasing. In 1989-90 malignant neoplasms accounted for 4.5 per cent of all New South Wales hospital separations and for 490,515 bed days or 7 per cent of all bed days.

Both the incidence and mortality rate of cancer increase with age. The most common cancers categorised by age groups are as follows: in the age bracket nought to nine years, leukaemia and brain tumours; in the age bracket 10 to 19 years, leukaemia, melanoma and brain tumours; in the age bracket 20 to 29 years, melanoma and cancer of the testes in males, melanoma and cancer of the cervix in females; in the age bracket 30 to 39 years, melanoma and cancer of the testes in males and breast cancer, melanoma and cancer of the cervix in females; in the age bracket 40 to 49 years, melanoma, lung cancer and colon cancer in males and breast cancer and melanoma in females; and in the age bracket 50 to 59 years, lung cancer, colon cancer and melanoma in males and breast cancer, melanoma and colon cancers in females. In older age groups, lung, prostate and colon cancers predominate in males, and breast and colon cancer predominate in females.

There is potential for preventing cancer by reducing exposure to cigarette smoke and ultraviolet radiation, increasing the intake of certain foods, and early detection and treatment of precancerous conditions. The mortality from some types of cancer can be reduced by early detection and treatment. However, that requires significant awareness within the community. The motion before the House relates to cancer awareness in the community. The Hon. Beryl Evans has done a significant amount of work in this State in relation to cancer awareness, particularly among females. As I have said, though mortality from some types of cancer can be reduced by early detection and treatment, that is not so for all types of cancer. The incidence of a number of types of cancer will be significantly reduced if there is greater awareness in the community. Cancer is a matter of significant public importance and the Government supports the motion for a debate on it.

Motion agreed to.

The Hon. BERYL EVANS [10.54]: The 1991 Cancer Awareness Week campaign for women in the work force marked the third year of this event and the statewide expansion of the campaign. Much to my delight, the campaign has become a calendar event for the State's women's health nurses. The object of the campaign is to raise women's awareness about the value of the pap smear and increase understanding and confidence in breast self-examination. This year the campaign was launched at the Australia and New Zealand Banking Group Limited by the Minister for Health and Community Services, the Hon. John Hannaford. I launched the campaign at Blacktown hospital. This year banks and insurance companies were approached for support for the campaign. This approach was taken up by the Australia and New Zealand Banking Group Limited, the Prudential Assurance Company, Legal and General Insurance and the Colonial Mutual Life Insurance Company.

The workplace provides an ideal point to reach women. More than 50 per cent of women work in paid employment outside the home. For example, 70 per cent of the work force in the Australia and New Zealand Banking Group Limited are women. I was delighted to receive a letter signed by Dr Stuart Boland, President of the Australian Medical Association, and Dr John Gray, Chairman of the New South Wales Faculty of the Royal Australian College

of General Practitioners. Copies of that letter were sent to all medical practitioners in the State requesting their support for the campaign. Lectures
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were given at work sites by representatives of the New South Wales Cancer Council. Clinics were conducted by the Family Planning Association and women's health nurses. Information packages were distributed. Within the Australia and New Zealand Bank alone, 300 packages were distributed to metropolitan branches and 200 to rural branches. A questionnaire developed by the Family Planning Association and translated into 11 languages was distributed at screening sessions. It is hoped that these questionnaires will yield clearer figures for research.

I should like to list the major work sites in the metropolitan area which were involved in the campaign, as I was delighted by the response. They included the Australia and New Zealand Bank, the Australian Bureau of Statistics, Balmain hospital, Blacktown hospital, the Colonial Mutual Life Assurance Company, Darrell Lea, Grace Brothers at Penrith, Mount Druitt and Blacktown, Greenwich hospital, Johnson and Johnson, Kellogg's, Legal and General Insurance, the Macarthur shopping centre, Marrickville Hospital, Masterfoods, Mount Druitt Hospital, Parliament House, Prudential Assurance, the Royal Children's Hospital, Speedo, Sunbeam Electrical, the Royal North Shore Hospital, Rheem Electrical, the Totalizator Agency Board at Liverpool and Telecom at Campbelltown. Work sites in the rural region included Albury International at Wyong, Bartter's chicken processing factory, BHP in the Hunter and Illawarra regions, child care centres and playgroups in the New England region, Grace Brothers in the Illawarra, Wagga and New England regions, David Jones in the Illawarra region, the Letona factory at Leeton, Wyong council, nursing homes in the New England region, and women working on farms in the southwest region.

To give honourable members some idea of these programs, in the Southern Sydney Area Health Service, the Darrell Lea factory was the site for workplace intervention because that company is an employer of women and has an identified commitment to staff health education. A total of six half-hour educational sessions were conducted in relation to breast self-examination and pap smears. A number of women attended the clinical services, 23 per cent of whom had never had a pap smear. Languages other than English were spoken by 52 per cent of the women and only two out of 10 between the ages of 50 and 69 had had a mammogram. In the Southern Sydney Area Health Service, two shopping malls were the site for promotion. Working women were specifically targeted, but services were available to all women. At Minto Mall, where a range of health checks was offered, the blood pressure of 150 women was checked and a number attended the clinics. At Bonnyrigg Plaza it was pleasing to note that 35 per cent of the women attending the clinics were from non-English speaking backgrounds. Similar programs were conducted at Ryde, Royal North Shore Hospital and Manly. Five sessions were conducted at Roche, two at Schwarzkopf, one at Hanimex, two at Blackmores and one at Innoxia.

Blacktown hospital provided a full health display at which staff and visitors could discuss all facets of health. In the Orana and Far West health region a range of strategies were employed, including a women's health information evening held in Dubbo on 25th September attended by 556 women. I launched the campaign of that region earlier in the year. The coverage in radio and press was good and we are still collecting reports from other centres and hope to have a fuller report early next year. There is no doubt about the success of the campaign, yet this is a report of the number of women we are reaching, not those that we are yet to reach. This is obvious from the figures I gave earlier. I repeat, in 1989, 2,430 women died of breast cancer in Australia; 5,000 women suffer breast cancer annually, of whom 2,000 will die from it. One in 16 Australian women will experience it at some time in their lives and one in 24 will die of it. It causes the loss of 32,000 woman years of life annually, 14,000 of which would have been

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lived before the age of 70. It is the leading cause of death in women aged between 14 and 54. In New South Wales alone there were 1,900 new cases of breast cancer each year. Also in New South Wales, 300 will develop cancer of the cervix, 30 per cent of whom will die from it.

It is interesting to compare the total fatalities from motor vehicle accidents in New South Wales in a 12-month period. In the year ending 14th November the figure for both sexes was 694. However, in 1989 only 265 of the 920 road deaths were of women. My reason for the comparison is to show how much notice is taken of motor vehicle traffic accident deaths as opposed to women's deaths from cancer. Why is this so? Is it perhaps because victims of motor accidents are visible and messy and create news items to be photographed and reported while deaths from cancer are lonely, not reported and felt only by the immediate family? It is a great pity that the same quantity of money that is spent on endeavours to gain road safety, and the research that goes into ways and means of saving lives on our motorways, could not be equalled in cancer research. I am not saying that cancer research is not being carried on - it is - but so much more is needed. In relation to the Roads and Traffic Authority road safety strategy, it was interesting to read:

Road accidents rank with cancer and heart disease as major public health issues in New South Wales, being the main causes of loss of years of productive life. Road accidents cost about \$2 billion per year including public expenditure of \$400 million.

This gives some idea of the amount involved. How wonderful it would be if that much money could be put into cancer research. The figure for fatalities for the 12 months to 14th November is 694. Over the same period fatalities from road crashes were at the rate of 16.1 per 100,000 of population, whereas for women's breast cancer alone the 1989 figure is an unacceptable 29 per 100,000. When we can see such figures why can we not get people to listen and heed what we are saying? The message is very simple? As the Cancer Council said:

Screening for breast cancer by mammography can reduce mortality in women screened, by one third.

The Federal Government has promised a program for mammography screening, yet to date we are still waiting for this program to swing into action. How stupid it is that we cannot claim on medical benefits for mammography tests unless we are referred by a doctor and or there is a history of cancer in the family. In recent weeks in this House we discussed at length the problem of smoking. We have focused on anti-smoking in these cancer campaigns over the past three years. The smokescreen unit under the capable and most enthusiastic campaigner, Professor Dr Robin Richmond, has conducted tests in the public arena during each campaign - a program which I believe will do far more to stop smoking than removing a few billboards. In this program we endeavour to show not only the relationship between smoking and lung cancer but also the connection between cervical cancer and smoking.

It is pleasing to note that the Federal Government is launching a nationwide cervical cancer campaign. I only hope it will be realistic and not just a lot of pretty propaganda. I have a pet hate of government programs that produce lots of pretty, colourful paper and lots of publicity in the hope that something happens and people react. Such programs rarely result in any feedback, nor do we know whether anyone reacts to them. We have gone out personally to reach the people, talk with them and supply the needs of testing and help. One region has produced a register of companies and businesses which have taken part in these campaigns and which are now chasing others

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in the region to join so that yearly campaigns can be guaranteed. I had the pleasure of launching the register in Liverpool last week. The organisations already on the register include: Bankstown City Council, Bankstown Hospital, Coles New World at Minto, Hawker de Havilland, the Health and Nutrition Centre, K-Mart at Minto, Fairfield Hospital, Lever and Kitchen Rexona Pty Limited at Minto, Liverpool College of Technical and Further Education, Liverpool Hospital,

Minda Detention Centre, Minto Mall Pharmacy, Nally Limited, Pirelli Cables Australia, Stanley-Bostitch Pty Limited, the Totalizator Agency Board at Granville, Tegel Pty Limited at Ingleburn and Tahmoor, Tetra Pak (Australia) Pty Limited, and White Wings Foods.

All these organisations have agreed to provide health promotion materials at work; implement a smoke-free workplace policy; support preventive screening clinics at work; allow time off for women to attend preventive screening services; and encourage their occupational health nurse to be informed and resourced about women's health issues. One of the insurance companies which participated this year said that not only was the management pleased with the campaign but the lift in the morale of staff also was very noticeable: that they were delighted that someone cared about their health. Each year we have endeavoured to reach more and more work site places and at the same time establish a set date for the program each year. So even when I leave this Parliament the programs will be in place and continue.

I cannot thank my committee enough, a group of people who have been as enthusiastic as I to get out into the workplace - the nursing educators who gave lectures; the doctors who have spoken on radio talk back programs; the Family Planning Association, which has conducted clinics; the New South Wales Cancer Council, which has conducted lectures, with all the organisation that this has entailed; and the regional health centres and nurses who have reached out to people in their areas. All have given so much to achieve this success. I have reported this campaign to the House in an endeavour to awaken everyone to the urgency of early testing to prevent the onset of carcinomas - be they skin, breast, bowel or any other type; remembering I have given figures only for breast and cervical cancer. The total deaths from cancer are horrific, and they need not occur.

In 1989, 12,943 women died of cancer in some form. When figures for men are added the total deaths from cancer are 30,144 - a staggering 179 men and women per 100,000 population. The number of deaths can be reduced dramatically and the means to do this is so simple and easy but so important. It is very easy to have a dream and plan its reality, but it can be achieved only by gathering like people who see the need for such a dream and who have the desire to make it work and become a reality. The three years of the cancer in the workplace program is proving successful in a small way and is reaching a great number of people but so much more help and assistance are needed to continue this campaign. We are already planning the next program for 1992 and I hope all members get the message that they, their families and their friends must have regular tests.

The Hon. J. P. HANNAFORD (Minister for Health and Community Services) [11.9]: I welcome the Hon. Beryl Evans bringing before the House the need for cancer awareness in the community. Given that the Hon. Beryl Evans is the chair of my ministerial committee on women's health, it is more than appropriate that she call our attention to these matters. As I will demonstrate, this is an area in which the Department of Health is taking active steps, primarily through the better health program, which was established by the New South Wales Department of Health in 1989 as part of a national program to improve the health of all Australians. I draw to the attention of the House,

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particularly members of the Opposition, that the Federal Government better health program - a three-year program - expires in June of next year. That program has achieved a lot in pursuing prevention mechanisms. It is my understanding that the Federal Government does not intend to maintain that better health program next year.

I urge honourable members opposite to bring pressure to bear on their Federal colleagues and draw their attention to the importance of that program, and the fact that New South Wales leads the nation in better health preventative measures. One of the priorities set by this State relates directly to cancer. The goal is to reduce avoidable illness and premature death from lung, breast, cervical and skin cancers. It is commonly accepted that prevention plays a vital role in reducing the incidence of all forms of cancer. In the case of both breast and

cervical cancer early detection and screening is the primary approach. Tobacco smoking is the major cause of lung cancer, and health promotion interventions will continue to be directed towards the reduction of smoking. Exposure to ultra violet light is a major cause of melanoma and skin cancers, which can be avoided through the use of sun screens and limited time exposure to the sun. In Australia, about one woman in every five is affected by breast cancer. It is the most common cancer found in Australian women and the leading cause of death in women aged 30 to 60 years.

In New South Wales alone about 2,000 new cases of breast cancer are diagnosed each year, resulting in 800 to 900 deaths. Though it is not yet possible to prevent cancer, there is evidence that if detected early enough and treated appropriately, the associated mortality can be reduced. Research in the United States of America and in Sweden has shown that quality controlled screening mammography has the potential to reduce mortality from breast cancer by about 30 per cent in the 50 to 70 years age group. A benefit for women aged 40 to 50 years has not been clearly demonstrated. Therefore, it is anticipated that a high quality, integrated mammographic screening program, screening 70 per cent of women aged 50 to 69 years, can reduce breast cancer by about one-third in these women. This would avert approximately 220 premature deaths from breast cancer each year in New South Wales. To achieve such figures, however, a high quality program must incorporate at least four elements. These are: targeted recruitment strategies which achieve at least 70 per cent participation of eligible women; quality screening services; expert assessment of women with abnormal screening mammograms; and appropriate management of abnormalities detected. I am pleased to assure the House that the policy adopted by this Government incorporates these four elements.

It is the Government's aim to reduce the incidence of breast cancer by 30 per cent in the target age groups. To meet this goal the Government has a policy of comprehensive care, and provides a spectrum of services to address this major women's health problem, such as breast cancer awareness to inform women about breast cancer and the importance of early detection, including active promotion of mammographic screening for women in the target age range, and of breast self-examination; and high quality screening mammography provided by fixed and mobile screening units, linked to expert assessment centres and treatment services. The State currently has four mobile screening units. Only a few weeks ago in Newcastle I had the pleasure of launching a second mobile unit for the Hunter region. I was impressed by the community support, particularly through television station NBN, which conducted a telethon to raise funds for that mobile unit. I understand the television station plans to conduct another telethon next year in order to provide further services. Assessment centres, appropriately equipped and staffed by multidisciplinary teams of experienced and expert professionals, provide assessment and diagnosis. Treatment services are to be linked to assessment centres, with experienced surgeons, radio therapists and medical oncologists, to provide appropriate management of abnormalities when they are detected. Counselling services for women who are at risk of developing, or are found to have breast cancer, are being provided.

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New South Wales has adopted a model for mammographic screening, developed by the former ministerial advisory committee, which comprised senior academics and clinicians in the areas of cancer medicine, radiology, pathology, surgery, oncology and public health. The model is based on a network of accredited assessment centres, each with a cluster of fixed and mobile screening units. Accredited assessment centres provide a full, expert, diagnostic workup of abnormal breast findings, and are integrated with comprehensive, high quality treatment services. In order to be accredited the assessment centres are required to include full mammography facilities, ultrasonography, histopathological and cytopathological expertise, surgical expertise for the management of screening detected lesions, and counselling for women found to have breast cancer. There are currently two assessment centres: one at Rachel Forster Hospital, Sydney, and the other at the Mater Misericordiae Hospital, Newcastle. Each of these assessment centres has two mobile vans. To date, 37,000 women have been

screened by these two centres, including screenings conducted in mobile vans: 21,000 in the central Sydney area and 16,000 in the Hunter region, and it is expected that with an additional mobile van in the Hunter region this number will be doubled.

It is anticipated that in 1992 three additional centres will be established. These centres will be situated in the western Sydney area of Westmead, in the Northern Sydney Area Health Service at Royal North Shore Hospital, and the North Coast privately operated mammography centre at Lismore. The two Sydney-based assessment centres will have one mobile van initially. The need for more vans will be assessed once the vans are in operation, but will be dependent on resources and need. The Lismore assessment centre has been designated as a rural demonstrated unit. In this capacity the centre will identify particular problems encountered by women in rural areas in relation to screening, such as access. This information will be used to investigate possible solutions to the problems identified, so that appropriate steps can be taken in the establishment of other rural services. The placement of future screening assessment centres and screening units has been identified in the New South Wales program for a mammographic screening strategic plan prepared by the State Cancer Council.

This plan outlines the metropolitan and rural mammography screening program for the next five years. It is currently being reviewed by my department and will be forwarded to the Federal Government in the near future for its endorsement. New South Wales has played a leading role in developing a statewide breast cancer screening program. Its program is part of the national program for the early detection of breast cancer. Though New South Wales leads other States in the development of a statewide plan, its achievements have not been without frustrations from the Federal Government. The Federal Government's interest in breast cancer is relatively new. In February last year the Prime Minister made a statement on the issue, which was followed a few months later by the release of the document, "Breast Cancer Screening in Australia: Future Directions". The issue was picked up by the Australian Health Ministers Advisory Council, which established a breast cancer screening evaluation steering committee and reported in May of that year. It was not until April of this year, however, that the Federal Government started to examine the issue in practical terms with the national advisory committee for early detection of breast cancer meeting in April.

Subsequently the States entered into agreements with the Federal Government, which committed the Federal Government to provide matched funding for programs

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devised by the States. On 11th June New South Wales signed its agreement. According to clause 15 of the agreement, State plans were to be submitted to the Federal Government within two months of signing the agreement. Once again the Federal Government has imposed its agenda on the States without providing sufficient preparation time. Given the complexities of this State, its large population, the consolidation of expertise around the teaching hospitals - most of which are in the metropolitan area - and the State's geography, this two-month deadline set by the Federal Government was totally unrealistic. The Government has chosen to use the New South Wales Cancer Council as the auspice group for this program. The State's plan is being prepared by the State Planning and Co-ordinating Unit for the early detection of breast cancer which is attached to the New South Wales Cancer Council. I commend the co-ordinating unit for its involvement in preparing our statewide plan in such a short time.

Since 1990 the Federal Government has toed the line. While delaying and stalling it has expected the States to produce their implementation plans under unrealistically set deadlines. A further example of the problems we are experiencing with the Federal Government is its unwillingness to negotiate various aspects of the agreement. For example, this State wanted to target for screening women in the 50 to 59 year age group. This decision was based on research that demonstrated that this is the only group that would benefit, in

terms of a reduction in mortality, through regular screening. The Federal Government, however, has insisted that screening should include those in the 40 to 49 year age group. This obstinate stand taken by the Federal Government will result in a shift in costs from the Federal Government to the State Government. Women in the 40 to 49 year age bracket will be encouraged to be screened at State-funded programs rather than through Medicare. This mammographic screening program is the first national population screening program for cancer in Australia. It is the first opportunity we have to do something positive in this nation about breast cancer. We will only have one crack of the whip, and we have to get it right the first time round. The community will not allow us another go should we fail to implement the program in a way that guarantees equity of access and the full provision of necessary services. It will also ruin the chances of other preventive programs in the future. It is in no one's interest - the government, community, health professionals or women - for us to rush into a program that is not sustainable.

It has been estimated that one in 71 Australian women will develop invasive cervical cancer. The rate is highest among women aged between 40 and 55 years. The International Union Against Cancer has estimated that 90 per cent of invasive cervical cancers could be prevented by screening at regular intervals. As honourable members would be aware, cervical smears enable the early detection of cervical cancer and the detection and treatment of pre-malignant lesions. The State Government funds a range of services providing cervical cancer screening for women through women's health centres and women's health nurses. The department's health promotion unit and the women's health unit, in conjunction with the New South Wales Cancer Council and the Hon. Beryl Evans, were responsible for cancer awareness week for women in the workplace. The campaign seeks to encourage all adult women to have regular pap smear tests to check for abnormalities that may lead to cancer.

On 23rd September I had the pleasure of launching that campaign. I was particularly impressed by the growing number of organisations that are participating in the program and providing opportunities for their women employees to have pap tests during working hours. The number of organisations involved in the campaign this year is twice that of last year and they include the companies referred to by the Hon. Beryl Evans. As a demonstration of the Government's commitment to and modelling of this cancer prevention strategy, the Department of Health granted its female employees time

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off work so they could have pap tests during office hours. A number of other programs have been pursued by the Government with regard to lung and skin cancers. In relation to skin cancer the Me No Fry campaign has again been launched and will continue for the next four months. This year the campaign will target specifically the 12-year to 20-year age group. Young people must have drawn to their attention the dangers of skin cancer.

