

LEGISLATIVE COUNCIL

Wednesday 11 October 2000

The President (The Hon. Dr Meredith Burgmann) took the chair at 11.00 a.m.

The President offered the Prayers.

STANDING COMMITTEE ON SOCIAL ISSUES

Membership

Motion by the Hon. J. J. Della Bosca agreed to:

That the Hon. H. S. Tsang be discharged from the Standing Committee on Social Issues and that the Hon. Amanda Fazio be appointed as a member of such committee.

STANDING COMMITTEE ON PARLIAMENTARY PRIVILEGE AND ETHICS

Membership

Motion by the Hon. J. J. Della Bosca agreed to:

That the Hon. J. R. Johnson be discharged from the Standing Committee on Parliamentary Privilege and Ethics and that the Hon. Amanda Fazio be appointed as a member of such committee.

BILLS UNPROCLAIMED

The Hon. Carmel Tebbutt tabled a list detailing all legislation unproclaimed 90 calendar days after assent as at 10 October 2000, copies of which are available on request from the Clerk at the table.

PETITION

Battery Cage Egg Production

Petition opposing the production of eggs through the use of battery cages and praying that the House will stop the unnecessary suffering of hens in battery cages, received from the **Hon. R. D. Dyer**.

ADMINISTRATIVE DECISIONS TRIBUNAL LEGISLATION AMENDMENT (REVENUE) BILL

Second Reading

The Hon. M. R. EGAN (Treasurer, Minister for State Development, and Vice-President of the Executive Council) [11.07 a.m.]: I move:

That this bill be now read a second time.

I seek leave to have my second reading speech incorporated in *Hansard*.

Leave granted.

This bill amends the Administrative Decisions Tribunal Act 1997 to create a Revenue Division of the Administrative Decisions Tribunal and to provide for its constitution. Members of the division will have jurisdiction to review decisions of the Chief Commissioner of State Revenue which are reviewable pursuant to the Taxation Administration Act 1996, as amended by this bill. The amendments to the Taxation Administration Act 1996 are made to confer jurisdiction on the Administrative Decisions Tribunal with respect to review of decisions of the Chief Commissioner of State Revenue made pursuant to the taxation laws set out in the Act, namely, the Accommodation Levy Act 1997, the Debits Tax Act 1990, the Duties Act 1997, the Health Insurance Levies Act 1982, the Land Tax Act 1956, the Land Tax Management Act 1956, the Parking Space Levy Act 1992, the Pay-Roll Tax Act 1971, the Premium Property Tax Act 1998, the Revenue Laws (Reciprocal Powers) Act 1987, the Stamp Duties Act 1920, the Unclaimed Moneys Act 1995 or a regulation under any of those Acts.

The bill contains replacement provisions for the existing section 86 and part 10, division 2, of the Taxation Administration Act, rather than attempting to make ad hoc amendments to a large number of the existing provisions. In redrafting these provisions, the principle that decisions of the Chief Commissioner should be subject to external review has been retained, except in two cases. The first is a compromise assessment made under section 12 of the Act, which is specified to be a non-reviewable decision in the current Act because such an assessment represents an agreement between the Chief Commissioner and the taxpayer. The second non-reviewable decision under the proposed amendments is a decision of the Chief Commissioner not to reassess a taxpayer's liability if the time limit within which the taxpayer may lodge an objection has expired.

This restriction is implied by existing provisions, which impose time limits within which taxpayers may object against an assessment or decision, but is made explicit in new section 86 (2). This clarifying amendment has been accompanied by an amendment to omit existing section 86 (1) (b), which purported to prevent a taxpayer from appealing against a decision of the Chief Commissioner not to refund an overpayment of tax. This restriction was introduced into the Act in 1999 to prevent taxpayers from circumventing the time limits within which objections may be lodged.