The Hon. ANN SYMONDS [11.24]: I am extremely pleased to be able to contribute to debate on this motion. I congratulate the Hon. Beryl Evans upon introducing this matter to the House, and upon the way in which she fostered and developed cancer awareness week, particularly for women in the workplace. The honourable member has demonstrated forcefully the way in which women in Parliament can act in the best interests of women in the community. I support the Hon. Beryl Evans wholeheartedly in that regard. The program adopted in the Parliament House workplace was much appreciated and effective. I attended that clinic. I was happy to be in the company of secretarial, cleaning and ministerial staff, and members of Parliament, waiting for my appointment. I pay tribute to the way in which the Hon. Beryl Evans has pursued the matter not only in the Parliament but also in the community. In supporting the motion I remind honourable members that from 24th to 30th November New South Wales observed skin cancer awareness week. During that time our local newspapers focused on skin cancer. I am particularly proud that alderman Meredith Symonds, the chairperson of the Environmental Health Commission of Waverley Municipal Council, launched the sun and skin campaign at Bronte Public School. At that launch she said:

With two out of every three Australians contracting some form of skin cancer in their lifetime, skin cancer is a serious problem for everyone to address. Australia has the highest rate of skin cancer in the world with 1,000 people dying from it each year.

Alderman Symonds was drawing attention to the fact that we have a particular responsibility to protect schoolchildren in this regard. Schoolchildren are very much at risk, particularly in Australia, because of the amount of time they spend outdoors. Some schools have recognised that our children are at risk, particularly children with fair skin. In fact, 90 per cent of patients at skin cancer clinics are Anglo-Celtic children. With regard to skin cancer the damage is done in one's first two decades of life. Children living in cooler climates for the first two decades of their lives do not contract skin cancer at the same rate as those born in hot climates such as in Australia. The class timetables for children at Quakers Hill Public School in Sydney's outer west have been amended so that sporting activities are conducted earlier in the day when the sun is lower in the sky. The school's 630 students, from kindergarten to Year 6, are not permitted to play in the playground unless they each wear a hat during summer when the temperature reaches 40 degrees celsius. The school is a strong advocate of the no-hat, no-play rule. It is mandatory for students and teachers to wear hats and sunscreen.

Unlike the days when I was a schoolteacher, students no longer eat their lunches in the playground during the summer months. Teachers are recognising the dangers of skin cancer and are taking strong action on behalf of children. I congratulate them for that. Australia, however, is facing an additional problem. While the world is discussing the hole in the ozone layer created because of the overuse of chlorofluorocarbons, Australia is actually experiencing problems associated with ultraviolet rays. The hole in the ozone layer is directly over Australia. Therefore, we must ensure that we do not overexpose ourselves to ultraviolet rays. It is true that 99 per cent of all skin cancers can be treated if they are detected early.

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Early detection of all forms of cancer is the best measure of protection that can be brought to bear in health policy. I support the comments made by the Minister for Health and Community Services about the breast cancer program. He said that in March 1990 the Prime Minister announced funding of \$64 million for the first three years of a five-year national program for early detection of breast cancer to be run in co-operation with the States, Territories and anti-cancer councils. The program builds on evaluation and public awareness activities that were initiated in 1988-89 and augmented in 1989-90. That program will target women 40 and over who are most at risk and will include screening, assessment and counselling to ensure early detection and treatment. Currently more than 2,300 Australian women die each year from breast cancer. Studies indicate that early detection and treatment could lead to a significant reduction in mortality rates of about 16 per cent. I am distressed that in her book that has recently received wide publicity in the popular media, Germaine Greer is critical of the use of mammography. I hope that other messages from health authorities will be powerful in the community to counteract that most unhelpful message that Germaine Greer has been perpetrating.

Early detection of cervical cancer, as the Hon. Beryl Evans said, is vital. In March this year, after consultations with professional and women's groups, all health Ministers agreed to co-operate in developing an organised approach to cervical cancer screening, including a uniform screening policy based on routine screening every two years, improved recruitment and reminder services, more equitable distribution and improved reliability of cervical cancer screening services and management of abnormalities. I am concerned and wish to put on record that the recent introduction of co-payment of \$2.50 for Medicare service may deter some women from availing themselves of the preventive health measure of being screened for breast or cervical cancer. Cervical cancer is a more serious issue in that unless a woman has a pap smear she has no early indication of any difficulty in that area. Other cancers may be externally visible; the same warning does not exist with cervical cancer.

Women on tight monetary budgets may feel well and healthy but may be loath to use precious household funds on a screening test. The measure introduced by the Federal Government is most unhelpful in the face of broad agreement that prevention is the most important measure in managing public health. Early detection is the most useful weapon in managing cancer and thereby saving lives. Co-payment works against the best interests of women. Unfortunately, lung cancer seems to be overtaking breast cancer as a cause of death in women, as a result of increased use of tobacco products by women and young girls since World War II. Lung cancer develops over 30 years and more attention should be given to it.

The PRESIDENT: Order! The honourable member has exhausted her time for speaking.

The Hon. PATRICIA FORSYTHE [11.34]: I support the motion moved by the Hon. Beryl Evans that this House affirms its support for cancer awareness programs for the people of New South Wales. Cancer is always a terrifying disease, but perhaps never more so than when it is diagnosed in a child. Though it does not affect a statistically large number of children, it remains the third most common cause of death among one-year to 14-year olds in New South Wales behind accidents, especially drowning but also poisoning, and congenital abnormalities. Reports also suggest that childhood cancer may be on the increase. Dr William McWhirter of the Department of Child Health at the Royal Children's Hospital in Brisbane published a study earlier this year pointing to an increase in the incidence among Queensland children aged nought to 12. Despite these

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grim statistics, there is some good news. While no singular cure for cancer has been found, a series of small breakthroughs means that the diagnosis of cancer is no longer necessarily a death sentence. Children in particular have benefited.

We now have more effective drugs and better directed use of surgery and radiation therapy. Advances in medical research make the successful treatment of complications more likely. Increased community awareness is leading to earlier detection - and of course it is that important fact of early detection that underlies the theme of this motion. In the 1950s the diagnosis of the most common form of childhood leukaemia - acute lymphoblastic leukaemia - was undoubtedly a death sentence. Today that condition has a 70 per cent cure rate. So though there appears to be an increase in the incidence of cancer, advances in treatment over the past 20 years mean that the child is more likely to survive the illness. One area, however, where much work needs to be done before we can make such positive reports is skin cancer. Every year 120,000 new cases of skin cancer are diagnosed in Australia. That is the highest rate in any population. Each year almost 1,000 Australians die from skin cancer. Much of the damage which later results in skin cancer is caused during childhood years.

We heard from the New South Wales Cancer Council conference in August of this year that since 1976 the incidence of skin cancer has almost doubled to 33 in every 100,000 men. I repeat that the rate has almost doubled since 1976. In the same period the incidence increased from 22 to 26 in every 100,000 women. Despite this, research suggests that as many as 92 per cent of women and 84 per cent of men do not use sun protection. In 1988 a study of adolescents showed that nearly nine out of 10 adolescents used no form of sun protection. Perhaps the most distressing news of all came last summer when doctors at the Children's Hospital at Camperdown announced an alarming increase in the incidence of serious sunburn among toddlers and infants. It is true that early removal and diagnosis of skin cancer is common. In fact there is a very high cure rate if it is detected in the earliest stages. No one survived skin cancer 50 years ago but today the cure rate is 80 per cent. That is good news, but we should remember that skin cancer is largely preventable. Prevention is the key. I am pleased to report that my home town of Newcastle will develop a sun protection policy for local governments across the State. This comes after receiving a \$35,000 State Government grant under the local government sun protection project. The Hunter, regrettably, has a high

incidence of melanoma, with 40 in every 100,000 residents affected compared with the State average of 22 in every 100,000. On the theme of prevention, only last month the Minister for School Education and Youth Affairs launched the innovative Sunsmart for Schools program. It is the most recent program in the department's longtime association with the New South Wales Cancer Council. The policy was the first of its kind in Australia, but has already been picked up by other States.

Not only are students taught to wear hats, sunscreens and other protective clothing when outside, the program also encourages the planting of trees to provide shade in the playground and the rescheduling of outdoor activities to avoid those times of the day when the sun is at its most intense. Clearly the importance of such programs cannot be overstated. As I have noted already, skin cancer is largely preventable and is apparently a direct result of the lifestyle people choose. The cost of treatment for an average skin cancer is \$400. Given the statistic that each year 100,000 Australians are treated for this largely preventable disease, the strain on the health system is considerable. In addition, up to 500,000 Australians are treated for solar keratosis each year at a cost of \$50 a treatment. As with so many other areas of community education, if people are taught young about the dangers of exposure to the sun and to be aware of and alert to all forms of cancer, those frightening statistics, which continue to spiral, will

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perhaps begin to fall. The bottom line is community awareness - community awareness of appropriate lifestyles to avoid cancer, especially skin cancer, and community awareness of the early signs of cancer. The Me No Fry campaign, launched on 24th November, which the Minister for Health and Community Services mentioned earlier, is targeted at the 12-year to 20-year olds, considered to be the toughest age group to encourage to adopt sun protection measures. Knowledge of sun protection measures is relatively high among young people. However these measures are not adopted consistently by teenagers.

The Me No Fry strategy is to put sun protection on the agenda of the youth culture. Advertising, public relations, sponsorship and local activities are being used to achieve these objectives. The campaign will run for four months from November to March. It has a budget of \$1.1 million. Activities of the campaign include a multimedia campaign, including radio, which commenced on 24th November, television, which is to commence on 15th December, and cinema, which is to commence on 26th December. There will be outdoor posters, a superbus, an advertisement in *Dolly* magazine and ancillary materials such as hats, T-shirts and stickers. In addition, local health promotion units are implementing a Me No Fry campaign at local level. Activities are aimed at attracting the attention of teenagers and include activities such as Me No Fry pool parties, murals, beach volleyball competitions and radio station promotions. Programs of community awareness and education are essential if people are to be challenged about their lifestyles. I congratulate the Hon. Beryl Evans on raising this important issue today. With school holidays commencing in a week's time for the summer break, it is most timely that we remind the population of the importance of taking appropriate measures to protect themselves in the sun. In particular, we should remind parents of their obligation to protect their children and should remind older adolescents and teenagers that being tanned is not necessarily cool. I congratulate the Hon. Beryl Evans also on the work she is doing to raise awareness through the workplace screening program. This motion is timely and highly relevant.

The Hon. I. M. MACDONALD [11.43]: At the outset, I congratulate the Hon. Beryl Evans, who not only has brought this motion before the Chamber today and given honourable members the opportunity to discuss an issue of immense public importance, but has continued to work in the community to increase the awareness of cancer and the preventive strategies that people who are concerned about their health and about the health of others can adopt. The Hon. Patricia Forsythe spoke about the Me No Fry strategy and the campaign that will be undertaken this summer. No doubt it is a laudable campaign, but I am somewhat apprehensive about our ability to curb this problem. Every day of the week on television advertisements appear one after another promoting a skin cancer inducing culture. One only has to remember

the millions of dollars spent on Coca-Cola advertisements across Australia that laud a sun-bronzed lifestyle. It runs counter to preventive strategies we may pursue at a State and national government level that we have still in this country this image of the sun-bronzed Australian. The negative side of that is never shown - that 500,000 people each year seek treatment for the effects of overexposure to the sun.

In the long term we must tackle this problem far more strongly. In the light of today's knowledge and awareness of the causal effects of exposure to the sun individually and collectively we must tackle front on the companies who promote the sun-bronzed Australian culture as acceptable behaviour. We must persuade them to be far more responsible in their promotion of lifestyle in an endeavour to sell their products. Programs designed to win subliminal product support from people through a mass campaign are unacceptable in this age. We must start to tackle these culture promoting

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lifestyle images that are undermining laudable strategies such as the Me No Fry campaign referred to by the Hon. Patricia Forsythe. Sheer weight of numbers is important, because we have a culture that encourages dangerous lifestyle behaviour at the same time as we spend a few million dollars trying to redress the problems.

There are a number of major causes of cancer in this community. This Chamber has started tackling one of them by passing legislation limiting tobacco advertising. As honourable members know, tobacco is one of the great causes of lung cancer. It is leading to a rapid increase in the number of young women who contract lung cancer. Tobacco smoking is an incredible abuse of health generally and particularly of young people who are not in a position to understand the meaning of some of the things they do when they are young that may affect them later in life. Smoking might be a cool thing to do when one is 15, 16 or 17, but the downside is not fully understood by young people. Limiting tobacco advertising is an important step in getting to the heart of one of the major causes of cancer. I should like to refer to pollution and its relationship to the emergence of cancer. A lot more work needs to be done in this area. Our lifestyle utilises a lot of the world's resources. Converting those resources produces a lot of emissions in the city. There are emissions from cars and factories. Our air quality is not up to scratch. It has been shown that the western suburbs of Sydney have high pollution levels. We have to do a lot more work in stemming pollution in the community, much of which I believe is cancer inducing.

The relationship of alcohol to cancer is well established. That problem must be tackled by means of a proper educative campaign. Occupational factors also need to be considered. I was heartened to hear the Hon. Beryl Evans speak about the increased workplace screening of women for cancer. The level of government regulation and activity needs to be looked at. All companies should be encouraged to allow employees to take time off for cancer testing. If that becomes a problem in the long term, employees who wish to take time off work for such tests may have to be protected. The strategy of workplace testing must be broadened. The useful work which has been done so far is laudable, but much needs to be done to ensure that more women in the workplace are screened for cancer. It has been broadly demonstrated that people in certain occupations are at greater risk of contracting cancer than others. Strategies must be devised to deal with that problem.

Diet is another problem. Every day we are confronted by enormous advertising campaigns, particularly on television, which promote the most unhealthy foods. I refer particularly to fast food which has a low fibre content. Research has shown that fast food lacks many of the ingredients necessary to prevent or limit various forms of cancer. We are faced with a problem which is more comprehensive than many of us are able to grasp. Much of the advertising which confronts young people, as well as those in other age groups, promotes food

and lifestyles which are contrary to the measures needed to limit the increase of cancer. With those words, I support the motion moved by the Hon. Beryl Evans. I congratulate her on the work that she has done. However, I emphasise that the problem is far greater than is generally imagined. It is an across-the-board problem which is affected by the food we eat and our various lifestyles. We face enormous difficulty in offsetting media and advertising campaigns which are directly contrary to full, proper and responsible awareness of the problem. Though the Me No Fry program -

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

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The Hon. ELISABETH KIRKBY [11.53]: I join other honourable members who have spoken in the debate in congratulating the Hon. Beryl Evans on moving the motion. I wish to bring to the attention of the House and, I hope, to the attention of the public the need for cancer awareness in the community. It has been established that though one-third of cancer deaths are preventable and three common cancers are preventable - cervical, skin and lung cancer - two cancers are on the decline - stomach and cervical cancer - and 45 per cent of all cancers treated are now being cured. However, in Australia deaths from cancer continue to increase. That is because the population persists in smoking, follows poor dietary habits - as has just been mentioned by the Hon. I. M. Macdonald - and does not take advantage of early detection and prevention schemes. Cancer is not a single disease. The word "cancer" refers basically to an uncontrolled overproduction of changed cells which replace important cells with useless ones. Cancers have many different origins and are treated in different ways. Much is still unknown about the causes of cancer and its treatment. However, a growing body of information will certainly help all members of the community to avoid certain cancers later in life. Unfortunately, public education campaigns tend to reach only people at low risk and those at greatest risk remain unaware of the danger. Many questions surround the quality of screening procedures and the role of government in preventing and detecting cancer.

I should like to deal first with smoking. That subject was dealt with at some length in the debate on the tobacco advertising legislation, but it must be pointed out again that in Australia lung cancer is the major fatal cancer for men as well as women. The medical profession has established that in Australia tobacco smoking is the direct cause of 90 per cent of lung cancers. It has been estimated that smoking is responsible for 30 per cent of all cancer deaths, many of which are preventable. Non-smokers may contract cancer through passive smoking and air pollution. Tobacco also affects cancers of the bladder, the cervix, the pancreas, the pharynx, the larynx, the oesophagus and the mouth. Some members of the Chamber may believe the use of tobacco is linked to advertising and sponsorship. That is why the recent bill introduced by Reverend the Hon. F. J. Nile and the Australian Labor Party was welcomed.

There is now also conclusive evidence that alcohol consumption is linked to mouth, pharynx, larynx and oesophagus cancers. A few moments ago the Hon. I. M. Macdonald spoke about diet. Though there is no irrefutable link between diet and cancer, a diet high in fibre is now recommended by the medical profession. We are also warned that nitrites and nitrates in salted and cured foods should be avoided, as should the overconsumption of fats and the many additives now used in food. It is now possible to screen for four types of common cancer - skin, cervical, breast and bowel cancer. Despite the fact that screening can produce false results, it is an indispensable aid to early detection and cure. It has been estimated that each year 340 Australian women die needlessly from cervical cancer. However, a growing number of questions have been asked about the quality of tests that are carried out.

There has certainly been a lack of systematic monitoring in laboratories. The Government must work more closely with the medical profession to ensure that there is adequate quality control of such tests and of pathological laboratories.

It has already been pointed out by other speakers that breast cancer is the biggest cancer killer among women. Mammography does not see a pre-cancerous condition, but does detect tumours at an early, treatable stage. However, as many as six out of seven positive results may prove not to be cancer. Though young women have certainly got the message that screening saves lives, mammography is a poor detector of tumours in

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pre-menopausal women as breast tissue changes after the menopause become more transparent to X-rays. There is also the question as to whether young women should regularly expose themselves to X-rays which may in fact cause other forms of cancer. Nevertheless, overseas studies show a clear benefit from screening to women over 50 and the mortality rate has been reduced by one third. Regular screening for older women is essential. I believe it should continue for women in their seventies and eighties. The former leader of my party, Senator Janine Haines worked very hard to persuade -

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

QUESTIONS WITHOUT NOTICE

HOUSING ESTATE WORKERS PROGRAM

The Hon. R. D. DYER: I refer the Minister for Health and Community Services to the Government's decision to fund the housing estate workers program through the Department of Housing for the balance of the 1991-92 financial year. Will the Minister advise the House whether it is the intention of the Department of Community Services in effect to take over the funding of this program by the making of community services grants for the 1992-93 financial year? Are management committees operating the housing estate workers program being encouraged to seek funding from other sources, including local government and voluntary organisations?

The Hon. J. P. HANNAFORD: The honourable member is correct. When the announcement concerning the future of the housing estate workers program was made by my colleague the Minister for Housing and me some months ago we said that the program would continue to be maintained by the Minister for Housing. I think there were some qualifications in respect of some programs. The programs are run by independent organisations, in some cases under the auspices of local government. We said that they should make application for continued funding under the community services grants program. As the honourable member would know, the housing estate workers programs should be seen as programs which complement the large number of community services grants programs which we fund, many of which are in areas in which the housing estate workers programs are being conducted. We ensure that we provide the broadest possible range of community services grants programs and that they complement each other.

We wrote to all the management committees to encourage them to get together with the program funding officers within the department to see how housing estate workers programs could be matched with the objects of the community services programs and to identify the projects suitable for funding under those programs, and to assist with the preparation of applications for funding under the community services grants programs. Those housing estate workers program grants applications will be assessed against all the other funding applications to make sure that there is an appropriate spread of funded programs. We

wanted to make sure that people involved in the housing estate workers programs were given plenty of notice what parts of their program would be funded and what parts would not be so that they could then approach local government or other auspice organisations for funding, or consider whether the programs should continue to be supported having regard to the needs in the local community. The Government should be congratulated for recognising how programs can be properly

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supported and at the same time reinforcing the recognition by people from the housing estate workers programs that the programs must fit in with the total community service grants program so that they do not automatically assume that the funding of their programs would be picked up. Recognising that they will have to compete with all other grants programs, they should look for as many diversified auspice arrangements as they can identify.

SCHOOL CERTIFICATE GRADING CHANGES

The Hon. PATRICIA FORSYTHE: Will the Minister for School Education and Youth Affairs inform the House about changes to this year's school certificate? When will students have their results? What will the changes mean to students?

The Hon. VIRGINIA CHADWICK: I thank the honourable member for her very important question. I am very pleased to be able to inform the House that the 1991 school certificate process has been completed and all year 10 students will receive their school certificate and record of achievement today. I feel sure I speak for all members in sending them my good wishes. Students will find more information included in the school certificate this year because grades have been introduced for all subjects completed. As usual, grades for English, maths and science are allocated to students according to the school's results in the school certificate reference test. So for English, maths and science, students will receive a grade A, B, C, D or E based on their school's results in the school certificate reference test. Students this year, in addition to their school certificate, will receive a record of achievement with grades for each course they have completed. These grades have been allocated to students by their teachers. Again, students will receive an A, B, C, D or E grade. The grades are awarded for subjects individually and so should not be compared across subjects.