Taxpayers whose time for lodging objections had expired were instead seeking a refund, and then objecting if the Chief Commissioner decided that a refund was not due. However, this provision unduly restricts taxpayers' rights. New section 86 (2) (c) will achieve the purpose intended by the 1999 amendment without the present restriction on seeking a review of a refund decision. The bill provides that the jurisdiction of the Administrative Decisions Tribunal to review decisions of the Chief Commissioner is to be concurrent with the existing jurisdiction of the Supreme Court to review such decisions. The jurisdiction of the Land and Environment Court with respect to decisions concerning land values is maintained. This will ensure consistency between the review processes for land tax valuation matters and values determined by the Valuer-General for council rating purposes.

The procedure presently set out in the Taxation Administration Act requires a taxpayer to have lodged an objection with the Chief Commissioner and that objection to have been determined by the Chief Commissioner before an application for review of the original decision may be made. This procedure is like the internal review process required by the Administrative Decisions Tribunal Act and has been maintained by the amending bill. The analogous provisions in the Administrative Decisions Tribunal Act have been excluded. The time frames set out in the Taxation Administration Act have also been retained in preference to the time frames in the Administrative Decisions Tribunal Act. The maintenance of the existing objection process is intended to ensure that there is minimum disruption to the internal administrative processes of the Office of State Revenue with respect to objections and reviews of decisions of the Chief Commissioner that are in place. It also maintains consistency with a number of other States which have introduced similar administrative provisions in recent years.

The bill also maintains the existing requirement, founded in the principles of revenue law, that the taxpayer, at both the objection and review stages, has the onus of proving his case. Similarly, the requirement to pay the amount originally assessed by the Chief Commissioner at either the objection or the review stage is not stayed. However, it should be noted that, with respect to review proceedings, the bill, at new section 103 (2), provides that the relevant court or tribunal in which the review proceedings have been brought may exercise any power that they have to order a stay or otherwise affect the operation of the decision under review. The bill incorporates an important element of the Administrative Decisions Tribunal Act by requiring at new section 93 (2) (a) of the bill that the Chief Commissioner must give his reasons on determination of an objection or other decision in accordance with section 49 (3) of the Act. This requirement is rooted firmly in the common law relating to administrative decision making. Accordingly, the Chief Commissioner's reasons must set out:

- (a) The findings on material questions of fact, referring to the evidence or other material on which those findings were based,
- (b) The administrator's understanding of the applicable law,
- (c) The reasoning processes that led the administrator to the conclusions the administrator made.

It is anticipated that, by conferring concurrent jurisdiction on the Administrative Decisions Tribunal and the Supreme Court, taxpayers who are presently deterred from pursuing a review of the Chief Commissioner's decision past the objection stage because of the complexity, expense and delay associated with Supreme Court proceedings will take advantage of access to the cheap and flexible review mechanisms offered by the Administrative Decisions Tribunal. Conversely, those taxpayers who wish to access the judicial expertise of the Supreme Court because their particular matter involves highly technical and difficult legal issues or because the amount of tax in issue is substantial can do so. Members should note that new section 101 of the bill makes it clear that the Administrative Decisions Tribunal may apply section 88 of the Administrative Decisions Tribunal Act.

Consequently, matters brought in the Administrative Decisions Tribunal will be the subject of a costs order "only if it is satisfied that there are special circumstances warranting an award of costs". This is in contrast with proceedings in the Supreme Court which has, pursuant to section 76 of the Supreme Court Act, a wide discretionary power in relation to costs. Similar concurrent jurisdiction is available in relation to like matters in Victoria and federally. The Office of State Revenue has estimated that access to the Administrative Decisions Tribunal for review of decisions as permitted by the Taxation Administration Act may jump from the present figure of approximately 15 appeals per year in the Supreme Court to approximately 200 reviews per year in the Administrative Decisions Tribunal. This will also represent a sizeable increase in the jurisdiction of the Administrative Decisions Tribunal.

The Office of State Revenue has indicated that it is anticipated that many of these "new" applications for review will be with respect to land tax assessments and advises that the office is gearing up for an education campaign concerning these new rights of review in the Administrative Decisions Tribunal. The education campaign will be particularly targeted at those taxpayers who are dissatisfied about the office's assessments or other decisions. Finally, I advise members that this bill is the product of extensive consultation and negotiation between officers of my department and the Office of State Revenue, with the assistance of Parliamentary Counsel. The views of the Chief Justice, the Chief Judge of the Land and Environment Court, the President of the

Administrative Decisions Tribunal, the President of the Bar Association and the President of the Law Society, as well as a number of Office of State Revenue standing liaison committees, were sought on a draft of the bill. Where appropriate, their views are reflected in the bill. I commend the bill to the House.

The Hon. J. M. SAMIOS [11.08 a.m.]: The purpose of the Administrative Decisions Tribunal Legislation Amendment (Revenue) Bill is to make operational amendments to the Administrative Decisions Tribunal. These include extension of time for internal reviews, provision for witnesses to give incriminatory evidence if protected from prosecution, clarification of which types of hearings are public hearings and amendments relating to the suppression of identity of participants. These amendments, which are largely administrative and operational in nature, arise from issues identified by the president, members, staff and users of the tribunal. The amendments will enhance the integrity of the decision making of the tribunal. They arise from a review of the first 18 months of the operation of the tribunal and will assist in making the tribunal more effective.

Concern has been expressed about whether the budget allowance for 2000-01 adequately reflects the administrative changes and workload. Concern has also been raised about the application of section 128 of the Evidence Act, in view of the Law Society's opposition to the proposed amendment of the Coroners Act 1990. The Coalition has always supported the role of the Administrative Decisions Tribunal as a way of providing the community with cheap and effective resolution of disputes between citizens and the Government. The proposed legislation will give the tribunal five divisions that will be responsible for various areas. The Opposition does not oppose the legislation.

Reverend the Hon. F. J. NILE [11.10 a.m.]: The Christian Democratic Party supports the Administrative Decisions Tribunal Legislation Amendment (Revenue) Bill. As the Hon. J. M. Samios stated, we strongly support the role of the Administrative Decisions Tribunal. The former Attorney General was hoping that a number of tribunals would be absorbed within this one tribunal, which would greatly simplify matters. We also support the bill because it will provide the Administrative Decisions Tribunal with the opportunity to review decisions of the Chief Commissioner of State Revenue in regard to a number of taxation laws, such as the Accommodation Act, the Debits Tax Act, the Duties Act, the Health Insurance Levy Act, the Land Tax Act, the Land Tax Management Act, the Parking Space Levy Act, the Pay-roll Tax Act, the Premium Property Tax Act, the Revenue Laws (Reciprocal Powers) Act, the Stamp Duties Act and the Unclaimed Money Act.

I have been the chairman of many committee inquiries, including one into land tax. It is obvious that many individuals feel that decisions made by the Chief Commissioner of State Revenue were not fair: they sought to have the amount reviewed. I hope that the proposed legislation will provide another avenue for individuals who believe that the value placed on their property was too high and unrealistic because the method of calculation was flawed. It is an advantage for the Government to have a property valued at an excessive rate because it increases the land tax. But it should be quite clear that the valuation on the land is realistic and not based on the sale of an expensive property in the same street that may have some special features that may not apply to some of the other properties. There is a lot of controversy about the parking space levy. The proposed legislation will provide shopping centres and other organisations that feel they are being treated unfairly with an opportunity to have the Administrative Decisions Tribunal review the decision of the Chief Commissioner of State Revenue. The bill will provide more open government, and we support it.

The Hon. M. R. EGAN (Treasurer, Minister for State Development, and Vice-President of the Executive Council) [11.13 a.m.], in reply: I thank honourable members for their contributions to the debate.

Motion agreed to.

Bill read a second time and passed through remaining stages.

RURAL ASSISTANCE AMENDMENT BILL

Second Reading

The Hon. J. J. DELLA BOSCA (Special Minister of State, Minister for Industrial Relations, Assistant Treasurer, Minister Assisting the Premier on Public Sector Management, and Minister Assisting the Premier for the Central Coast) [11.14 a.m.]: I move:

That this bill be now read a second time.