The grades provide students, parents and employees with a comprehensive picture of the student's achievements, and in my opinion have been a necessary and most worthwhile addition. Students have been provided with extensive information on the new grading system throughout the year. Members of this House may also have seen advertisements in major metropolitan newspapers as well as a number of ethnic newspapers headed "What the School Certificate Grades Mean". This year more than 79,000 students sat for the school certificate in schools throughout New South Wales. It is expected that at least 58 per cent of these students will stay on until year 12. I am very pleased at the improvement in our overall retention rate. Although no cause for resting on our laurels, this is a major achievement in view of the 42 per cent retention rate in 1986. I am hopeful that this trend will continue.

LEVY ON LABOR PARTY MEMBERS

The Hon. D. J. GAY: My question is to the Minister for Health and Community Services in his capacity representing the New South Wales Minister for Housing. Is the Minister aware of concerns heard from amongst New South Wales Labor members of a possible financial levy on members of Parliament - in fact verified in today's *Sydney Morning Herald* as a figure of \$10,000 - to cover Senator Stephen Loosley's ambitious new housing scheme for certain people in New South Wales?

The Hon. R. D. Dyer: On a point of order. The question relates to a supposed

levy on members of Parliament who belong to the Australian Labor Party. This matter clearly does not fall within the Minister's administration in any form. The Minister can answer only in regard to matters for which he is responsible. The Minister for Health and Community Services clearly is not responsible for the internal affairs of the Australian Labor Party.

The Hon. D. J. Gay: On the point of order. The question was directed to the Minister in his capacity as representing the New South Wales Minister for Housing. It was very specific about Senator Loosley's ambitious new housing scheme for certain people in New South Wales, which is a housing matter, and it was directed specifically to New South Wales.

The Hon. P. F. O'Grady: On the point of order. I was unaware that the Minister for Housing had responsibility for office accommodation in New South Wales.

The PRESIDENT: Order! No point of order is involved.

The Hon. J. P. HANNAFORD: I understand why the honourable member was concerned and I draw upon his comments about not wanting to be involved in the internal affairs of the Australian Labor Party. At present no one would want to be involved in the internal financial problems of the Australian Labor Party. I thank the Hon. D. J. Gay for his important question. As chairman of the National Party he would be staggered at the Sussex Street debt. I am aware that many members opposite were concerned that they would be forced to pay for Mr Loosley's failed entrepreneurial venture. Even the mild suggestion of a \$10,000 levy on members of the Australian Labor Party to meet that debt is quite outrageous. One might well ask whether the imposition of such a levy on members of Parliament would affect their abilities to carry out their public duties. The imposition of such a penalty upon members of Parliament may well fall within some of the provisions of the Independent Commission Against Corruption legislation. I was pleased to read in today's newspapers that the Leader of the Opposition in another place had said that the levy would not be imposed.

The Hon. Judith Walker: That is because we agreed to donate the money.

The Hon. J. P. HANNAFORD: Obviously the smarter members of the Australian Labor Party realised the imposition of a levy on members of Parliament may well be illegal, because of the impact it would have on them being able to represent their constituents properly. The fact that they are now being encouraged to make a donation of \$10,000 is a most interesting revelation. It has been brought to my attention that this action was necessary so that the Labor Party could meet its \$7 million debt. The Leader of the Opposition and head of the Labor so-called Wastewatch committee should stop looking for non-existent waste within the Government and start examining the ALP's mismanagement and waste. The Leader of the Opposition is uptight about this matter and is trying to protect his mate, Stephen Loosley. Honourable members should examine Mr Loosley's involvement in the matter and many other matters. I was interested to read an article in today's *Sydney Morning Herald* entitled "Wran warned me off ALP, says developer". I can understand why the left-wing of the New South Wales Labor Party was so concerned about what was happening and is continuing. According to the *Sydney Morning Herald* article in October 1988 Mr Warren Anderson was approached by the former New South Wales Premier, Mr Neville Wran. In part the article states:

Mr Anderson said he had been telephoned by Mr Wran a month or two after threatening Mr Dowding.

"He said to me that Peter Dowding was going to the elections next year and he didn't want any mud flying around and I had given them my word that I wouldn't go for them," he said.

That is referring to the Australian Labor Party in Western Australia. Mr Anderson said that Mr Wran wanted a written undertaking. The article continues:

Mr Anderson said the written undertaking had been in the form of a deed of release from legal liability over a deal he claimed had been broken by the WA Government.

Honourable members will be hearing more about this matter because Mr Anderson has said that he is willing to sue the Western Australian Government for the recovery of the \$40 million that he claims he is still owed. Honourable members would be aware of the connection between Tommy Domican and Mr Anderson, and the period when Mr Domican was employed by the Labor Party at the same time that Mr Loosley was in control in Canberra. What is the connection between Loosley, Domican and Anderson? Honourable members will hear more about that matter before the WA Inc. hearing is completed. Why was the right wing so anxious to make certain that Loosley became President of the Australian Labor Party?

The Hon. Judith Walker: Because he is a political genius.

The Hon. J. P. HANNAFORD: Because of his financial deviousness. The Hon. Judith Walker has hit the nail on the head. Loosley was regarded as being able to obtain the bags of money and the ALP was in dire straits. Rather than appoint a well-respected person within the community such as Barry Jones as the Federal President of the ALP - the left-wing was not able to get the numbers on the day - the right-wing forced in Loosley. Honourable members will hear considerably more of the problems surrounding Loosley, because not only has he dragged down the ALP in New South Wales through this particular debt, he will drag down the Federal Government. We will see more of that interweaving of connections between Loosley and incidents that the Western Australia Royal Commission is inquiring into. This weekend when the Australian Labor Party meets to consider whether Loosley should continue to hold the office of President of the ALP the left had better get its numbers right. The salvation of the ALP in this State and federally is in the hands of the left-wing. If they do not do that and cut off some of their rotten boroughs these incidents will be only the tip of the iceberg.

LEVY ON LABOR PARTY MEMBERS

The Hon. D. J. GAY: I ask a supplementary question of the Minister. Does the Minister think this financial mismanagement was a reason for the Labor Party, with the aid of the Australian Democrats, Australia's true political harlot party to force on the people of New South Wales its appalling bill restricting political advertising.

The Hon. P. F. O'Grady: On a point of order. The honourable member has asked a supplementary question which has no relevance to his original question. I ask that the question be ruled out of order.

The Hon. R. D. Dyer: On the point of order. Not only does the supplementary question not relate to the original question asked by the Hon. D. J. Gay, it also raises for response by the Minister a matter falling within the responsibility of the Federal Legislature and the Federal Government.

The Hon. D. J. Gay: On the point of order. The legislation that passed through the Senate has application for the people of New South Wales. As this is the Parliament of New South Wales, it is relevant that the matter be debated. The matter does relate

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to the original question.

The PRESIDENT: Order! As a supplementary question, the question is out of order.

THE HONOURABLE MEMBER FOR THE HILLS

The Hon. P. F. O'GRADY: I direct a question without notice to the Minister for Police and Emergency Services and Vice-President of the Executive Council, representing the Premier, Treasurer and Minister for Ethnic Affairs. Will the Premier ask the honourable member for The Hills to resign given the embarrassing allegations made against him and his company?

The Hon. E. P. PICKERING: During the Wran era if a Labor Party member of Parliament resigned every time an allegation was made we would have found it difficult to gather sufficient members together to have the Parliament sit. I am advised that a Labor Party member in the other place, the honourable member for Campbelltown, made the allegations. I assure the Hon. P. F. O'Grady that the Government does not act on spurious allegations from the Opposition.

POLITICAL ADVERTISING LEGISLATION

Reverend the Hon. F. J. NILE: I direct a question without notice to the Minister for Police and Emergency Services and Vice-President of the Executive Council, representing the Premier, Treasurer and Minister for Ethnic Affairs. Is it a fact that the new Federal Australian Labor Party Political Broadcasts and Political Disclosures Bill, which is being debated at present in the Senate, will interfere directly with New South Wales State elections by imposing restrictions on advertising? Will it compel commercial television stations to make available to the Australian Democrats \$1.8 million of free television advertising space in return for support for the bill? What effect will this draconian, socialistic bill have on State elections and the commercial television industry in New South Wales? Will the Government support the proposed constitutional challenge in the High Court to this anti-freedom, anti-free enterprise bill by television stations that are being forced to give a total of \$18 million worth of advertising space to political parties?

The Hon. E. P. PICKERING: It is obvious when a political party is in desperate straits in terms of its financial position - as the Australian Labor Party is in New South Wales - and intellectual momentum, similar to that of the Federal Government, it can be expected to take desperate measures. The bill referred to by Reverend the Hon. F. J. Nile constitutes one such desperate measure. The Federal Government is bereft of any response to the goods and services tax proposition of the Federal Opposition and is unable to provide any ongoing impetus for the economy of this nation, which has been ruined during the past few years. It is interesting to note that no less a figure than the Australian Labor Party's national secretary, Mr Hogg, has expressed personal reservations about the bill publicly. That a person of such standing in the Australian Labor Party is concerned about the ramifications of the bill speaks volumes. Every man, woman and child in Australia should be concerned about the ramifications. I do not mean to speak disparagingly of the Australian Democrats parliamentary party of this State when I say that it is a disgrace that any government should be willing to get into bed with minority groups to further its aims at the expense of the people of New South Wales.

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The Federal Government is riding roughshod over legitimate commercial organisations in Australia, such as newspapers, television and radio stations, to force them to do precisely what it wants: make available free space for political advertising. The mind boggles. Where will it go from here? What next will that Government decide that an organisation in Australia can do for it for free? It constitutes a gathering together of the interests of that Government and minority groups to enable a specific piece of legislation to pass through the Federal Parliament, and someone is being imposed upon to pay the bill. It is the most outrageous proposition I have ever heard. I do not believe that even a government that is approaching the end of its time in

office could be so stupid. If there were ever a signal to show that the Federal Labor Government is in its death throes, this certainly is it.

DEPARTMENT OF ENVIRONMENT AND PLANNING FORMER DIRECTOR

The Hon. Dr MARLENE GOLDSMITH: I direct a question without notice to the Minister for Planning and Minister for Energy. Has the attention of the Minister been drawn to reports that the former head of the New South Wales Department of Environment and Planning, Mr Dick Smyth, had been retained as a planning consultant by Leichhardt council to oppose State Environmental Planning Policy 32 dealing with urban consolidation and also by another group seeking to evoke use of State Environmental Planning Policy 32 in the Ashfield municipality? How does this apparent inconsistency compare with Mr Smyth's approach to urban consolidation when he was head of the Department of Environment and Planning?

The Hon. R. J. WEBSTER: It is true that my attention has been drawn to reports that Mr Smyth has been retained by Leichhardt council as a consultant. Honourable members will recall that Mr Smyth chose early retirement - it was not entirely voluntary - from his position as head of the Department of Environment and Planning following a controversial period in the job. Mr Smyth's duties with Leichhardt council are unclear, but it appears they concern principally the five industrial sites referred to and the intention of the majority of council to attempt to frustrate and delay what are potentially exciting and valuable urban consolidation projects. I am more than a little confused about Mr Smyth's commitment to or belief in urban consolidation as a philosophy and policy. On the one hand he accepts a brief from Leichhardt council for a project clearly designed to delay and frustrate appropriate urban consolidation at Balmain. At the same time he has been a consultant and advocate for another group that is seeking to use State Environmental Planning Policy 32 to proceed with an urban consolidation project on the Corinthian Bowling Club site in the nearby municipality of Ashfield.

Though it is understandable that professionals - whether they are lawyers, architects or planners - can accept professional commissions that espouse different philosophic views, the political nature of the debate over urban consolidation puts Mr Smyth in an extremely difficult position. On the one hand he is working with some elements of Leichhardt council to subvert State Environmental Planning Policy 32 in Balmain and, at the same time, he has been working with another group to promote the same environmental planning policy in Ashfield. Mr Smyth's dual advocacy of opposing points of view is even more confusing when considered against his record as the former head of the New South Wales Department of Environment and Planning. In 1986 he recommended the preparation of a regional environmental plan to the Minister at that time, Mr Bob Carr, in similar terms to the State environmental planning policy on urban consolidation that I recently approved. In a submission to the Minister endorsed by Mr Smyth on 4th June, 1986, Mr Carr was advised that the new policy was necessary

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to "rezone sites for medium to high density residential purposes to improve the quantity and variety of land for housing available in the Sydney region". The Minister, Mr Carr, was further advised to endorse the plan before consultations with appropriate committees and authorities.

It is an open secret in planning circles that Minister Carr approved the preparation of the REP in similar terms to the REP I am proposing, but, for reasons best known to himself and the Government of day, did not proceed to formally develop his proposal. I do not wish to make too great an issue of the fact that the present Leader of the Opposition in the Legislative Assembly, when Minister for Planning - and I presume still today - had almost identical views on urban consolidation to me and the Government. I have appreciated the fact that neither Mr Carr nor the shadow Minister has chosen to make urban consolidation a political issue. Their refusal to join in the hysteria that the president of the Local Government Association has tried to beat up is an endorsement of a policy which they held firmly while in Government. It is worth putting on record that Mr Smyth, for his own personal reasons, has not displayed the same consistency. His proposal of the REP to Minister Carr in 1986 is clear evidence that he is fully

aware of the planning integrity of the new policy - because he almost wrote it. The fact that he can act as an advocate for Leichhardt council to oppose the State Environmental Planning Policy on the basis that it is somehow illegal, and at same time represent a developer who wants to develop a bowling club site in Ashfield, allows one to draw strange conclusions about Mr Smyth and his professional integrity. I have to say that I am totally bewildered by it.

POLICE ASSOCIATION LEGAL FEES COMPENSATION

The Hon. JUDITH WALKER: I address my question without notice to the Minister for Police and Emergency Services and Vice-President of the Executive Council. Is the Minister aware that New South Wales is the only State that does not compensate the relevant Police Association for legal fees expended defending members in often malicious prosecutions by members of the public and or the internal police security unit? Is the Minister aware that the Police Association has spent about \$600,000 defending police involved in Operation Raindrop? When will the Minister take a stand and back the rank and file members of the best police force in Australia?

The Hon. E. P. PICKERING: The assertions made in the honourable member's question are not true in terms of comparisons between this State and other States. It is true that not only this Government but also the former Labor Government and all previous governments have basically taken the view that police officers in this State are in no different position before the law than any other person or, indeed, any other public servant. The Police Association quite sincerely mounted the view that it believes that police officers are treated differently to other citizens before the law. The Police Association believes that the Director of Public Prosecutions is more inclined to place a police officer before the courts than an ordinary civilian or any other public servant in terms of a threshold view. I have spoken at length with Mr Dowd, the former Attorney General, and also with the Director of Public Prosecutions. I have been assured absolutely that the criteria adopted by the Office of the Director of Public Prosecutions to decide whether or not a police officer should be charged with a particular offence are identical to the criteria used for any other citizen.

I am entitled to take that response from the Director of Public Prosecutions at face value. I believe the man to be honourable and I believe the answer I have been given in this regard is honourable. Therefore, under the circumstances, I am not

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prepared to accept the premise put by the Police Association that police officers ought to have their legal fees paid by the Crown when other persons do not have that right. The Police Association, in support of its claim, will argue that, on statistical analysis, the proportion of police officers acquitted in the courts of serious charges tends to be higher than the proportion of civilians acquitted of similar charges. I believe that is true but it has been pointed out to me that police officers, who by and large have considerable experience in appearing before the courts, are more likely not only to handle themselves professionally when giving evidence but also are likely to be believed, quite properly, by juries because they are police officers, and therefore their acquittal rate is higher. For those basic reasons the Attorney General's office and the Premier's office consistently have taken the same view as previous Attorneys General and Premiers in previous Labor governments about this threshold question.

During the last election the New South Wales Police Association raised this issue as a matter of great public concern and made a deliberate decision to oppose the Government on the election field on that matter. The Police Association made that issue a mandate question. At that time I warned the Police Association that it was acting most unwisely in the interests of its members. By definition, if a group mounts such a threshold debate during an election campaign, and does not win the vote, the argument is lost. Before the last election the matter was put squarely before the people of New South Wales in a vigorous campaign by the Police Association, as is its democratic right. The Police Association spent hundreds of thousands of

dollars on advertising to put that view forward. History shows that the association lost the debate.

STREET TREES WATERING

The Hon. ELISABETH KIRKBY: I ask the Minister for Planning and Minister for Energy, representing the Minister for Local Government and Minister for Cooperatives, the following question without notice. Has the Minister noticed that many street trees throughout the city and suburbs are suffering from a lack of water, including two trees outside the Parliament building in the Domain? Will the Minister send a memorandum to councils urging them to handwater street trees by tanker where needed? Will the Minister ask that a further message be sent to the Curator of the Royal Botanical Gardens to ensure that the trees in the Domain are similarly watered, before they die?

The Hon. R. J. WEBSTER: I also have noticed the rather sickly nature of a couple of the Moreton Bay fig trees in the Domain. I understand that mulching has been put under those trees in an attempt to preserve moisture around their root systems. One can assume, therefore, that the Curator of the Royal Botanical Gardens is aware of their sickly state. However, I will pass the honourable member's question to the Minister for Local Government and Minister for Cooperatives and hope that the honourable member receives an answer in due course.

NON-CUSTODIAL SENTENCE OPTIONS

The Hon. ANN SYMONDS: I ask this question without notice of the Minister for Health and Community Services, representing the Minister for Justice. Why did the failure to pay court costs lead to the imprisonment for 35 days of a 69 year-old woman in Mulawa this year? Why are there no alternatives to custodial sentences in such cases? Does the Minister agree that incarceration of a 69-year old woman for 35 days for non-payment of costs is inappropriate? Is the Government developing a range of non-custodial sentencing alternatives for the judiciary?

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The Hon. J. P. HANNAFORD: I am not aware of the incident to which the Hon. Ann Symonds refers. I shall refer it to the Minister and get a response for the honourable member as soon as possible.

BURGLARY RATE

The Hon. Dr B. P. V. PEZZUTTI: My question without notice is addressed to the Minister for Police and Emergency Services and Vice-President of the Executive Council. Has the Minister's attention been drawn to reports that burglary in New South Wales is down overall? Can the Minister suggest a reason for this decline?

The Hon. E. P. PICKERING: I thank the Hon. Dr B. P. V. Pezzutti for his question. I am sure he shares with me and all members real pleasure that the National Roads and Motorists Association yesterday was able to announce a 7 per cent fall last year in break and enter offences in this State. Given that we are suffering a depression that we have been told we had to have, that is nothing less than a remarkable result. I am also truly pleased that an independent organisation such as the NRMA is willing and kind enough to acknowledge that the result has been largely achieved as a result of the activities of the New South Wales Police Service. I suggest that the revitalised Neighbourhood Watch program and the successful beat patrol program that has been instituted throughout New South Wales would have had a material impact upon that pleasing result, about which I should like to make an important point.

I think honourable members can relate to coming home to find the front door jemmied open, one's personal property strewn all over the place and one's valued goods stolen. It is an horrific and terrible experience, particularly for elderly people, to whom the home becomes almost unlivable because their sense of privacy has been invaded. It goes well beyond the impact of the loss of valuables, which frequently can be replaced through insurance. It is a significant achievement for the quality of life of New South Wales residents that the Government and the people of New South Wales, through the assistance of the Police Service, have been able to turn that problem round. Police presence on the street has made a material contribution to falling crime rates. It is for that reason that I am emboldened in my personal view that the introduction of a widespread, voluntary policing program, which would greatly enhance the visibility of police and volunteer police in police-like uniforms on the street, would have an absolutely dramatic impact on street crime and break and enter offences.

The Hon. Elisabeth Kirkby would be the first to acknowledge that the program has worked well in England for 130-odd years and that 16,000 volunteer police in England are producing a maximum result for their community. I should hope that every right-thinking member in this House would acknowledge, when the department has put together the proposals for a detailed trial of this program, that there should be a bipartisan approach to proceed with the trial so that the Government, the people and the Police Service of New South Wales can establish whether this is yet another significant achievement in what we call community-based policing in this State, which is producing the goods and in the past few years has been shown to be so successful.

CASTLEREAGH LIQUID WASTE DUMP TESTING

The Hon. ELAINE NILE: I ask the Minister for Health and Community Services, representing the Minister for the Environment, a question without notice. Has scientist Mr Scott Markich from the Australian Nuclear Science and Technology
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Organisation been prevented from conducting any further soil tests for high levels of contamination at the Castlereagh liquid waste dump? What action is the Government taking not only to ensure that these tests go ahead but that they be given a high priority by the Waste Management Authority and the State Pollution Control Commission?

The Hon. J. P. HANNAFORD: I also saw the article in today's newspapers. I do not have an answer to the detailed question the honourable member asked. I shall convey her question to the Minister and get a response for her.