As the second reading speech is lengthy, I seek leave to have it incorporated in *Hansard*.

Leave granted.

This bill proposes a number of important amendments to the Rural Assistance Act 1989. The amendments have arisen as a consequence of a review conducted in accordance with the requirements of the National Competition Policy Agreement. The review critically examined the impact on the wider market of the farm family welfare and farm business support aspects of the Rural Assistance Authority Act. As honourable members would be aware, the New South Wales Rural Assistance Authority, or the authority as it is often referred to by its clients, provides financial and other assistance to farmers and helps small businesses in the wider community in times of natural disaster. The provision of assistance to farmers has a long history in New South Wales. It is therefore no coincidence that the authority is seen to have played an important part in the development of the agricultural sector in New South Wales, which is among the most efficient and productive in the world. It may be of interest to members to know that the authority has its origins in the Moratorium Act, which was introduced by the Lang Government in 1930-31.

This Act effectively provided a buffer between borrowers and their creditors in the Great Depression by giving them additional time to pay their debts. The Farmers Relief Board, which was established by the New South Wales Government in 1932 under the Farmers Relief Act, was modelled on this earlier legislation. The major role of the Farmers Relief Board was to issue a stay order, which prevented creditors taking final action against indebted farmers. Soldier-settlers and other small holding farmers and share farmers struggling to survive in the depressed economy of the time were among those protected by stay orders. In 1939, the Farmers Relief Board became known as the Rural Reconstruction Board and then, in 1971, as the Rural Assistance Board. In 1989, following passage of the Rural Assistance Act, the board became the Rural Assistance Authority. The authority continues to play a very important role in rural and regional New South Wales and I am therefore pleased to table this bill to ensure that this tradition continues.

Some indication of the significance of the organisation to the regional economies of our State can be seen in the fact that the authority provides about \$10 million in low interest loans to primary producers in New South Wales in an average year. In 1998-99 which, as many members will recall was when much of the northern part of the State was affected by floods, it provided some \$20 million in low interest loans. In total, the Rural Assistance Authority provided some \$30 million in assistance during the 1998-99 financial year. Most of this \$30 million went to people in rural communities. As we all know, farmers are operating in an extremely challenging business environment. The modern farmer has to be an efficient and competitive business person as well as being a good producer of wool, grains, vegetables, cotton or dairy products, or of any other commodity for that matter. In many instances, it is the various forms of assistance provided through the authority that have made the difference between a positive and a negative on-farm cash flow.

In the 18 months since December 1998, the authority provided over \$10 million in farm business training grants to more than 10,000 New South Wales farmers through the FarmBis business training program. This is almost 30 per cent of all registered farmers in New South Wales. Any banker or operator of a rural supply chain would give their eyeteeth to have this degree of market penetration. In the case of the FarmBis program, which is an Australia-wide joint Federal-State program providing farm business training assistance, I would like to acknowledge the role played by Ellen Howard and John Newcombe. Both Ellen and John oversaw the introduction of FarmBis in this State. They should take some credit in the fact that the New South Wales program is regarded as the benchmark for the delivery of Farmbis in Australia. The authority also played a major role in the delivery of the joint Federal-State Rural Partnership programs which offer structural adjustment assistance tailored to the needs of individual regions.

Two examples which come to mind in the case of the Authority are: the Kickstart Sunraysia Program, which provides adjustment assistance to horticultural industries in the Riverina area of New South Wales and Victoria. This program has been shepherded through its development and implementation phases by Don Cameron, Regional Manager, Southern Region. And the West 2000 program, which provides such important assistance to western New South Wales graziers hit by the twin effects of falling wool prices and extended drought conditions. In this case it has been John Mills, Regional Manager, Western Region, who has represented the Authority on this project. Over the same period the authority has also been an important part of the New South Wales Government's response to natural disasters, providing invaluable help the many farmers who are affected by floods, bushfires, hailstorms and the like.