TEACHER OVERSEAS QUALIFICATIONS

The Hon. JAN BURNSWOODS: My question is directed to the Minister for School Education and Youth Affairs. Did the Department of School Education in July this year inform applicants for employment that the Minister had announced the implementation of a new policy on the employment of teachers with overseas qualifications? When will this policy be implemented? In view of the shortage of particular categories of teachers in New South Wales, will the Minister explain the present hold-up in implementing the policy and inform me how many overseas-trained teachers are waiting for such positions?

The Hon. VIRGINIA CHADWICK: While I do not have in front of me details of the number of applicants and positions filled, I should be delighted to chase up that information and make it available to the honourable member. I am pleased indeed that the honourable member, of all people, should choose to ask this question, because she might recall that it was an organisation dear to her heart, namely the New South Wales Teachers Federation, that put a black ban on visa applications and refused to co-operate with the Federal Department of Immigration to allow the Government to bring in teachers from overseas. I found that outrageous. However, the double standard of the honourable member in saying that there may

be skill vacancies or generalist teacher vacancies that cannot be filled shows the total hypocrisy of the honourable member and of her friends and colleagues in certain parts of the Teachers Federation.

The other important thing about this program that has been of concern to me is, dare I say, the racist overtones that I perceive have been applied to a number of overseas-trained teachers, particularly, might I say, those of Chinese background that the Government is recruiting from Hong Kong. That reflects poorly on both the honourable member and the Teachers Federation and does not present an image of the Department of School Education that is right and proper. However, perseverance wins in the end. Though I cannot recall the precise number, the honourable member will be delighted to know that, despite the Teachers Federation, her mates and the difficulties the Government has had, it has consulted and negotiated agreements and that teachers from Hong Kong and the United Kingdom are in Australia and in New South Wales schools. I know the honourable member will be delighted to hear that. I shall obtain details of the precise number of teachers for her next week.

CHRISTMAS TREE LIGHTS

The Hon. D. F. MOPPETT: Is the Minister for Planning and Minister for Energy aware of Christmas festival lighting that has been sold through some Sydney markets that has proved to be faulty and the cause of fires in some of Sydney's western suburbs? What action does the Minister plan to ensure that these faulty lights are withdrawn from the market-place?

The Hon. R. J. WEBSTER: Yesterday I was informed by the Office of Energy that a person had purchased a set of Christmas lights that were part of a wreath

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decoration from Paddy's Markets at Flemington. The lights were made in China and designed for use in the United States of America, where the supply voltage is 110 volts. As such, they were fitted with an American plug. When these lights are connected to our 240-volt system through an adaptor, the higher voltage causes the lights to overheat and melt. It was lucky for the residents that they were home, as the incident could have resulted in a serious fire. Clearly the lights should not have been sold in Australia. Because of the poor fire and electric shock record for such lights they are required to be approved and certified as complying with the Australian safety standard AS3152 prior to their sale. It is the responsibility of manufacturers, importers, distributors and retailers to ensure the lights they sell are approved and safe. I have instructed inspectors from the Office of Energy as from tomorrow and over the weekend to visit major markets in Sydney to determine whether any more of these Christmas lighting systems are available for sale. If they find any of these lights they will ensure they are removed from sale immediately. Our inspectors will also be looking at the whole range of Christmas lights that are being sold at present, not only in the markets but in all retail outlets, to ensure they are safe and reliable.

Only 10 fatal accidents have been recorded this year in New South Wales. Though this is still 10 too many, it is the lowest fatality figure in 40 years and one that the public and the State Government are justifiably proud of. On past records the Government would normally expect at least 25 deaths in a year. It is an indication that the State Government is on the right track with its policy of ensuring that a safety switch is installed in every new home built. As a result of the Government's initiative, the safety switch market has taken off. Literally tens of thousands of already established homes have had safety switches installed. It is not always easy for the consumer to distinguish approved products from unapproved products. If anyone has recently purchased Christmas tree lights and is uncertain as to approval and safety, I urge them to contact the Office of Energy. In a further effort to ensure that the public is aware of the dangers associated with Christmas lighting, earlier today I issued an urgent news release to media outlets across New South Wales to alert the citizens of New South Wales to the dangers of these killer Christmas tree lights.

ELECTRICITY COMMISSION NAME CHANGE

The Hon. Dr MEREDITH BURGMANN: My question without notice is directed to the Minister for Planning and Minister for Energy. Further to his answer to my question on Tuesday regarding Pacific Power, is it not a fact that the Electricity Commission Act 1950 states that there shall be constituted an Electricity Commission of New South Wales? Under what authority does the commission now use the name Pacific Power? Does the use of that name constitute a breach of the Electricity Commission Act? Has the Electricity Commission pre-empted legislation of this Parliament and made unwarranted assumptions about the likelihood of Independent members of Parliament voting in certain ways?

The Hon. R. J. WEBSTER: The fact that the Act specifies that New South Wales should have an Electricity Commission does not in any way stop that Electricity Commission from calling itself whatever it likes. For some time the Government has intended to change the name of the Electricity Commission of New South Wales, which was known a few years ago as Elcom. When the Labor Party was in government, that name was changed back to the Electricity Commission of New South Wales. Nothing in the Act prevents the Government from changing the name to Pacific Power, and the Government will do so when it considers it appropriate.

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ELECTRICITY COMMISSION NAME CHANGE

The Hon. Dr MEREDITH BURGMANN: I wish to ask a supplementary question. Does the adoption of the name Pacific Power make all other Acts which refer to the Electricity Commission non-operable?

The Hon. R. J. WEBSTER: For some time it has been the custom of governments and Ministers to change the names of government departments or agencies from time to time. Obviously the Electricity Commission of New South Wales by way of legislation will no doubt be known as the Electricity Commission, as referred to by the honourable member. That in no way prevents the Government from changing the name.

BASIC SKILLS TESTING SUPPORT KIT

The Hon. HELEN SHAM-HO: My question without notice is directed to the Minister for School Education and Youth Affairs. Is the Minister aware of a support kit for the basic skills testing program? Will the Minister inform the House of the details of the support kit? How will it benefit children being educated in New South Wales?

The Hon. VIRGINIA CHADWICK: I thank the Hon. Helen Sham-Ho for her important and timely question. All members of the House will be aware that New South Wales is the only State in Australia that can confidently provide an accurate picture of basic skills development in primary school students. That is because the Government introduced the basic skills testing program into New South Wales schools as part of a strategy to ensure that teaching and testing of literacy and numeracy was and remains a priority throughout New South Wales government schools. From 1989 onwards parents and teachers of children in years 3 to 6 have been able to see how their children are doing in the essential areas of literacy and numeracy. Children who are not doing well, which will be evident from the testing, can be identified and provided with much-needed remedial support. Tomorrow the acting director-general will launch a video support kit for the basic skills testing program which is designed to help parents and teachers fully understand the basic skills test and to make the best possible use of the results.

The video is in two sections. The first section has been especially designed for parents and teachers. It deals specifically with the tests, the testing procedure and reporting the results to parents. It also shows how schools can provide parents with additional information from the student profiles, together with the results of school-based assessments. The second section is designed for teachers and parents. This section looks at the school report package and includes teacher discussions focusing on the use of results in planning school programs. In other words, there are practical suggestions for those that can best use them. In addition, a comprehensive resource book has been produced. This book addresses important issues such as answers to commonly asked questions about basic skills tests and discussion activities and information on issues arising from the video. As the kit is designed to be flexible, it can be used in many different ways. Staff meetings, parent meetings and professional development days would perhaps provide appropriate opportunities for use of the kit.

The results of basic skills testing can best be used at school level. The package is targeted at school level and I am confident that it will add to the high level of achievement in the use of basic skills testing results. The kit has proved to be popular with schools and parents and, though it is to be officially launched tomorrow, additional copies have had to be produced to cope with the volume of orders. Feedback from

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parents and teachers has also been favourable. The kit will be available through education resource centres for borrowing, or copies can be purchased through the Department of School Education. It is essential that such an important initiative as the basic skills testing program be properly resourced and supported. The kit is an integral part of the program and will give parents and teachers the knowledge they need to fully understand the importance of basic skills testing. The better the education community understands the basic skills testing program, the better the use that can be made of the results. From that the Government's primary aim will be achieved, which is that students will benefit.

GUARDIAN ANGELS

The Hon. ELISABETH KIRKBY: My question without notice is directed to the Minister for Police and Emergency Services and Vice-President of the Executive Council. In view of recent media reports that the American vigilante group, the Guardian Angels, intends to set up a chapter in Sydney, what action will he take if such a chapter is established with community support though not with police support? I am aware that the Minister has said previously that he does not believe the Guardian Angels should come to Sydney.

The Hon. E. P. PICKERING: I should like to make it abundantly clear that, having seen the Guardian Angels operate in New York, I would be the first to concede that in New York there is a desperate need for them. Police officers in New York are simply unprepared to police entire communities and are unprepared to drive, let alone walk, through certain areas. When those areas are taken over by people selling crack on every street corner and in residential tenancies, an intolerable quality of life results for ordinary citizens. If the Guardian Angels are prepared to clean up such areas, good luck to them. The people of New York are right to praise, applaud and support Guardian Angels as they walk down the ghetto streets. Those sorts of situations do not exist in this country. New South Wales does not have a street, a lane, a suburb or a patch of ground that any police officer is not proud to walk down, day or night. Therefore the community is not clamouring for vigilante take-the-law-into-your-own-hands activity.

I have no doubt that some Rambo-type figures will flock to an organisation such as the Guardian Angels. So far as I am aware, there is no law to prevent the formation of a chapter of the Guardian Angels in New South Wales. However, I assure them that if they carry out their activities in this State in the same way as they do in New York, which is to go well beyond the

law, the full force of our law will descend upon them. I have no doubt whatever that they will appear before the courts post haste. If they wish to form groups in this community and they behave within the law, obviously there is nothing I can or would want to do about that. However, I put them on notice that they will not act in New South Wales as they do in New York. If they do, they will be arrested, as indeed they are in New York. In this State we can be certain that the courts will uphold the law. That is not the case in New York. The only reason the vigilantes can operate in New York is because the courts, for reasons best known to themselves, refuse to convict vigilantes. In this State vigilantes will be convicted because we do not allow any citizen from whatever group to take the law into his or her own hands.

CHILDREN'S COURTS CLOSURES

The Hon. P. F. O'GRADY: My question is addressed to the Minister for Health and Community Services, representing the Minister for Justice. Is the Minister aware of plans to close the southwestern, metropolitan, Minda and Royleston children's courts
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and transfer their operations to new court complexes due to open in two months? Is the Minister aware of concerns regarding children using the same court complexes as adult defendants? Does this mean that abused children may find themselves waiting around with their abusers? Will the Government consider keeping open one of the children's courts so that children in care proceedings are kept separate from adult criminal courts? Further, will the Government make the changes as a pilot scheme so that if problems arise, children's proceedings can be transferred back to separate buildings?

The Hon. J. P. HANNAFORD: I am aware of the issue raised by the honourable member. It has been separately raised with me. My departmental officers have taken up the matter with the Minister for Justice. I shall find out the result and let the honourable member know.

POLITICAL ADVERTISING LEGISLATION

Personal Explanation

The Hon. Elisabeth Kirkby: I wish to make a personal explanation. A few minutes ago in question time Reverend the Hon. F. J. Nile made a statement about my Federal colleagues and suggested that my colleagues had supported the Australian Labor Party's political advertising ban bill in order to gain financial advantage for themselves. I wish to place on the public record that I personally do not support the actions of my Federal colleagues. I have made that clear by way of a letter to my leader Senator John Coulter. In view of the remarks that have been made in the House today I shall now make that letter available to the media. It is dated early in November. It was not written during the last few days. May I also make it clear that my colleague, New South Wales Senator Karen Sowada, did not vote with her colleagues on this matter. She voted with the Opposition and spoke against the legislation in the most emphatic terms. All that having been said, may I also make it clear that if the suggestion of free air time goes forward and no constitutional challenge is upheld it will benefit all minor parties, including the Call to Australia and any other minor party that might be formed, as well as the Australian Democrats.

TEACHER OVERSEAS QUALIFICATIONS

Personal Explanation

The Hon. Jan Burnswoods: I seek the indulgence of the House to make a personal explanation. In answer to a question from me at question time the Minister for School

Education and Youth Affairs made the comment - I think I remember it correctly - that there were racial overtones to my attitude and that of the Teachers Federation and that in particular there was a spirit of hostility to people of Chinese descent. I am very concerned about any suggestion that I could be seen to have any racist views at all. The issue under discussion was the recruitment of overseas trained teachers. Nothing in my question and nothing in my attitude had anything to do with casting a slur on the teachers concerned; nor anything to do with the geographic area from which they came, or their descent. My question related specifically to a quotation from letters sent by the department referring to the Minister's announcement of a policy in July. That had nothing to do with any attitude of mine or of the Teachers Federation. My main concern is that any member of this House could suggest that I or an organisation that I have been proud to be associated with for many years could have racist

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overtones. I draw her attention in particular to the proud record of the Teachers Federation on the education of Aboriginal children above all. I would be grateful for an apology.

The Hon. J. F. Ryan: On a point of order. The honourable member is no longer making a personal explanation. She is going on to debate the matter.

The DEPUTY-PRESIDENT (The Hon. D. J. Gay): Order! The honourable member has finished her personal explanation.

SPECIAL ADJOURNMENT

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

That this House at its rising today do adjourn until Monday, 9th December, 1991, at 10.30 a.m.

[The Deputy-President (The Hon. D. J. Gay) left the chair at 1.7 p.m. The House resumed at 2.32 p.m.]

CANCER AWARENESS Matter of Public Interest

Debate resumed from an earlier hour.

The Hon. ELISABETH KIRKBY [2.32]: Earlier I was dealing with the problems faced by women who did not have regular screening for breast cancer and I pointed to the fact that regular screening was necessary for older women. I said also that the leader of my Party, Senator Janine Haine, had made strong representations to the Federal Minister for Health for this screening procedure to be available on Medicare. It is still not available. The cost of the screening procedure is about \$176, and therefore women in the lower socio-economic groups who are most at risk will not be able to afford it. I urge the Minister for Health and Community Services to make representations to the Federal Minister for Health to ensure that this necessary form of screening is freely available under normal Medicare conditions. Screening is the only way to get the necessary message across to women from non-English speaking backgrounds. Any government action to help to prevent cancer must include quality control and accountability of screening laboratories; and the education of doctors to deal better with pathological samples and testing results. A recent survey of medical students and interns showed that less than half believed that they had received adequate instruction in cancer matters, and only half had ever visited cancer screening clinics.

There should be accountability of industry to report on measures implemented in the workplace for the safe handling of carcinogenic substances and to reduce exposure to such substances. A public education campaign which effectively reaches those at greatest risk, particularly migrants and the less privileged, should be implemented. There should be a

wholehearted campaign to reduce smoking and the excessive consumption of alcohol throughout the community. A timetable for the cessation of public promotion and advertising of tobacco should be drawn up, and, in the interim, a harder line taken with promotion of tobacco and alcohol advertising aimed at young people. The problems of passive smoking should be thoroughly and urgently addressed. Studies indicate an increased risk of lung cancer for non-smokers who are regularly exposed to passive

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smoking. As has been said by other members in this debate, the current "slap it on" campaign to avoid skin cancers, which is particularly targeted at young people in schools, must be strengthened. With the climatic changes and the hole in the ozone layer, children are greatly at risk if they are exposed to dangerous ultraviolet rays for long periods of time. The southern hemisphere has the highest rate of melanoma in the world. This has been emphasised strongly by surgeons who are specialists in this field. I congratulate the Hon. Beryl Evans for moving the motion and it gives me great pleasure to support it.

The Hon. Dr B. P. V. PEZZUTTI [2.35]: I support the motion of the Hon. Beryl Evans, who is not a woman to merely talk about an issue; she does something about it. I, together with health professionals, attended one of the honourable member's regular meetings when this issue arose. She co-opted a number of people to become voluntary committee members. The work of her committee was acknowledged by the former Minister for Health, the Hon. Peter Collins, who set in train support for the committee and professional help to promote what the Hon. Beryl Evans justifiably and accurately saw was a great need in the community. In speaking to this motion one must also address the broader issues. The Government has moved, and properly so, with the support of the former Minister for Health and the present Minister for Health Services Management, to establish a public health unit in each health region and area health service. Those public health units have a raft of interests, including the promotion of a real assessment of the risks people run in their everyday lives and what they can do about them. The units encourage the necessary research with the assistance of epidemiology teams when necessary.

More importantly, the Government has encouraged proper medical research in this State. I remember some years ago the Premier discovered that almost 80 per cent of the National Health and Medical Research Centre grants were going to institutions in Victoria. He could not understand why New South Wales was not attracting that type of funding for research into illnesses, diseases and cancer. He has moved to remedy that situation, so that New South Wales has first-class research institutions. The research is not merely to ensure that people who have cancer receive better treatment but also the early diagnosis of cancer and its prevention. The medical profession and scientists round the world are working hard to find a more accurate method of diagnosis. The results of the research have enabled the community to be better informed of the nature of cancer, how it develops and how it changes over time. As the community ages there will be more incidence of cancer. The new forms of cancer treatment have proved to be most successful. When I was a medical student there was no treatment for leukemia in children. Every child who had leukemia died. With the irradiation of their own marrow and marrow replacement, and other forms of therapy, children with leukaemia now have almost a 60 per cent chance of living. There has been an enormous turnaround in the successful treatment of leukaemia.

Though it is important that methods of treatment improve, it is important also that treatment is sought early to increase one's chances of arresting the illness. If better and more improved treatment is available, the community will be encouraged to avail themselves of it. Often the early treatment of cancers provides answers with regard to how they can be prevented in the first place. The Department of Health has been involved in spreading to people's homes the message about cancers. The approach adopted by the Hon. Beryl Evans to spread the message in the workplace was clever. I am sure it will bear fruit. People spend a vast amount of their time at their workplaces. Employers, employees and the union movement should become involved. The greatest asset that a company has is its work force. By looking

after that asset, companies are demonstrating a commitment to the welfare of workers, and the result will be improved

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morale and increased productivity. Employees should not only be concerned about the health of their employees in an occupational health and safety way. They should seek to identify those high mortality cancers, namely breast cancer and cancer of the cervix. Women should conduct self-examination and focus their attention on whether any female members of their family have had breast cancer. That increases one's chances of contracting the disease. They should have regard to the high-risk age groups. People should be informed that if the disease is treated at an early stage, survival rates of those with breast cancer will improve in the long term. This is the earnest hope of every professional and every community leader in Australia.

Much has been said about the breast screening process, mammography. The Commonwealth Government has adopted a responsible approach to the process, but of late the approach has become somewhat tardy. It is not just a matter of screening women at risk or women generally or making available the process at reasonable cost. We must look at what is behind the process. Lismore has been chosen as the country demonstration centre for breast cancer surveys. That has come about as a result of the enormous efforts of Beth Trevan, the Cancer Council's field officer for the North Coast. She is a woman of tireless energy and great capacity who has spread the message of others and messages of her own to the community. An excellent video cassette of the process has been produced with the assistance of the Lions Club at Lismore. Local community women were engaged for the filming of the video, which was scripted by Miss Trevan. It is a highly professional video on breast self-examination that informs women about the process of mammography. It advises women approaching menopause and women who have had sexual intercourse at any time in their lives to have regular pap smears. The efforts of Beth Trevan have been quite remarkable. She has brought together a team of people to counteract cancer on the North Coast. The protocol of the Commonwealth to achieve funding is most rigorous. Local surgeons and hospitals have also played a key role. Dr Bill Buddee from Lismore has worked closely with Beth Trevan and the regional director, Andrea Larkin, on an excellent proposal and protocol. Screening in country areas must be assessed to ensure that adequate results are achieved.

The PRESIDENT: Order! The honourable member has exhausted his time for speaking.

The Hon. HELEN SHAM-HO [2.45]: I support the motion of the Hon. Beryl Evans and congratulate her on bringing this matter to the attention of honourable members. I am pleased to have the opportunity to participate in the debate. I shall focus my attention on the needs of the residents of the western suburbs of Sydney, people from non-English speaking backgrounds and blue collar workers. In 1979 the Thirty-second World Health Assembly launched the global strategy entitled "Health for All by the Year 2000". The objective was the attainment by all of a level of health adequate to work productively and participate actively in the social life of the community. Inherent in this objective was access for every person to primary care and, through it, all levels of a comprehensive health system. Last year, I hosted a successful conference in Parliament House on women's health in industry. The theme of the conference was the prevention of women's cancer in the workplace. It made an important contribution to the greater initiative of the World Health Assembly.

The health and social problems characteristic of the western suburbs of Sydney mirror, to a large extent, the health and social problems of blue collar workers. There is a preponderance of the low socio-economic groups, non-English speaking migrants, young families, single parent households, and Aborigines. Western Sydney has been the

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place where young working-class families and socially disadvantaged groups have settled in disproportionate numbers. There are problems associated with language: about 34 language groups are represented in the region. During the past 10 years many of the inadequacies in health care delivery to the western suburbs of Sydney have been addressed. Westmead hospital has been brought to full capacity and facilities at hospitals in Liverpool, Campbelltown and Fairfield have been expanded and modernised. Age adjusted hospital morbidity data indicates that blue collar workers and their families have a higher risk of illness than the general population. For example, they have approximately a 20 per cent greater risk of contracting malignant neoplasms of the respiratory organs, diabetes mellitus and ischaemic heart disease. The female blue collar worker is at even greater risk. According to the report on "Health for all Australians" the overall mortality of female blue collar workers is 44 per cent greater than that of female white collar workers. Other indices of social misfortune such as death from traffic accidents, death from myocardial infarction before the age of 65, conviction for petty crime and drink-driving, divorce, dependence on government housing, and convictions for drug offences also tell us that people living in the blue collar worker suburbs of Sydney are disadvantaged compared with other Australians.

In the context of the World Health Organization's "Health for all by the year 2000" program and the New South Wales Government's program to bring a more equitable distribution of the health care dollar to those who are relatively disadvantaged, I welcome the Government's initiatives to establish cancer screening services as outlined by the Minister. Indeed, New South Wales is leading Australia in that respect. Moreover, it is appropriate that this initiative target migrant women, who are one of the most disadvantaged groups of all recipients of health care in Australia. Immigrants represent 29 per cent of those engaged in manufacturing compared with 16 per cent Australian-born. Moreover, immigrants are disproportionately represented in occupations with the worst working conditions. For example, a survey of 225 factories involved in the clothing trade found that 77 per cent of female workers were foreign-born. Problems of language and culture, as the Hon. Beryl Evans has said, may often be additional barriers to female blue collar workers obtaining equitable health care.

Other barriers are logistical and emotional. Factory work often means long hours of boring, repetitive work. A woman is simply too tired after a day's work in a factory to wait for hours in a doctor's surgery. Then there are her additional roles as mother and wife and her interminable home duties. Lack of child care facilities or lack of transport after work may be additional barriers. Ignorance and fear are barriers also. Cancers account for more than 20 per cent of female mortality and morbidity, but the important fact is that these cancers are usually highly preventable. For example, up to 60 per cent of women with invasive cervical cancer have never had a single pap smear. It is estimated that regular pap smears would eliminate up to 90 per cent of all cervical cancers. Breast cancer is the leading cause of cancer mortality in western women. The Minister said that one in 15 women have breast cancer. Early detection vastly improves the chances of survival. Women should be aware of two other cancers that are also highly preventable. Prevention in these cases, however, is through awareness rather than by screening tests. First is lung cancer, which is perhaps the most ominous for women. It is well established that smoking contributes to the risk of cancer, in particular lung cancer, and cardiovascular disease. Young people, women in particular, are the group most prone to begin smoking. The department is conducting a "Quit for Life" program aimed at young people who smoke. Part of the campaign is the "Hooked" television commercial aimed at this target group. It has won international advertising awards and has been evaluated highly.

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Research has shown that the commercial achieved high levels of awareness and accurate message interpretation by the target group. In conjunction with the campaign the department assists in sponsoring the rock eisteddfod - a musical event aimed at high school

students and containing a very strong anti-smoking message. A more recent approach taken by the department in its attempt to cut the numbers of young people taking up smoking during their formative teenage years is to be found in the Public Health Act, which came into effect on 18th November. As members would be aware, tobacco products can now be sold only to those over the age of 18 years. It is also necessary for retailers to display a sign at the point of sale of tobacco products. The sign advises that it is a criminal offence to sell tobacco products to those under 18 years of age and that the maximum penalty is \$5,000. The sign also provides a telephone number for people to call if they think the regulation is being infringed. The department has undertaken an extensive campaign to inform the community of this change in regulation. This week an extensive radio and newspaper information campaign was launched. The radio campaign, which will run for the whole of this week, is aimed at young people. Metropolitan and rural radio stations have been targeted. The 30-second radio advertisements for 2EA - the ethnic radio station - will run for six weeks and cover 15 community languages.

The PRESIDENT: Order! Pursuant to sessional orders the time for this debate has expired. Does the mover wish to exercise her right of reply?

The Hon. BERYL EVANS [2.55], in reply: I thank the members of the House for supporting the motion. I thank them also for their congratulations - not to me but to all those who took part in the programs and continue to participate. Cancer is a serious affliction that affects each and every one of us at some point in our lives. Cancer is a most horrible creeping disease. The Minister mentioned overseas experience. Women in Sweden have been educated to have regular tests every year. That is what we have set out to achieve. The same can be achieved through education to enable people to understand the need for regular testing. All men and women should select a date of personal significance, their birth date or the birth date of their spouse or child, on which to visit a doctor or clinic for a test. It is noteworthy that penalties in other areas encourage people to submit to testing. At one time holders of flying licences, who wished to retain them, were required to pass a medical every 12 months, but that period has been extended to two years.

Children should be taught the benefit of annual testing to keep their good health. People lose their good health without even realising what is happening, and should be encouraged to visit a specialist, local general practitioner or health clinic to be tested. They should seek the best advice from those most able to give it. Last year the former Minister for Health gave me permission to visit clinics in Europe. I visited the main clinic in Edinburgh and was fascinated with the way it was run. I am delighted that the Government intends to adopt similar services with the establishment of assessment centres. Medical practitioners in Edinburgh recommend to their patients a visit to the main clinic, if that is necessary. An appointment is made, the patient goes to the clinic and is attended by the best advisers, surgeons and mammography experts. All necessary tests are completed in one day.

That experience is vastly different from the trauma of a person being told by a doctor of a lump in the breast, being referred after a week's delay to a specialist, waiting for the results and then being sent on to another specialist. The trauma to a person being

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tested and retested in that way is severe and unnecessary. The Minister has said that two assessment centres are to be established and three more are to be in place in 1992. If that occurs, I shall be delighted. Everything possible must be done to treat all diseases, especially cancer. Women must be able to obtain the best advice from experts. Women must not continue to be mutilated, as has happened unnecessarily in most cases for the past 20 years.

The Minister's advisory committee on women's health consists of doctors and nurses chosen at random from throughout the State. At the last meeting I attended, one of Sydney's

leading cancer specialists said to me that he was delighted because over the past two years he had not removed a lump greater than two millimetres from a woman's breast. He put that down entirely to early detection. It is wonderful that some people are getting the message and having tests. As honourable members know, each year the Family Planning Association has run clinics in Parliament House for parliamentary staff and ministerial staff in the surrounding area so that they may have tests. I was distressed, but nonetheless satisfied, that last year the pap smears of two relieving dining room staff were found to contain abnormal cells. Those abnormal cells would not have been found if the clinic had not been held in Parliament House, because those women had not had a medical check-up. This week I was equally distressed when a staff member told me that one of the chefs has developed cancer and is going away for treatment. These abnormalities are being found early, which means that the worry goes because the people will be cured and survive.

The Hon. I. M. Macdonald spoke about skin cancer, several other forms of cancer and the bronzed Aussie. I do not know when Australians will lose the image of the bronzed Aussie. Men seem to think it is masculine to appear tanned and healthy looking. They should remember that white is also beautiful. This week my hairdresser told me that her 18-year-old son said he was going to town to buy a hat. She said: "Whatever for? I never thought I would see you with a hat on". He said, "Well Mum, with all this talk about skin cancer I think it is time we young people did something about it and set an example". Perhaps the message is getting through. It is my hope that educating people and making them think will be good for the individual and the economy. Illness is an enormous cost to any country, and we pay for that. One's health comes first. I ask every member in this Chamber and their friends and families to have regular tests. I have become a problem to most of my friends. I have given them guilty consciences. I receive telephone calls from some of my friends who say, "I want to tell you that I have just been down to have a medical".

I love the story of one lady who was asked what stirred her to have a mammogram. She said, "Because Beryl Evans told me to". Dr Croll, who is on my committee, said: "Where is this woman who is here because Beryl Evans said she had to come? I will look after her personally". My friend said, "That is the best thing the Liberal Party has ever done for me". I thank honourable members for supporting the motion. In closing I should say that our campaign will be held next year in September. The campaign will be held at a set time every year. I should like to ask each and every member whether they have had a medical this year. If not, will they go and have one?

Discussion of matter of public interest concluded.

CONSTITUTION (CITIZEN-INITIATED REFERENDUMS) BILL

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Suspension of certain standing orders agreed to.

Second Reading

Debate resumed from 26th September.

The Hon. ELAINE NILE [3.4]: I support the Constitution (Citizen-Initiated Referendums) Bill. The object of the bill is to enable electors to initiate referendums on proposed laws by petition signed by at least 2.5 per cent of the total number of electors and at least 2.5 per cent of the electors enrolled in each of a majority of electoral districts. The proposed legislation is much needed at the present time. In 1979 Mr Bob Hawke called for an informed and inquiring population. He said, "Relevant mandates will only emerge from a concerned electorate". The electorate has every reason to be more concerned today than in 1979. This bill will enable increasingly better informed and inquiring electors to play a vital role

in enabling relevant mandates to be given to governments. Many matters that may be skipped through lightly during election campaigns often assume a character far more significant and concerning during parliamentary terms. Though electors may not wish to change a government because of one decision or one policy, it is improper to suggest that they should be rumbled over on matters they feel require community consultation. While Mr Hawke criticised the shortcomings in our parliamentary system, Mr Kim Beazley senior, in a newspaper article in the *Sun* of 26th September, 1977, clearly alerted the public to the virtues of citizen-initiated referendums. The article read:

Kim Beazley, Labor's former Minister for Education, has taken a hard look at the way a Westminster Parliament works and found it wanting!

He's found a better way - the Swiss version! The Swiss operate on consensus, and tight public control of politicians.

Mr Beazley is preparing to step down after 32 years in parliament, and he is disillusioned because our politics produce only division and partisanship.

"Parliamentary politics has developed into a system of organised blaming", he says.

The way the Swiss protect their prosperity and security is set out in their Constitution of 1848.

The constitution also requires that many matters of national importance can be decided only by referendum.

Consequently, Swiss politics is more of the people than of the politicians, says Mr Beazley.

He says: "They don't have 'God governments'. Their governments are not named for leaders as though they belonged to them - 'the Whitlam Government,' 'the Fraser Government.'"

In effect, he appeals, as he prepares to leave parliament, for more consensus and consultation, and less ideology and politics in our Parliament.

He points out that in its earliest days the Labor Party advocated Swiss-style consensus Cabinets, regular referendums, and a permanent citizens army for Australia.

The bill has been developed in Australia based on the CIR legislation model of Professor Geoffrey Walker of the Queensland University. It is Australian legislation for Australian circumstances. Citizen-initiated referendum provisions in other countries had nothing to add. The major benefit of citizen-initiated referendums is to ensure that legislation has community legitimacy. Had citizen-initiated referendums been available, New South Wales may not have suffered the last general strike, which cost the State several hundred

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million dollars in lost productivity, not to mention the reduction in income of tens of thousands of people. There could have been a citizen-initiated referendum on voluntary unionism. Responsibility alone would compel us to enable the community to demonstrate the existence of a concern in a convincing manner leading - only if the issue qualified as a petition subject for referendum - to discriminate voting of the electorate to finally resolve concerns. The availability of this process should result in general strikes becoming a thing of the past, which will benefit the whole community, whether employers or employees. The cost of a poll pales into total insignificance when compared with the cost of a general strike to the community.

In October a similar bill was tabled in the Australian Capital Territory Legislative Assembly. Similar bills are expected in other State and Territory Legislatures in 1992. People want a say. I hasten to inform this honourable House that at various times the bill has had strong support from members of all major political parties, usually when they were in opposition. The bill will promote unity in the community. The community polling facility and the spread for both qualification and approval purposes will ensure that only matters of widespread evidenced community concern qualify. The spread reflects parliamentary procedures. No legislation can be proceeded with that does not have majority support, and certainly it cannot be passed when it cannot obtain the support of a majority of members of Parliament. The provisions of the bill are the most difficult, in the sense that they allow no unrepresentativeness of any citizen-initiated referendum legislation in the world. Only real issues will be able to qualify. Paradoxically the purpose of this legislation is to strengthen our Westminster derived-system of government. As the Legislature becomes aware of demonstrated community concern and interest so as to confer a mandate, the Legislature and the Government will act to address concerns. The result is certain to ensure that very few referendums will qualify and even less will go to the polls, other than on matters the community wants settled in a conclusive manner. As a result, the esteem of a responsive Legislature and an in-tune administration will be enhanced in the community.

A notable feature is that Parliament is not bypassed. This and other features built into the bill will ensure a thorough examination of any proposal with a view to the proper addressing of every feature of any credible proposal. At any time members of Parliament will be aware of the ongoing support for a proposal. The process provides for a credible expression of genuine community response. I am aware of support for the bill in the major political parties and support by members of this House. I should particularly like to refresh the recollections of members of the Liberal Party about their policies and commitments. I draw particular attention to a motion moved at the Liberal State Council meeting on 6th February, 1988, which stated:

Agenda Item G: Motion 6

CITIZENS INITIATED REFERENDUM.

The State Council of the New South Wales Division of the Liberal Party of Australia recommend that the Liberal Party of NSW adopt Citizens Initiated Referendum at State level as policy and prepare a Bill and accompanying regulations for its introduction in NSW.

Such bill to include the voters' power of initiative and referendum, to be introduced to Parliament within 12 months of the Party being returned to Government.

The motion was seconded and, following a spirited debate, was carried. At the Mittagong conference of the State Council of the Liberal Party the following motion was carried:

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CITIZENS INITIATED REFERENDA.

The State Parliamentary Party should take steps to implement the motion passed by the NSW State Council of the Liberal Party on February 6th, 1988, calling for Citizens Initiated Referenda to be introduced at the State level on gaining Government.

After debate, the following amendment was moved:

That the resolution on Citizens Initiated Referenda passed at the February 1988 meeting of the State Council be forwarded to the Premier, Mr Greiner, with the request that he direct the matter for the consideration of the Joint Standing Committee on State Policy.

The substantive motion was then voted on and carried. In the supporting notes, citizen-initiated referendums were seen as a desirable means of promoting a vision for the future of better and more democratic government. It is clear from the notes that the measure is one with public imagination and trust at stake, and it was expressed that the only hindrances to its implementation were the apprehensions of some New South Wales Liberal parliamentary members. Now that all members - Liberal, Labor, National and Democrat - are fully informed or have had the opportunity to be fully informed, it should be seen that these apprehensions are based on matters which are totally irrelevant to the bill introduced in this House. The opportunity is now provided for all members to trust the electors, who after all are trusted to vote for members of Parliament. Support for this bill will enable New South Wales to take a decided and statesmanlike stance for increased accountability and responsibility when they are so desperately needed. The time for platitudes has passed. To ensure the enhancement of the role and responsibility of Parliament, this bill is vitally required as law in the State of New South Wales. Wherever these provisions exist, there is an air of positiveness and assurance in the community and an unleashed dynamic which is evidenced by far greater community involvement and significantly increased community prosperity. I commend the bill.

[Debate interrupted]

DISTINGUISHED VISITOR

The DEPUTY-PRESIDENT (The Hon. Beryl Evans): Order! I draw the attention of honourable members to the presence in the gallery of the Hon. Caroline Pickles, the Government Whip in the South Australian Legislative Council.

[Debate resumed]

The Hon. D. J. GAY [3.16]: I oppose this bill in the strongest possible terms. It is an absolutely frightening and appalling piece of legislation. The last occasion on which I spoke in a similar manner -

Reverend the Hon. F. J. Nile: I will have to send your speech to all National Party branches in New South Wales.

The Hon. D. J. GAY: I would welcome Reverend the Hon. F. J. Nile sending it to all National Party branches in New South Wales. As I was about to say, the last time I spoke in this House on a private members' day I supported Reverend the Hon. F. J. Nile. Today, however, I am firmly opposed to the proposition that he has put before the House. In the contribution of the Hon. Elaine Nile it was interesting to note the absence of any reference to the passing of motions by the National Party. In fact the opposite has happened.

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Reverend the Hon. F. J. Nile: It has happened in Queensland.

The Hon. D. J. GAY: We are members of the New South Wales Government, at present dealing with matters affecting New South Wales. On numerous occasions the New South Wales National Party has passed motions opposing citizen-initiated referenda. I remind the House of a cold winter night about two years ago when more than 800 people packed into a high school auditorium in the Brisbane suburb of Kelvin Grove for a political meeting. The Prime Minister could not have attracted a crowd that size in Brisbane, or anywhere else that

winter. Neither could Paul Keating or John Hewson, nor, I suspect, Joh in his heyday. I doubt whether any mainstream politician could have gone close to attracting such a large crowd. The drawcard on that particular winter night about two years ago was Peter Sawyer. A couple of years previously he had been a small-time clerk in the Department of Social Security in Western Australia. At that stage he was the nation's champion conspiracy theorist. Over the months Sawyer built up a following throughout the country areas.

Reverend the Hon. F. J. Nile: And he was wrong.

The Hon. D. J. GAY: He was demonstrating that his dangerous -

Reverend the Hon. F. J. Nile: We do not support him.

The Hon. D. J. GAY: Honourable members must understand how citizen-initiated referenda developed in Australia. Peter Sawyer was certainly very much in the vanguard of this insidious concept. He was spreading his own dangerous brand of right-wing nonsense. He had a large receptive audience in the cities as well. Chairing the meeting on that winter night was one Michael Darby. He was a well-known figure of the far right.

The Hon. M. R. Egan: He was in the Liberal Party.

The Hon. D. J. GAY: That is true. He was once the leader of the ultra-conservative New South Wales Liberal Party faction known as the "uglies". More recently, he masterminded an unsuccessful attempt to take over the Queensland branch of the National Party. Though we may not like what he stands for, he is a good operator. He was responsible for putting together the computerised election campaign which resulted in Joh's last landslide election victory in Queensland. So he is not a bloke to be underestimated. Unfortunately, he is also a fellow I went to school with, but that was a long time ago.

The Hon. Dr B. P. V. Pezzutti: Send him off to join the Democrats.

The Hon. Elisabeth Kirkby: I do not wish to have to make another personal explanation today.

The Hon. D. J. GAY: The Hon. Elisabeth Kirkby assures me that even the Australian Democrats would draw the line at this fellow. Michael Darby's views are so extreme that the French have banned him from New Caledonia. The Kelvin Grove meeting was sponsored by the citizens-initiated referendum campaign, which was a movement aimed at having a Swiss-style referendum system introduced into Australia, which is what the bill of Reverend the Hon. F. J. Nile is based on.

Reverend the Hon. F. J. Nile: On Switzerland, not Darby.

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The Hon. D. J. GAY: I said a Swiss-style. The basic premise is that citizens should petition for referendums if they object to government legislation or want to initiate laws. They could also make use of the referendum process to recall - that is, to sack - any politicians or officials whose performance they were dissatisfied with. If people did not like certain politicians, their actions or the legislation they were introducing, they could be sacked. People ask members of Parliament from both sides to have strength and integrity and to make the hard decisions. This system would mean that members of Parliament could not make the hard decisions.

Reverend the Hon. F. J. Nile: Like the ID card.

The Hon. D. J. GAY: I will come to that in a minute. Citizen-initiated referendums are the in thing with the far right, along with citizen electoral councils, CECs, which are supposed to take the place of the party system. The same mob puts both proposals up. People entering the hall at the meeting in Brisbane were handed copies of "Wake Up Australia", which is published by a group calling itself the Council for a Free Australia". The woman who runs the council and features as a columnist in the newspaper, Jacki Butler, was the Brisbane contact for Sawyer's June and July liberty speaking tour throughout New South Wales and Queensland. The crowd stood as Sawyer entered the hall, straining to see this bearded figure being shepherded down the aisle. Sawyer is not a polished speaker but the people at the meeting hung on every word. In Brisbane, as at other venues, they lapped up his bizarre message that Australia is sliding into a planned, totalitarian State, that it is all part of a conspiracy to bring about a world government, that Australia's billion dollar Parliament House is to be the new world government headquarters. The hub of the conspiracy is Canberra's Deakin Centre, where Sawyer says the Government has already secretly -

Reverend the Hon. F. J. Nile: On a point of order. These remarks about Peter Sawyer and Federal Parliament House being the centre of a new world government have nothing to do with the citizen-initiated referendum bill, which is the very simple proposition before this House.

The Hon. R. T. M. Bull: On the point of order. I think the matters raised have a great deal of relevance because, as the Hon. D. J. Gay has pointed out, the citizen-initiated referendum cause in Australia has been born from these meetings that he referred to. I think his speech is leading on to the evolvement of this issue, not only in New South Wales but coming down from the north.

The Hon. D. J. Gay: On the point of order. Following what the Hon. R. T. M. Bull said, this certainly is the genesis of the movement within Australia. To consider the bill of Reverend the Hon. F. J. Nile we have to look back at the genesis of the citizen-initiated referendum movement in Australia and know the people involved in the very origin of the movement. This has much to do with the bill under discussion.

The Hon. Dr B. P. V. Pezzutti: On the point of order.

The PRESIDENT: Order! I do not need to hear any more on the point of order. There is no substance to the point of order.

The Hon. D. J. GAY: Sawyer says that at the Deakin Centre in Canberra the Government has already interlinked departmental computers in gigantic Big Brother national surveillance. After the speech in Brisbane plastic buckets were passed around the hall. Even though there was a \$2 admittance fee and many in the audience were far from well heeled, receptacles were quickly overflowing with cash. People filled in

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attendance forms before leaving, enrolling as supporters of the CIR campaign and nominating the kind of help they were prepared to give - handing out literature, writing to newspapers, telephoning radio stations, collecting signatures on petitions, working for citizens' candidates at the next election, et cetera. I have a copy of the type of form for honourable members to view.

Names collected in this way were added to an already vast mailing list. Almost every aspect of the resurgence of the far right, which is causing deep concern, was embodied in that meeting - even to the point of literature from the anti-Semitic and secretive Australian League of Rights being displayed for sale. Books and pamphlets on offer included works by the league's founder and national director, Eric Butler. Among the other tracts was a paper entitled "Centralisation - The Policy of Satanism", originally delivered in a Canadian League of Rights seminar, informing readers of the slimy intrigues and the growing power of the oligarchy of finance founded by the houses of Rothschild.

Reverend the Hon. F. J. Nile: Call to Australia dissociates itself completely from the League of Rights.

The Hon. D. J. GAY: I accept what Reverend the Hon. F. J. Nile says. I know that he shares a common concern about the League of Rights. Both the National Party and Call to Australia have had their problems with the League of Rights in the past. I know that Reverend the Hon. F. J. Nile and the Hon. Elaine Nile and I dissociate ourselves totally from the League of Rights. But what I am talking about is this meeting which was one of the founding meetings of the citizen initiated referendum movement. The tract I referred to went on to refer to the houses of Rothschild and the secret societies, today consolidated in international finance, international communism, international Zionism and the agencies they control. It was a bargain at 50c - the original league one world conspiracy theory without Sawyer's embellishments. The League of Rights is involved in the Sawyer phenomenon - up to its neck - and clearly influencing other groups which are playing a growing and disturbing role in the Australian political process. Queensland National Party Senator Ron Boswell, who I am sure -

Reverend the Hon. F. J. Nile: We have worked with him. In fact we helped to elect him by giving him Call to Australia preferences.

The Hon. D. J. GAY: Ron Boswell delivered a courageous speech in Parliament in April of that year, warning of the increase in the league's activities. At that time I distributed that speech to all members of this House. Some of the most conservative members of the Federal Senate echoed his warning. Boswell said:

The league attacked elected representatives from all parties and elected system of Government. The league thrives wherever there is discord, dissension, frustration, fear, resentment and financial hardship. It flourishes in times of drought, low commodity prices, high foreign debt and high interest rates. Recent events have led to an unprecedented expansion of its power, influence and the number of its supporters. The shadowy organisation preys on people's fears, exploiting, manipulating target groups as tools to promote the league's policy.

Boswell is a deeply religious man and was particularly concerned at the inroads the league had been making into the charismatic and fundamentalist churches and other similar groups.

The Hon. Elaine Nile: And the Uniting Church also.

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The Hon. D. J. GAY: The Uniting Church, Call to Australia and the National Party. Boswell told the Senate:

Many are being used as innocent vehicles to spread the word of the League of Rights. Decent men and women were responding to the League of Rights without knowing its true face.

The true face of the league has been well documented. It was established in 1946 and expanded into a national network in 1960. It was based on the strange, economic doctrine and antisemitic views of the English theorist, C. H. Douglas. The league operates principally through front networks. It exploits disaffected groups. It infiltrates other bodies or merely uses well-meaning, but unwitting, people and organisations. League publications proclaim the holocaust a hoax - blame the Jews for wars and depressions - and refer to a Jewish plot for

world domination. Asked in July if he had any qualms about being associated with the League of Rights, Sawyer said:

They stand for a belief in God, Queen and Country, which I believe in. They stand for citizens initiated referendums, which I believe in.

He might have added that the league has always pushed the world government conspiracy theory, which he claims to believe in. The man who launched Sawyer on the extreme right-wing lecture circuit was Jeremy Lee, who for many years was the deputy director of the league. Lee remained secretary of the Institute of Economic Democracy, a division of the league, until June this year. Sawyer once described him as one of the most intelligent, interesting, informed, honest and courageous men in the country today. Lee has expressed similar praise for Sawyer. Lee did introductions for Sawyer at meetings and on video cassettes, assuring audiences that though he did not have sufficient time to document all his startling claims, the documentation is there and it fits in with his own experience. Recently, Lee called for an awakening of conscience among churches when he or someone like Jacki Butler needed help to distribute about 50,000 copies of a newspaper. He said that they could approach church leaders and that help would be forthcoming. Lee said:

There are resources there the like of which I have never seen. I have a feeling we are going to get to the stage where each church, under its pastoral supervision, opens up a new ministry which is a continuing thing.

In other words a ministry for political activity, and as Reverend the Hon. F. J. Nile said earlier, that is an issue about which he has been concerned. Lee is now involved in a ministry for political activity. The Logos Foundation, which is often referred to as a militant Christian lobby group which works among churches, has become remarkably influential. Logos began operations in the New South Wales Blue Mountains, but has now relocated to Toowoomba, Queensland. The first major political exercise in which Logos involved itself was the campaign against the Bill of Rights in 1986. J. Carter, the director of Logos, wrote that the move into politics was in accord with the clear, confirmed word of the Lord. In 1986 Carter said that Australians were facing the loss of God-given freedoms, because we have allowed power and authority to political leaders greater than God's word permits. Hence, the aim of the current Logos project, a huge well-funded, well-organised campaign called Voters' Veto, Australians Speaking Up is a version of the citizen-initiated referendum idea which would enable voters to petition for a referendum if they disapproved of any present or proposed law.

The group behind *Wake up Australia*, like Sawyer and Logos, has been campaigning for the citizen-initiated referendum and citizens electoral councils concept, as has the league. It organised a public seminar on the subject in Toowoomba in May two years ago which was addressed by Eric Butler and others. Butler lectured in Inverell

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on the subject of making Australia saleable, and Swiss referenda, throwing in the odd conspiracy theory on the international and big money control of political parties. Anything which discredits mainstream politicians and undermines the faith in existing party systems obviously suits the league. Jacki Butler's newspaper, distributed with considerable help from churches, is not averse to running this type of world government conspiracy rubbish. A recent article in *Wake up Australia* explained how legislation requiring the registration of firearms was part of a plot by our oneworld masters to progressively disarm the nation.

It does not matter how wild such claims were, or how often they were demonstrated to be false, Sawyer kept making predictions that failed to come true. For example, he predicted interest rates of between 27 per cent and 30 per cent by January 1990; a consumer credit collapse by March, which would leave many people homeless and bankrupt; the introduction of a totalitarian fascist state in Australia by 1990; an Aboriginal revolution leading to the arrival of an international peace-keeping force by May 1990 and so on. That background of the groups

involved with promoting the citizen-initiated referendum ideal shows what they want to obtain. They want to be able to control the country through their own particular, peculiar and obnoxious pressure groups rather than the elected majority of Australian people. I turn now to what I consider to be the main points against citizen-initiated referenda legislation. The first point is that it undermines the existing system of government. Citizen-initiated referendum powers threaten the control of the political system of existing elected governments. Parliament should have the final say on laws, and its power should remain unchallenged except by itself. In Australia people have some power to challenge the Parliament through the existing constitutional amendment procedure that requires the vote of the people on a referendum. Honourable members no doubt recall the recent referendum that was held in New South Wales when the people of New South Wales were asked whether the number of parliamentarians for New South Wales, and their terms in Parliament, should be reduced. That power is available. It can be argued that parliamentary sovereignty reflects the sovereignty of the people and should not be undermined.

Reverend the Hon. F. J. Nile: The Wran referendum result on hotel trading hours was never implemented.

The Hon. D. J. GAY: That would not happen with a conservative government. The third reason relates to a lack of understanding. Ordinary people are not capable of understanding the complexity of legislative proposals and could not produce acceptable laws - sometimes even politicians experience difficulty in that regard. Today government is complex and specialised. The power to legislate should, therefore, be left to Parliament, whose members have been elected on the basis of their experience, interests, and good judgment in public affairs. There are a number of further aspects to the argument. The quality of public debate is not as high as that of members of Parliament. The latter debate in an organised environment with the assistance of specialist backup research and advisory services. Unlike parliamentary debate, public debate does not provide opportunities for negotiation and compromise and a consideration of all possible alternatives. Voters would propose and support populist measures to achieve short-term goals at the expense of the country's long-term welfare. People's initiatives oversimplify important issues. Initiative measure campaigns in America have been said by some to be emotive rather than rational and to utilise simple slogans or buzz words, which can be misleading.

The third argument against citizen-initiated referendums is voter apathy. People
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will not vote in sufficient numbers to give the referendum results legitimacy. In Switzerland and America voter turnout is nowhere near as high as it is in Australia. In those countries, where citizen-initiated referenda are held, voters have become blasé about the process. The fourth reason relates to tyranny of the majority; that is the threat of endangering the rights of minorities when majority rule is established. That the minority always has the opportunity to work towards creating a majority - indeed fulfilling the wishes of the majority rather than the wishes of the minority - is itself a linchpin of democracy.

The Hon. Elaine Nile: Ordinary electors voted to put the honourable member into Parliament.

The Hon. D. J. GAY: That was not a citizen-initiated referendum.

The Hon. Elaine Nile: You are putting down the ordinary voter.

The Hon. B. H. Vaughan: Of course he is. The Country Party has always been like that.

The Hon. D. J. GAY: Is the Deputy Leader of the Opposition supporting the legislation?

Reverend the Hon. F. J. Nile: The parties are still discussing the matter. They will make their decision known in due course.

The Hon. D. J. GAY: Regardless of the fact that the parties are discussing the legislation, I remain completely opposed to it.

The PRESIDENT: Order! It would significantly aid the progress of debate if the Hon. D. J. Gay were able to complete his contribution without too much interruption.

The Hon. D. J. GAY: The argument that voter initiatives will result in special interest group domination and that well-organised and powerful pressure groups will gain from voter-initiated procedure may be raised also in relation to elections and influence on governments generally. One possible example of that would be a group of powerful press barons combining to influence citizen-initiated referenda. The fifth argument is that of finance. Arguably it can be said groups or individuals with the most money will always succeed. The sixth reason is the cost involved. The objection can be raised that the voter-initiative process will be enormously costly. The costs would involve, among other things, the cost of signatures, of providing public assistance towards the printing of pamphlets, and the actual holding of referendums. The costs associated with the recent referendum in Australia were incredibly high for no tangible result. The Bill of Rights springs to mind. The seventh argument against citizen-initiated referendums is overuse. The introduction of a voter initiative would open the gates to an onslaught of voter-initiated laws. This would reduce the role of Parliament and, as a consequence, may deter able people from standing for Parliament. Another reason is that of political parties. Given that the value of direct legislation will be significantly diminished and that voters will evaluate referendums in the context of the recommendations of party machines, the parties will effectively sabotage the process during the initial referendum campaign. I wish to draw to the attention of honourable members arguments advanced by an American political scientist, David Magelby. They are as follows:

Many of those who champion CIRs are concerned only with their own inability to
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influence public policy.

Persons who sign petitions do not read the petition they are signing.

A large number of initiatives end up being struck down by the courts as unconstitutional.

The success of a proposition can be determined by its position on a ballot paper and the "election mood" set by dominant propositions on the ballot paper.

All members of Parliament know about the donkey vote. David Magelby said further:

Propositions can be written to disguise what a "yes" or "no" vote means.

In order to meet signature thresholds, legal challenge and campaign costs, sponsors must have substantial political resources. Organised interests clearly have an advantage over most individuals.

Initiatives will increasingly be used by politicians to solidify support among single issue groups.

Items of direct legislation have not activated more than 30 per cent of the voting age population in any State studied.

No evidence exists for the claim that initiatives will increase voter participation or interest.

People who use the CIR mechanism and those who actually vote (i.e. voluntary voting in US) are unrepresentative by age, race, education and income.

Propositions and "yes" and "no" cases are unreadable for large numbers of voters.

Most voters come to ballot relatively uninformed about the propositions in which they are to vote.

Most voters show little interest in the proposition mechanism or content.

The important point is that alienated voters and citizens are more likely to vote on propositions than for candidates. Reverend the Hon. F. J. Nile has covered in his bill the disadvantage that I acknowledge affects country people in citizen-initiated referendums.

Reverend the Hon. F. J. Nile: We are happy to consider amendments to make the bill even stronger.

The Hon. D. J. GAY: To make the bill stronger?

Reverend the Hon. F. J. Nile: From your point of view. If you think there are any weaknesses in the bill, we are happy to consider amendments.

The Hon. D. J. GAY: I do not feel obliged to look at amendments at all. I feel quite compelled to vote definitely against the bill without going to the committee stage to consider amendments to it. I find the whole process abhorrent.

The Hon. Elaine Nile: That is because the League of Rights really has taken you over.

The Hon. D. J. GAY: I can assure the Hon. Elaine Nile that the League of Rights has not taken me over. Referendums as such would undermine existing law and government. In some instances voters would not be competent to judge issues and would

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vote for populist measures: mobocracy would rule. Moneyed interests and the media would wield undue influence. In some instances proposals would be badly drafted and inflexible, though Parliament may have power to put a compromise proposal alongside the initial proposal. On face value I do not think the proposal will work and it is totally undesirable. For all those reasons that I have outlined I am totally opposed to the bill.

The Hon. M. R. EGAN (Leader of the Opposition) [3.55]: I move:

That this debate be now adjourned until Thursday, 12th December, 1991.

Question put.

The House divided.

Ayes, 16

Dr Burgmann

Mr Dyer
Mr Egan
Mr Enderbury
Mrs Isaksen
Mr Kaldis

Mrs Kite
Mr Macdonald
Mr Manson
Mr Obeid
Mr O'Grady
Mr Shaw

Mrs Symonds
Mr Vaughan

Tellers,
Ms Burnswoods
Mrs Walker

Noes, 20

Mr Bull
Mrs Chadwick
Mr Coleman
Mrs Evans
Mrs Forsythe
Miss Gardiner
Mr Gay

Dr Goldsmith
Mr Jobling
Miss Kirkby
Mr Moppett
Revd F. J. Nile
Dr Pezzutti
Mr Ryan

Mr Samios
Mrs Sham-Ho
Mr Rowland Smith
Mr Webster

Tellers,
Mr Mutch
Mrs Nile

Pairs

Mr Hannaford
Mr Pickering

Mrs Arena
Mr Johnson

Question so resolved in the negative.

Motion for adjournment negated.

The Hon. S. B. MUTCH [4.1]: Citizen-initiated referendums have had a long history of interest in Australia. I recall when I was a university student reading a biography of the great conservative Australian Prime Minister, Stanley Melbourne Bruce. As a young, not particularly aspiring candidate for office, Stanley Bruce faced a hostile audience at a public meeting. The first question he was asked was from the back of the hall, "What is your opinion of the initiative referendum and recall?" Of course, Stanley Bruce did not have the foggiest idea what the initiative referendum and recall was. He instinctively used the trick of turning the question back on the questioner. He said, "Before I answer that question, since you seem to be so enamoured of the concept of the initiative referendum and recall, why don't you inform this meeting of your opinion of the initiative referendum and recall?" As it turned out, the questioner had been supplied

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with this question by someone else. He also did not have the faintest idea what the initiative referendum and recall was. I do not know how the meeting ended up, but I do know that Stanley Melbourne Bruce eventually became the Prime Minister of Australia, so he must have rectified his lack of knowledge in that particular area at least.

In those days the issue had a similar status to the status it has today. It is one of those seemingly good ideas that has great popularity among a wide section of the community but an idea that has yet to see its day in this country. Essentially, the idea of citizen-initiated referendums involves what is sometimes called the people's veto, where a prescribed number of citizens petition the government for a referendum to decide whether a bill that has passed through Parliament should become law, or the legislative initiative, which involves a prescribed number of citizens either petitioning the government to hold a referendum on a law proposed by the petitioners or on a proposition that an existing law should be repealed. In addition, there is a proposal that citizens might present a petition to the government requiring a referendum on a proposed alteration to the Constitution, for instance, at the Federal level. The mover of the bill, Reverend the Hon. F. J. Nile, referred to Professor de Q. Walker, a staunch advocate of, and author of a book on, citizen-initiated referendums. Professor Walker submits that where citizen-initiated referendums are in operation - in Switzerland, Italy, Denmark, Ireland, Austria, certain States of the United States of America and Canadian local government - they have proved to be a source of new legitimacy to law and a bulwark against extremism".

It has been argued by Professor Walker and others that in an age where, at least in industrial democracies, the electors are more educated and have access to more information as a consequence of the communications revolution, there is no longer an overriding justification for allowing representative assemblies a monopoly on lawmaking. It has been said that laws made directly by the people have greater legitimacy because the result of a referendum is there for all to see. In relation to pressure groups, citizen-initiated referendums are said to assist politicians, who can say to lobbyists pushing contentious issues: "Go out and gather support for your cause by collecting signatures. If you can prove sufficient community support, the matter will go to parliament and, if it gets to the stage of a referendum, the people will make the decision". Opponents of citizen-initiated referendums allege that they would undermine the authority of the elected government; that the voters would support populist measures; that a tyranny of the majority would be established; that vested interests and the media would wield too much influence; that citizen-initiated referendums are too costly and inconvenient; that they would be too inflexible, and that in this country, with a strong party political tradition, referendums initiated by the people simply would not work.

Contrary to the proposition that the electorate is better informed and therefore better able to make decisions directly, it is alleged that the information explosion tends to confuse people, who therefore need to rely more and more on elected representatives. In addition, detractors point out that the apathy of the Australian population might enable minority views to prevail in referendums marred by a low voter turnout. In rebuttal, it is argued that referendums

should be held in conjunction with elections, or on just one day a year that is well promoted. It is argued also that, alternatively, it is open always to the majority to rescind an initiated law. Those are just a few of the arguments for and against citizen-initiated referendums. In analysing what citizen-initiated referendums are, there are a couple of other proposals that have also seen the light of day. Another proposal - that of the recall - may be invoked by a petition. Under that proposal, an elected member of the government, and possibly elected or unelected government officials, are subject to dismissal upon the acceptance by referendum of a proposal put

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forward by a prescribed number of voters. The initiation of a referendum may be direct where the proposal supported by a petition is submitted directly for popular vote, although it may be indirect where the proposal is submitted to the Legislature first. If an indirect proposal is rejected by the Legislature, it is then submitted to a popular vote.

So far as I am aware the system of citizen-initiated referendums in the relevant sense of instituting constitutional change or general legislative change has not been introduced federally or at State or local government levels in Australia. However, historically citizen-initiated referendum movements have come and gone. At present there would seem to be an upsurge in groups and individuals committed to the introduction of the initiative, veto and recall, or variations thereof. Controversy has surrounded citizen-initiated referendums partly because of the perceived motivations of some of the large number of organisations actively campaigning for the initiative. For example, the concept of citizen-initiated referendums has been promoted by National Action, the Australian Nationalist Movement, the Australian League of Rights, the Immigration Control Association and the Council for A Free Australia. In addition, I am aware of an organisation called the Logos Foundation. I am unsure whether that organisation still exists.

Reverend the Hon. F. J. Nile: It does.

The Hon. S. B. MUTCH: Reverend the Hon. F. J. Nile interjects to say that it does.

Reverend the Hon. F. J. Nile: It is now located in Canberra.

The Hon. S. B. MUTCH: I think it was previously located in Toowoomba. That organisation promoted a concept called voters' veto. I do not know how that campaign has gone. I am not sure what has happened to the organisation, because there were problems associated with it. Reverend the Hon. F. J. Nile has told the House that he is not associated with a number of organisations which would give the whole concept of citizen-initiated referendums a bad name. It is important that this House examines the bill objectively to determine its merits and debates it carefully. Obviously any bill introduced by Reverend the Hon. F. J. Nile - and he has told me that this bill was drafted by an eminent professor - deserves the full attention and consideration of this House. The Australian Labor Party seems to have long been opposed to the concept of citizen-initiated referendums. Although I am unsure of its present attitude, I suspect it still reflects that long-held view.

Reverend the Hon. F. J. Nile: They still have to discuss it with us.

The Hon. S. B. MUTCH: Reverend the Hon. F. J. Nile informs me that they still have to discuss it. The general platform adopted at the 1908 Brisbane conference of the Political Labor League included a proposal for initiative and referendum. That proposal was adopted and remained on the Australian Labor Party platform until 1963 when it was removed at the

Perth Conference on the motion of Don Dunstan on behalf of the methods committee. I am not sure what the methods committee was but it sounds a little secretive.

The Hon. D. F. Moppett: We have ways of making you talk.

The Hon. S. B. MUTCH: Is that the sort of committee it was?

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The Hon. Virginia Chadwick: We have our ways.

The Hon. S. B. MUTCH: Was it a "We have our ways committee", as the Minister interjects? The report of the methods committee noted that the proposal for direct legislation had been adopted to counter fears that the 1901 Federal Constitution had been written so as to entrench the forces of conservatism, whereas in fact great gains had been made by Labor through the Federal Parliament. It was the view of the methods committee that these devices would have hindered Labor governments far more than conservative governments and that the use of these devices would make it easy for conservatism to put brakes on parties advocating reform.

Reverend the Hon. F. J. Nile: Slow down radical ideas.

The Hon. S. B. MUTCH: As the Reverend the Hon. F. J. Nile interjects, they would slow down radical ideas. In addition, it was noted that there had been no significant interest in or agitation for that part of the platform for the past 50 years and the proposal ran counter to the development of the party system and the established traditions of Australian politics. The modern day thought emanating from the Labor Party is in a similar vein. The Labor Party feels that probably the first referendum that may come before the people of New South Wales may be a referendum for the return of capital punishment.

The PRESIDENT: Order! It being 4.15 p.m. proceedings are now interrupted to permit the Minister to move the adjournment motion if she so desires.

ADJOURNMENT

The Hon. VIRGINIA CHADWICK (Minister for School Education and Youth Affairs)
[4.15]: I move:

That this House do now adjourn.

DEATH OF MELISSA ANN CAVANAGH

The Hon. R. D. DYER [4.15]: I wish to raise a serious matter relating to Melissa Ann Cavanagh, aged 13 years, who died on Monday, 25th November while being conveyed to Blacktown Hospital by ambulance. At the time of her death she was residing with her father in the suburb of Vineyard on the north-western outskirts of Sydney. Earlier today I mentioned the matter I wish to raise with the staff of the Minister for Health and Community Services on the basis that I wished to give the Minister advance notice to enable him to make some inquiries so that he could possibly be in a position to respond to the matters to which I am about to refer. I refer the Minister and the House to a report in yesterday afternoon's edition of the *Daily Telegraph Mirror* where it was reported that homicide squad detectives were called in to investigate this girl's death when ambulance officers suggested she had been bashed. The media report also mentions that the ambulance officers formed the view that the girl was very ill and that they noticed bruising on the side of her face. It seems that a post-mortem examination has failed to disclose any obvious cause of death. I intend to say no more regarding this as a coronial inquiry will no doubt occur in due course.

My reason for raising this matter in the House is to place on record my concern regarding allegations that have been made relating to the stated failure of officers of the Department of Community Services to respond to requests for assistance in the days
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immediately prior to the girl's death. It has also been alleged that Blacktown hospital failed to notify Melissa's mother, Sharon Cavanagh, of the child's death. I am advised that the child's mother first contacted officers of the Department of Community Services on Saturday, 23rd November, requesting assistance on the basis of a belief that Melissa was in danger of abuse by her father, Mr Trevor Green. A further approach to a Department of Community Services officer was made by telephone at about 9.30 p.m. on Saturday, 23rd November, by both the child's mother and her grandmother. The response received from a female officer of the Department of Community Services was to the effect that, "We have better things to do than go and see your daughter". Further telephone contact with the department was made by the mother at 11 a.m. on Sunday, 24th November, when a different female officer of the department took the call. Yet another phone call was made by the mother to the department at 9.30 a.m. on the Monday, when a male officer is reported to have asked, "Are you sure she has been abused?"

I request the Minister to investigate the manner in which officers of his department are stated by relatives of the deceased to have dealt with urgent requests for assistance regarding an alleged child abuse matter. At a policy level, the Opposition is concerned that officers of the department are so overworked that they cannot cope with the level of contacts made with them regarding child abuse, matters. I have been told by organisations such as Burnside that Department of Community Services officers are hard pressed to cope with child abuse due to a lack of staffing resources. Whatever the position may be in that regard, I sincerely ask the Minister to get to the bottom of this complaint so that the mother and other close relatives of Melissa can at least in their grief have an assurance that the manner in which their approaches to the department were handled has been properly investigated at the highest level.

"SPECIAL TREATMENT - LOCKING UP ABORIGINAL CHILDREN" FILM

The Hon. D. F. MOPPETT [4.19]: I wish to raise a concern which arises from my viewing of a film which was launched yesterday in Sydney at the Australian Film Institute at Paddington. The film was entitled, "Special Treatment - Locking up Aboriginal Children". That film has a worthy central cause but the presentation of the material gave rise to my concern. I believe members of this House should also be concerned about it. It reminded me of another film entitled, "Mr Neal is Entitled to be an Agitator" which has attracted some publicity. I wish to draw a subtle distinction between a person being entitled to agitate and a person being entitled to be an agitator. Though it is important that issues such as the welfare of Aboriginal children in custody should be brought out with the utmost vigour, it is another matter when it is obvious that the methods used are not fair to other groups. In this case I object to the way in which the police role in carrying out their duties in relation to Aboriginal children was portrayed in the film. Many pieces of library footage were put into a context unfairly to highlight the position of the police. This gave a completely wrong impression of the wonderful work that many police officers are doing throughout New South Wales.

I commend police officers for the way in which they approach difficult situations. In many cases it is a product of their training and in others of their vocation. They are to be commended for the way in which they carry out their duties. They should not be used as whipping boys by those who wish to advance radical causes. In this case it was a cause with which most members of the House would probably have a lot of sympathy. I particularly want to record my admiration for a police officer in the Walgett district, Chief Inspector Tony Hahn, who I believe is an exemplary police officer working

in difficult circumstances. He is an inspiration to the community. I believe the film will be broadcast by the Australian Broadcasting Corporation television network in January, so it will gain a wider audience than it would have just as a film. I have raised the matter to make members aware in gauging the reaction of the community that the film gives a one-sided view of the role of police in this difficult area. I hope honourable members will join me in supporting the police in performing their role in this controversial area.

LIVERPOOL CITY COUNCIL ALDERMEN

The Hon. J. F. RYAN [4.23]: I wish to raise a matter which should be of great concern to the residents of the city of Liverpool. The matter concerns the manner in which Labor members of the Liverpool council are bullying members of the public and other aldermen on the council. It is nothing short of a disgrace. I am sure that it will be of concern to all members to learn that in recent days I have been informed by two different members of the public that they have been told by a senior Labor Party figure, an alderman of the council, that he expected all development applications to be channelled exclusively through Labor members of the council. They were later told, "Any matter in which you seek the assistance of non-Labor members of the council hasn't got a chance of getting through". At the last round of local government elections the Australian Labor Party won a clear majority of the council. It did well in winning support from the public. No member of this House would question Labor's right to govern the affairs of the council. However, I am sure that all members of this House, regardless of their political persuasion, will also regard this type of bullying tactic as totally unacceptable. The Labor members of the council need to understand that whilst they might constitute a majority on the council their superiority of numbers does not give them the right to act in this strong-arm manner.

Members of the public should be free to approach, without prejudice, any members of that council and to seek service from them. There are four non-Labor aldermen on the Liverpool council and they include two former mayors. They also enjoy the confidence of a substantial part of the community of Liverpool and they are entitled to be treated with respect. I might add that this is not the only manner in which the non-Labor aldermen have been strongarmed by the Labor Party. When the council reconvened after the recent local government elections not one of those aldermen was elected to a single committee or subcommittee of the council. Consequently, the only people who have access to the complex matters which appear before the council, prior to a full council meeting, are those members of the council who are members of the Labor Party or the couple of Independent aldermen who rarely vote against it. The other aldermen have been totally frozen out. In fact, to make sure that they had no chance whatsoever of representation on these committees, any position that was not taken up by a member or supporter of the Labor Party has been given to people who are not elected members of the council.

I recognise that the law allows this to happen, but very few councils make use of this provision except in exceptional circumstances, and certainly not as a means of excluding city aldermen from active participation on their own council. This "bovver boy" approach to politics by the Labor aldermen might impress their mates in Sussex Street but it reflects badly on the whole political process. But I have a greater concern about this behaviour and what can only be called threats: it is that this is the sort of arrogance which is the forerunner to corruption. Once this sort of thuggery is condoned it is not long before the threats escalate to even more extreme demands. If this type of action is left unchecked, it will not be long before applicants before the council are asked

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not only to deal exclusively with Labor aldermen but also to give support to the party in the form of donations. I am not reflecting on any recent or current decision of the council, nor am I suggesting that any alderman on that council is corrupt; all I am saying is that the actions of the Labor majority of that council are showing a dangerous trend towards getting out of hand.

AGRICULTURAL RUNOFF

The Hon. ELISABETH KIRKBY [4.26]: I draw the attention of honourable members to the development on the Severn River, a tributary of the Darling River, which may affect the problems of the Darling River. Honourable members do not need me to tell them of the hardship faced by many farmers and others who rely on this water resource for agriculture and drinking. Perhaps the Minister representing the Minister for Natural Resources could outline a long-term strategy to deal with the problem of agricultural runoff and the resulting bloom of toxic algae. Simply dumping plane loads of chemicals such as Coprol on algal blooms is only attacking the systems and not the problem. The Australian Democrats is a pro-active party, not a reactive knee jerk party.

Increasingly the people of New South Wales have to rely on us to ask the difficult questions relevant to issues affecting our environment. Ignoring our environmental problems and putting them in the too hard basket is not what the people of New South Wales expect from their representatives elected to this Parliament. Indeed, section 5 of the 1902 New South Wales Constitution Act states that we are charged with the power to make laws for the peace, welfare and good government in New South Wales in all cases whatsoever. I remind honourable members of that provision because some of them appear to have forgotten this duty to the public.

Algal blooms occur in many parts of the world. They are a warning that all is not well with our ecosystem. They are not unique to Australia. Indeed, I believe the Government should look to the findings and scientific studies undertaken overseas. Australian soils are so lacking in nutrients as to make the blooms so apparent in our waterways now directly traceable to agricultural activity. I defy any Government department to prove me wrong in this. Agricultural runoff is most certainly linked to the emergence of these blooms. Mr Causley has refuted the evidence in recent communication to such reputable organisations as the Nature Conservation Council, the organisation representing all the key environment groups in New South Wales.

In addition, certain Queensland politicians also insist that agricultural runoff is not responsible for the recent emergence of these blooms. These statements are rubbish. Why do some politicians seem to think that they have a better understanding of this phenomenon than scientists do? Why bother employing scientists at all? Why not just scrap the Commonwealth Scientific and Industrial Research Organisation, the Department of Water Resources, the Soil Conservation Service and retrench the many world class scientists now languishing in many departments if we are not going to listen to their advice? Is that not what we pay them for?

Many valid fears are held by the local community downstream of the proposed Pindari Dam. I again put on the public record that I share the fears of the informed local community. How many taxpayers' dollars have been wasted on such lunatic ideas as investigating the possibility of diverting the Clarence River to flow inland? The feasibility of doing this has not been investigated once but twice, and again, over a period of 30 years. However, the Pindari Dam enlargement is being funded by the Government

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on the basis that industry will benefit. Yet the cotton growing industry in Australia is the most chemically reliant in Australia. The cost of the dam will be borne by the industry.

The DEPUTY-PRESIDENT (The Hon. R. T. M. Bull): Order! The time allowed for the adjournment debate has expired.

Motion agreed to.

House adjourned at 4.30 p.m.

QUESTIONS UPON NOTICE

The following questions upon notice and answers were circulated in *Questions and Answers*:

STATE BANK AND ESSINGTON LIMITED

Mr Jones asked the Minister for Police and Emergency Services and Vice-President of the Executive Council representing the Premier, Treasurer and Minister for Ethnic Affairs -

(1) Did the previous Manager of Corporate Lending, Chris West, advise the State Bank's Branch in New York not to query the transfer with the transmitting bank of US\$20 million to the bank on 7 December 1989?

(2) Was the State Bank negligent in lending large amounts of money to the unlisted public company Essington Limited and Malcolm Edwards the company's Managing Director?

(3) Will the Premier instigate an inquiry into the bank's handling of this whole matter?

Answer -

(1-2) The Bank is not in a position to respond to the questions raised as to do so would be a breach of any duty of confidentiality owed to Mr Edwards and Essington Limited. In this regard, attention is invited to section 7 (1) of the State Bank (Corporatisation) Act 1989, which prohibits the disclosure of information with respect to the affairs of individual customers. Furthermore, the relationship between the Bank, Mr Edwards and Essington Limited and, specifically, the transaction referred to by the Honourable Member, is the subject of legal proceedings pending in the Supreme Court of New South Wales.

(3) The State Bank, in common with all Banks, has incurred bad and doubtful debts. The Bank's performance in this regard is broadly in line with the nationally operating banks and substantially better than the other State Banks.

There are extensive monitoring and reporting arrangements in place for the Bank and other major Government Trading Enterprises that keep under close review their financial performance. The focus of the Government as owner is on the overall financial performance of the Bank, not on individual transactions.

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There is no purpose or need for an inquiry into the specific matters referred to by the Honourable Member.

MINISTER FOR POLICE AND EMERGENCY SERVICES AND POWERHOUSE MUSEUM BALL

Dr Burgmann asked the Minister for Police and Emergency Services and Vice-President of the Executive Council -

(1) In response to a Question from the Hon. Ann Symonds, M.L.C., on 29 October 1991, did the Minister say that he paid for a ticket to the Powerhouse Museum Ball?

(2) If so, did the Minister pay for the ticket out of his personal funds?

Answer -

(1-2) The tickets were not paid for from Departmental or Governmental funds.

PEKO WALLSEND OPERATIONS LIMITED AND Mr FRECKLINGTON

Mr Jones asked the Minister for School Education and Youth Affairs representing the Minister for Natural Resources -

(1) Is the Minister aware of the situation confronting Mr B. F. Frecklington of Parkes District with regard to the granting of a mining lease to Peko Wallsend Operations Ltd?

(2) Will the Minister reverse the decision made by his predecessor to grant the lease to Peko Wallsend Operations Ltd without requiring Peko to buy the land over which the lease is to be granted?

(3) Does the Minister feel that the decision to grant a lease was a fair and appropriate one, given that the previous Minister was leaving for London to take up his position as Agent General and leaving his successor apparently bound by his decision?

(4) Does the Minister consider that Mr Frecklington has the right to veto access to his property given that it is classified agricultural land and given that his colleague the Minister for Agriculture and Rural Affairs has outlined this provision to veto in a letter of 2 August 1989?

Answer -

The Acting Minister for Natural Resources has advised me as follows:

(1) Yes. The Minister is aware of the situation.

(2) There is no decision to grant a lease at this stage and it is understood that Peko is presently negotiating with Mr Frecklington to purchase his property.

(3) No decision has yet been made to grant a lease to Peko.

(4) Mr Frecklington has certain rights under the Mining Act. However, I understand that Peko is negotiating to purchase Mr Frecklington's property.

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ILLAWARRA APPRENTICESHIP TRAINING

Mr O'Grady asked the Minister for Police and Emergency Services and Vice-President of the Executive Council -

(1) Does the Minister recall attending a meeting of the Illawarra Regional Consultative Council which was held on Monday, 22 January?

(2) Does the Minister recall his comments concerning Member Apprenticeship TAFE Courses?

(3) Has the Minister ascertained what the current government policy is on Member Apprenticeship training?

Answer -

- (1) My diary reveals that I did attend such a meeting.
- (2) No.
- (3) No.

VIVISECTION

Mr Jones asked the Minister for Planning and Minister for Energy representing the Minister for Agriculture and Rural Affairs -

- (1) With regard to the practice of vivisection, how many animals were used in experiments during 1989-90 in New South Wales?
- (2) How much funding was allocated in the form of Government grants for the purpose of animal experiments involving vivisection in the financial year 1989-90?
- (3) What percentage of grants for research were for the development of alternatives to vivisection?
- (4) Is research currently undertaken involving the use of primates in New South Wales?
- (5) If so, are these primates subjected to vivisection?
- (6) How many primates are used per annum in New South Wales for the purpose of experimentation?
- (7) What titles are given to grants allocated to researchers using primates?
- (8) How many such grants are given?
- (9) What is the total amount of these grants per annum in New South Wales?
- (10) What are the sources of funding for animal experimentation?
- (11) How many private experimental laboratories are there in New South Wales apart from those in universities and other centres of higher education?
- (12) How many complaints to date have been received about animal experimentation labs?
- (13) What action, if any, is taken to assess the validity of complaints?
- (14) How often are both private and educational laboratories inspected?
- (15) What penalties are imposed on individuals or organisations found guilty of abusing laboratory animals?

Answer -

I have been advised by the Minister for Agriculture and Rural Affairs that the answers to the Honourable Member's questions are:

(1) The definition of animal research in the Animal Research Act 1985 is intended to be wide and include a variety of animal research procedures, including the use of animals for teaching purposes in schools. All research protocols must be approved by an Animal Care and Ethics Committee which must, by law, have animal welfare and independent representatives as members.

The Animal Research Act and Regulation were only fully implemented in January 1991 with the introduction of a comprehensive system of accreditation and licensing of all institutions and individuals conducting research.

Hence, the information requested is not available for 1989-90. However, all institutions and individuals conducting research are required to submit an Annual Return on Animal Use form by 31 July each year for the 12 months to 30 June. These statistics will be available and published in the Animal Research Review Panel Annual Reports from 1992 onwards.

(2) I have no access to this information. The vast majority of funding for animal research comes from Commonwealth bodies, especially the National Health and Medical Research Council, Australian Research Council and Rural Industry Research Funds and Corporations.

Some government departments such as National Parks and Wildlife Service and New South Wales Agriculture fund their own research projects, all of which must be approved by an Animal Care and Ethics Committee.

Organisations such as the National Heart Foundation and the Australian Kidney Foundation also provide some research grants.

(3) This information should be sought from the funding bodies as already mentioned.

The Senate Select Committee on Animal Welfare's 1989 Report on Animal Experimentation recommended that funds be made available for research into alternatives for animal use in research. This was supported in principle by the New South Wales government which will continue to encourage the Federal Government to make funds available for this purpose.

(4) Yes. Primates are used for research in New South Wales.

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(5) There are some primates used in animal research in New South Wales. The nature of their use has not yet been analysed.

(6) This data is currently being collated, commencing January 1991, and will be published from the Annual Animal Use Returns in the Animal Research Review Panel Annual Report in 1992.

(7) This information is not currently being collated by New South Wales Agriculture.

(8) Unknown, as this is a Commonwealth matter.

(9) Unknown, as this is a Commonwealth matter.

(10) Eighty to eighty-five percent of research funding comes from Commonwealth bodies - National Health and Medical Research Council, Australian Research Council and Rural Industry Research Funds and Corporations.

Several Australia-wide research trusts are also operative, e.g., the National Heart Foundation, Australian Kidney Foundation and the Ramaciotti Research Trust.

There is little funding at a State level. Some government departments fund their own research, such as the Department of Health, New South Wales Agriculture and National Parks and Wildlife Service.

Other sources include private corporations which fund their own research.

(11) Twenty-nine private establishments or individuals have applied for accreditation or licences in 1991.

(12) No formal complaints have been received since the implementation of the accreditation and licensing scheme.

(13) No action has been required to date. However, should a complaint be received, the matter would be investigated fully and the premises inspected by a Veterinary Officer and nominated Animal Research Review Panel members. Following this, a report would be made to the Panel and the Director-General of New South Wales Agriculture for appropriate action.

Section 34 of the Animal Research Act 1985 details the method by which complaints may be made to the Director-General of New South Wales Agriculture.

(14) Inspections of animal research establishments commenced in September 1991. It is envisaged that facilities will be routinely inspected once every 2-3 years. Additional inspections may result from complaints received.

(15) Clause 24 of the Code of Practice in the Animal Research Regulation 1990 prescribes that "The care and use of all animals for recognised research purposes must be in accordance with this Code, and with the Act and the Regulations".

Should an authorised person or institution breach the Code in such a manner that the only appropriate remedy is punitive, the accreditation or licence of the institution or individual may be revoked, thus disallowing the approval to legally conduct animal research.

Penalties for unlawfully carrying on the business of animal research, that is without
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accreditation or licence, are \$10,000 for a corporation and \$2,000, or imprisonment for 12 months, or both for an individual (section 46 and 47 of the Animal Research Act 1985).

The supply of animals for use in research without an animal supplier's licence also invokes a penalty of \$10,000 for a corporation and \$2,000, or imprisonment for 12 months, or both for an individual.

NORTH OCEAN SHORES BYRON BAY DEVELOPMENT

Mr Jones asked the Minister for Planning and Minister for Energy -

(1) Is there a development proposal for the area known as North Ocean Shores in the Shire of Byron Bay?

(2) If so, what is the present stage of this proposal?

(3) Was this proposal the subject of a Commission of Inquiry under Commissioner Simpson?

(4) Did the subsequent Simpson report recommend against any further development of the site?

- (5) Did the report recommend that any further development was to be subject to a flood study which was to be paid by the Developer, Alan Bond?
- (6) Has any such study been done?
- (7) If so, are the results available to the public?
- (8) At what stage is the re-drafted Local Environment Plan?
- (9) Does the proposed site contain the last section of undeveloped coastline of North-Eastern New South Wales and South-Eastern Queensland?
- (10) Does the area contain the last surviving Aboriginal Initiation Sacred Site Bora/Kippa Rings in a coastal environment?
- (11) Does the site contain strands of endangered Littoral Rainforest Strangling Figs (*Ficus* Sp.)?
- (12) Does the site contain examples of the rare Christmas Orchids (*Calanthe triplicata*)?
- (13) Does the site contain the only N.S.W. colony of Black Flying Fox?
- (14) Does the Southern slope of the Jones Road spur contain some of the last examples of one of the rarest trees on Earth, the Black Walnut (*Endiandra globosa*)?
- (15) Is there a Koala colony in the area that is dependent on the Blackbutts that line Jones Road?
- (16) Will the proposed residential development along the Jones Road spur destroy the Blackbutts and thus the Koala colony?
- (17) Would the last two remaining macropods still existing in the area, the Swamp Wallaby and the endangered Long-nosed Potoroo, also face extermination due to attacks by residents' dogs and road fatalities?
- (18) Will the Minister act to prevent this development proposal?

Answer -

- (1) I am advised that Byron Shire Council exhibited a draft local environmental plan between 13 December 1989 and 14 February 1990 for North Ocean Shores that proposed to rezone a number of relatively small areas for residential and business purposes. The bulk of the land in the plan is proposed to be included in a variety of rural, special use, open space or environmental protection zones.
- (2) The Council is still to submit the plan to the Department of Planning for reporting to me.
- (3) No. After exhibiting the draft local environmental plan for North Ocean Shores, Council held a public hearing in accordance with section 68(1) of the Environmental Planning and Assessment Act, 1979. This hearing was conducted by a Commission of Inquiry (Commissioner Simpson).
- (4) No. Commissioner Simpson recommended that a number of matters discussed in his report required further attention prior to the making of the draft Local Environmental Plan.

(5) Commissioner Simpson, in his report to Council, considered that it was appropriate for all major issues, including flooding, to be reasonably resolved before the draft local environmental plan is made. He also recommended that consideration be given to the formation of a Floodplain Management Committee to further the local technical input analysis and the implementation of a Floodplain Management Plan.

(6&7) I am unaware of what action Council has taken in regard to the recommendation made (7) by Commissioner Simpson as Council is still considering his report.

(8) Council is presently considering all submissions and Commissioner Simpson's report prior to submitting the plan to the Department of Planning for reporting to me.

(9) No. A number of areas exist along the coast with limited or no development similar to the North Ocean Shores section of the coast.

(10-17) I am unable to advise on the issues raised in these questions, as these would be more appropriately referred to my colleague, the Hon. T.J. Moore, M.P., Minister for the Environment.

(18) The Council has to date not submitted the draft local environmental plan to the Department of Planning for reporting to me. The Department's report will consider all the environmental issues relevant to the location for my consideration as to whether or not to make the plan.

TOKUTHION PESTICIDE USE

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Mr Jones asked the Minister for Planning and Minister for Energy representing the Minister for Agriculture and Rural Affairs -

(1) Do banana growers use tokuthion twice a year on banana crops?

(2) Does this chemical cause psychosis and other health problems?

(3) Is this chemical now being investigated by the National Health and Medical Research Council?

(4) Is tokuthion unable to be registered in the USA?

(5) If so, why have banana farmers been allowed to use this chemical in New South Wales?

Answer -

I have been advised by the Minister for Agriculture and Rural Affairs that the answers to the Honourable Member's questions are:

(1) Only 16% of the New South Wales banana crop is treated with Tokuthion (850ha of the 5,197ha grown). Of the 1,228 growers in New South Wales, only approximately 20 would treat twice per year with Tokuthion.

(2) Prothiofos, the active constituent of Tokuthion, is a member of the organophosphate class of compounds. Excessive exposure to these materials inhibit the production of an enzyme in the nervous system thereby impairing the activity of the system. These effects are reversible and medical treatment is available.

The National Health & Medical Research Council has examined toxicology data on prothiofos and recommended appropriate safety precautions and first aid instructions, which are shown on

Tokuthion labels. NHMRC has not received any evidence of psychosis or other major health problems related to use of the product.

As with any pesticide, exposure should be minimised to avoid adverse affects by following the label instructions carefully.

(3) The National Health and Medical Research Council has reconsidered the use of Tokuthion on bananas in the past 3 months. NHMRC examined further data submitted by the manufacturer, Bayer Australia Limited, and reconfirmed its view that use of the product as registered on bananas does not present a threat to human health.

(4) Bayer advise that registration has not been sought for Tokuthion in the United States because the company does not believe there is a sufficient market for the product. Registration in the U.S.A. has not been refused.

(5) Tokuthion has been fully evaluated through the normal Commonwealth clearance and State registration procedures for use on bananas. This includes an assessment of possible health and environmental effects. NHMRC has recently reconfirmed that the product does not present an unacceptable risk. My colleague, the Minister for Agriculture and Rural Affairs, therefore believes there is no reason to withdraw the product from sale.

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FREE RANGE EGGS

Mr Jones asked the Minister for Planning and Minister for Energy representing the Minister for Agriculture and Rural Affairs -

(1) Did the Department of Agriculture publish the Agnote AP/2 giving guidelines for freerange egg production although these guidelines have been rejected by the Freerange Egg Producers Association?

(2) If so, why?

(3) Will the Minister withdraw this Agnote and republish it with the standards approved by the Freerange Egg Producers Association?

Answer -

I have been advised by the Minister for Agriculture and Rural Affairs that the answers to the Honourable Member's questions are:

(1) No. New South Wales Agriculture did not publish Agnote AP/2 giving guidelines for free range production that had been rejected by the Free Range Egg Producers Association.

(2&3) Mr Jones may be concerned about the first edition of the Agnote which was published in February 1991 before the Free Range Egg Producers Association had formally adopted its own guidelines. The first edition has been withdrawn from distribution.

The second edition of the Agnote AP/2 on free range eggs published in June 1991 lists the guidelines for free range egg production that have been formulated by the Free Range Egg Producers Association.

The second edition of the Agnote was produced immediately by the Free Range Egg Producers Association which was successful in gaining endorsement for its guidelines by the Minister for

Health, the Minister for Business and Consumer Affairs, and the Minister for Agriculture and Rural Affairs. Those endorsements were obtained during May 1991.

ABERCROMBIE RIVER CROWN LAND SALES

Mr Jones asked the Minister for Planning and Minister for Energy representing the Minister for Conservation and Land Management -

- (1) Have applications been made to purchase Crown land along the Abercrombie River?
- (2) Will the Minister allow the sale of this land?
- (3) If so, at how much per hectare?

Answer -

I have been advised by the Minister for Conservation and Land Management that the
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answers to the Honourable Member's questions are:

- (1) Five applications to purchase Crown leases are currently on hand involving some 2,646 hectares.

In addition, there is one application to purchase land currently held under Permissive Occupancy, involving an area of about 297 hectares.

- (2) These applications are being investigated individually by a committee comprising representation from Department of Conservation and Land Management, National Parks and Wildlife Service and Forestry Commission of New South Wales with a view to determining whether or not they can be purchased.

In regard to the application to purchase the land held as Permissive Occupancy, this land must also be assessed in terms of Part 3 of the Crown Lands Act, 1989. Subsequent to that assessment, which involves public exhibition, a notice of intention to sell must be published in the press.

- (3) The purchase price of the five Crown Leases is determined in accordance with the provisions of the Crown Lands (Continued Tenures) Act, 1989. This Act provides that the purchase price of these leases is the notified capital value of the lease adjusted by the movement of the Consumer Price Index between the quarter prior to 1 May 1990 and the quarter prior to the date of the application to purchase.

CROWN LAND LEASEHOLD CONVERSION

Mr Jones asked the Minister for Planning and Minister for Energy representing the Minister for Conservation and Land Management -

- (1) Will 1.6 million hectares of leasehold land in NSW be converted to freehold land?
- (2) Will 40% be converted now and the remainder after studies have been completed?
- (3) If so, are most of these leasehold areas forested?

(4) Does research show that forested areas are unsuitable for sustained agriculture or intensive grazing?

(5) Are over one half of NSW agricultural lands significantly degraded?

(6) What is the average leasehold fee?

(7) Was one area of leasehold land sold for the equivalent of 50 cents per 0.5 hectare?

(8) What is the average price per hectare of the land being sold?

(9) Do farmers gain previously unavailable development options upon conversion of the land to freehold?

(10) If so, do these options include the clearing of land and subdivision of the land into hobby farm blocks?

(11) What are the criteria used by the Department when considering leasehold land for conversion to freehold?

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(12) What policies are in place to protect the community's interests when consideration is being given to leasehold areas for conversion to freehold near water catchments or on reservations set aside for National parks and nature reserves?

Answer -

I have been advised by the Minister for Conservation and Land Management that the answers to the Honourable Member's questions are:

(1) Approximately 1.6 million hectares of Crown land situated in the Eastern and Central Division of the State is comprised within 4,400 leases originally affected by the moratorium on the conversion of such land to freehold. The purpose of the moratorium was to ensure that the conservation value pertaining to the land was fully investigated to determine if freeholding should be permitted.

(2) Approximately 40% of the total leases investigated were determined, after analysis by the National Parks and Wildlife Service, to have no significant conservation values and those leases were therefore released from the moratorium. Should an application for conversion of such a lease be lodged, it would most likely be approved, subject to Forestry Commission considerations. Investigation of the remaining 60% is in train to determine the future of those leases.

(3) Most of the leases in the 40% released from the moratorium would have little or no timber cover. The 60% currently under investigation would range from almost total to light or partial timber cover.

(4) At this stage very few, if any, studies exist which quantify the level at which forest grazing and/or agriculture is sustainable, and no studies exist which would allow for generalisations across the broad forest types of New South Wales the reason being that research work on grazing and/or agriculture effects on native vegetation have been directed towards arid and semi arid rangelands.

If maintenance of the forest refers to maintaining the ecological processes and species inherent in that forest association then definitive research across all forest types does not exist.

Nevertheless, as a general rule, all grazing, whether by native, feral or domestic animals, results in modification of the vegetation structure and species distribution. Depending on the intensity, the type of forest and the particular preferences of the animal(s) concerned then these changes can be either minimal or significant. Whether these changes are beneficial or deleterious is dependent on the primary purpose for which the land is to be used. In a conservation reserve these changes are usually considered deleterious whilst on a multiple use area the changes may be considered negligible or even beneficial (if the grazing intensity is relatively low and is matched to the requirements for maintaining the forest cover).

(5) About three quarters of New South Wales is agricultural land (made up roughly of 80% grazing land, 20% cropping land). Much of this land is subject to varying forms of land degradation. These include sheet and rill erosion, gully erosion, mass movement, wind erosion, dryland and irrigation salinity, scalding, soil structure decline, soil acidity and the spread of inedible woody weeds. In general, cropping land is more likely to be degraded than grazing land.

Approximately 70% of all agricultural land in New South Wales is degraded to some significant degree. Nearly all of our cropping land (over 95%) is degraded, whereas

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nearly three quarters of the grazing land in the State (70%) is degraded.

Approximately 40% of all agricultural land in New South Wales is severely degraded. 85% of the State's cropping land is suffering from severe land degradation in one form or another and 30% of the grazing land in the State is severely degraded.

(6) The average rent for Crown leaseholds within the Eastern and Central Division for the 1990/91 financial year was \$322 per annum.

(7) I am not aware of a particular lease selling for the price mentioned, although the response to your earlier question (139) regarding leases along the Abercrombie River gives an example of the purchase price pertaining to certain leases. These leases are of the type where the purchase price applicable upon conversion is fixed by statute at the original notified value, i.e. the value of the land at the time the lease was granted. The purchase price for the majority of Crown leaseholds is fixed at the original notified value and many of these date back to the early 1900s. More recent legislation, commencing 1 May 1990, provides that these fixed prices are now adjusted in line with movements in the Consumer Price Index.

(8) Most converted leaseholds are purchased by instalments over a period of 33 years and as the revenue collected includes such instalments, interest and the full purchase price in some cases, it is not practicable to determine the average price per hectare. However, as mentioned previously, the price would range from less than \$2 per hectare to the equivalent of full market value.

(9) Upon conversion to freehold, as with any title to land, landholders are governed by planning schemes prescribed under the Local Government Act in respect of development. By freeholding, an owner would no longer require the additional consent of the Crown for subdivision, nor, except in the case of protected land under the Soil Conservation Act, a covering "profit a prendre" under the Forestry Act, a conservation agreement under the National Parks and Wildlife Act, or a covenant precluding such, to the clearing of the land.

(10) The clearing of land would be permitted, subject to the possible restrictions previously mentioned, and subdivision into hobby farm blocks would be determined by the pertaining planning scheme.

(11) The legislation under which Crown leaseholds were granted dictates whether the holder has a statutory right to convert to freehold, or merely the right to apply to convert to freehold,

with the Crown retaining the discretionary power of approval or refusal. The leases in the latter category are the 4,400 mentioned in (1) above, which are the subject of investigation in terms of the moratorium. Generally, the factors considered in determining an application for conversion, where no statutory right applies, include the Crown's equity in the land, possible public need or usage, the views of other instrumentalities, the protection of conservation values and any effect on contiguous land.

(12) The approval of the relevant Board is required to the conversion of any lease within a Special Area (formerly designated catchment areas) under the Water Board Act or the Hunter Water Board Act. Restrictions also apply to catchment areas under the Googong Dam Catchment Area Act. With regard to natural catchments to other watercourses, the majority of land is mapped, or will be mapped, as protected land under the Soil Conservation Act and although this does not prevent conversion, it does prevent clearing without authority. There are no reservations for National Parks or nature reserves, but

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measures are being considered in terms of the moratorium where the National Parks and Wildlife Service has intentions of acquiring land for such purposes.

NEWCASTLE-BRISBANE RAILWAY BRIDGES

Mr Johnson asked the Minister for Police and Emergency Services and Vice-President of the Executive Council representing the Minister for Transport -

- (1) (a) In the last ten years which bridges on the Newcastle to Brisbane railway have been replaced?
 - (b) For what distance, if any, was the track realigned on the approaches to each replacement bridge?
- (2) (a) In the next ten years which bridges on the Newcastle to Brisbane railway are planned to be replaced?
 - (b) For what distance, if any, will the track be realigned on the approaches to each replacement bridge?
- (3) (a) In the last ten years which stretches of track on the Newcastle to Brisbane railway have been upgraded with concrete sleepers?
 - (b) For what distance, if any, was the track realigned before each stretch of track was upgraded with concrete sleepers?
- (4) (a) In the next ten years which stretches of track on the Newcastle to Brisbane railway are planned to be upgraded with concrete sleepers?
 - (b) For what distance, if any, will the track be realigned before each stretch of track is upgraded with concrete sleepers?

Answer -

- (1) (a) A total of 152 bridge structures have been renewed in the last 10 years on the North Coast line.
 - (b) Of these, a total of six locations involved a deviation. These were at Dungog, Telegraph Point, Nambucca, Bulliac, Kundabung and Kempsey.

- (2) (a) State Rail plans to complete renewal of all timber underbridges on the North Coast line within the next 10 years. This includes 40 major structures and 20 minor timber openings.
- (b) It is anticipated that approximately five out of the forty major structures will involve deviations.
- (3) (a) State Rail has resleepered 9 kilometres in concrete sleepers between Border Line and Mays Bridge (tight curves), 26 kilometres of the up main between Broadmeadow and Maitland (excellent alignment) and odd sections between Telarah and Dungog totalling 10 kilometres.
- (b) Nil.

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- (4) (a) State Rail has planned to have resleepered all the tight curves on the North Coast line by the year 2001. This will cover approximately 300 kilometres of the total 800 kilometres, but this will depend on funding available.
- (b) The total extent of realignment work required will also depend on the amount of funding received.

NORTHWEST SECTOR TRANSPORT LINKS STUDY

Miss Kirkby asked the Minister for Police and Emergency Services and Vice-President of the Executive Council representing the Minister for Transport -

- (1) Who in the RTA authorised the so-called "NW Transport Links Study" which is being carried out by Maunsell Pty Ltd?
- (2) What is the cost of the study to date?
- (3) Did the Ministry of Transport and the RTA fabricate evidence of population trends in the NW sector and employment growth on the lower North Shore to try and justify the F2 at the Commission of Inquiry?
- (4) Is the NW Transport Links Study simply a means of reinstating the F2 Tollway?
- (5) Did Maunsell Pty Ltd engage Mr Peter Abelson, a leading Transport Economist to carry out the economic evaluation of the various options arising from the study?
- (6) In respect of those options involving the F2 road reservation, what were the findings of Mr Abelson?
- (7) Have the Abelson findings been modified in any way in the EIS, either by Maunsell Pty Ltd or by the RTA?
- (8) If the findings were modified, on whose initiative were the modifications carried out?
- (9) If the findings were modified, why were they modified?

Answer -

The Honourable R.J. Webster, M.L.C.:

As the Minister representing the Deputy Premier, Minister for Public Works and Minister for Roads this question has been referred to me for reply and I am advised that the answer to the Honourable Member's question is:

(1) In view of the substantial publicity surrounding this issue following the Commission of Inquiry in 1990, I am surprised that the Honourable Member seems to be unaware that the study was authorised by the Deputy Premier and Minister for Roads.

The study is divided into two parts. Maunsells are managing the part east of Pennant Hills Road. The section west of Pennant Hills Road is being managed by the Snowy Mountains Engineering Corporation.

(2) Costs to date are not readily available.

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(3) No.

(4) No.

(5) Yes, to the extent that Mr Abelson is a principal of Applied Economics which was engaged by Maunsells to undertake the economic analysis for their half of the study only.

(6) The economic evaluation is not yet complete. The working paper will be a public document once finalised.

(7) No.

(8) N/A.

(9) N/A.

Note: This question was answered by the Minister for Police and Emergency Services and Vice-President of the Executive Council representing the Minister for Transport (Q&A26 - Friday, 15 November 1991).

NORTHERN BEACHES LIGHT RAIL

Mr Jones asked the Minister for Planning and Minister for Energy representing the Deputy Premier, Minister for Public Works and Minister for Roads -

(1) Will the completion of the Harbour Tunnel divert a significant number of vehicles off Sydney Harbour Bridge?

(2) If so, how many vehicles are expected to use the Harbour Tunnel instead of the Sydney Harbour Bridge?

(3) Will the Minister dedicate two lanes on the Sydney Harbour Bridge for a light rail system to service the Northern Beaches area of Sydney if it is found that the number of cars using the Harbour Tunnel make this proposal possible?

(4) Is the proposal for a light rail system for the Northern Beaches of Sydney being seriously considered?

(5) Would the construction of a light rail system on the Northern Beaches significantly reduce traffic congestion and further significantly reduce air pollution?

Answer -

I am advised by the Deputy Premier, Minister for Public Works and Minister for Roads that the answers to the Honourable Member's questions are:

(1) Yes.

(2) About one third of current cross-harbour traffic.

(3) Lane 7 on the Sydney Harbour Bridge is to be dedicated for exclusive use by State Transit buses, private buses, taxis and hire cars upon the opening of the Sydney Harbour Tunnel in August 1992.

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The remaining additional capacity is expected to be utilised by vehicles now using Gladesville Bridge in peak hours as a result of current severe congestion on the Harbour Bridge at those times.

Present indications are that there will be no spare capacity to dedicate a further two lanes specifically for use by light rail.

(4) Not by the Roads administration. The Honourable Member should seek advice on the issue from the Minister representing the Minister for Transport.

(5) Only if light rail captured a much larger share of the travelling public than does the existing bus service from the Warringah Peninsula.

WOMEN IN PRISON TASK FORCE REPORT

Mrs Symonds asked the Minister for School Education and Youth Affairs representing the Minister for Justice -

(1) Did the Women in Prison Task Force recommend the creation of the position of Women's Officer to oversee women's policy and administration issues?

(2) Is this specialist position currently held by a man?

(3) If so, will the Minister undertake to restore this specialist function in the terms of the Task Force's recommendations?

Answer -

(1-3) I am aware that the Women in Prison Task Force Report contained a large number of recommendations. The report itself did not however, recommend the creation of a women's officer position. Whilst I acknowledge my responsibility for women's interests, it is not my prerogative to establish a specialist position, such as this, within another Minister's portfolio.