As we know disasters strike anywhere, and often when they are least expected. While the emergency services take the lead role in dealing with any disaster, the authority plays an important role in the post-disaster recovery phase. Examples which spring to mind include: the earthquake which hit Newcastle on December 27 1989, and the floods which affected Wollongong in October 1999. The authority provided \$14.6 million dollars in assistance to the farmers and small business people in northern New South Wales who were affected by severe flooding in the winter of 1998. At this point it is appropriate that I acknowledge the role of Bruce Glover, Regional Manager, Northern Region, who co-ordinated so much of the financial assistance provided to farmers and small businesses affected by those floods. The authority was also involved in the Newcastle disease outbreak which affected 70 or so poultry meat producers at Mangrove Mountain in April 1999. Some \$300,000 in the form of low interest loans was provided through the authority to these farmers who are still waiting to be provided with exceptional circumstances assistance by the Federal Government over 12 months after the event.

Reflecting the help it provides to small businesses, the authority also provided some \$241,000 to businesses affected by the hailstorm which devastated so much of inner Sydney in April 1999. I firmly believe that the staff working in the authority are responsible in large part for the success of the organisation. We often lose sight of the fact that much of the work of the authority continues long after the visible effects of a disaster have gone. I am for example, still responding to matters which arose as a consequence of the Newcastle earthquake, which as I said previously occurred in December 1989. It is appropriate, therefore, to also acknowledge the work of the many administrative staff at the authority. These back-room people help to make the authority the most efficient rural adjustment delivery organisation in Australia. It is, of course, inevitable that some of the authority's clients become unhappy from time to time when the authority: refuses their application for assistance due to prudential or other reasons, or insists that they repay their low interest loans, or strongly resists their attempts to re-write the eligibility criteria which apply to its assistance programs.

Overall, however, the fact remains that nearly three-quarters of all applications received by the authority are approved for assistance. In the case of Farmbis this proportion is as high as 90 per cent. These statistics lie behind the strong positive

endorsement of the authority's farm family welfare and farm business assistance programs in the submissions to the national competition policy review. And all this has been achieved by a body which at times must take on the role of rural banker, albeit a benevolent one when is possible. It is also the authority, through the Farm Debt Mediation program managed by Kevin Ekerick, that has the very difficult task of overseeing discussions between the various parties when a relationship between a bank or another finance institution and their client goes sour, for example when people default on a mortgage agreement.

The extremely good performance of the authority under the guidance of its General Manager, Steve Griffith, was also borne out by other findings of the competition policy review of the authority. For example, the competition policy review report noted that the average number of applications for assistance processed by the authority increased almost threefold from 2,797 to 7,820 per annum over the period 1990-91 to 199-96. In the current financial year the authority expects to process some 5,000 applications from individuals and groups of farmers. When we consider that this includes several thousand individual farmers participating in FarmBis training programs this is an impressive result. It demonstrates as well as anything the ongoing commitment that the Carr Labor Government has to rural and regional New South Wales. A commitment I might add which was borne out by my decision to relocate the authority from central Sydney to Orange and by doing this to put 100 per cent of the authority's staff in direct contact with its rural client base.

The findings of the competition policy review vindicate the decision to relocate the authority, as do the performance statistics which show that the authority continues to move from strength to strength. The competition policy review also found that as well as delivering improved client support, the authority's administration costs have also decreased from \$4.6 million per annum in 1995-96 to some \$3.8 million in the current financial year. These figures clearly reflect a substantial increase in efficiency and productivity within the authority and no doubt lie behind the finding of the review that when compared to similar rural assistance bodies in the other States, the authority is the most efficient rural assistance delivery agency in Australia. The authority currently administers a loan portfolio of \$78.3 million.

Again reflecting the good financial performance of the authority, repayment arrears administered by the authority have decreased from \$25 million in 1989 to a much more respectable \$9 million in the current financial year. This reduction is important when we bear in mind that it is this type of result which cements the relationship between the authority and the New South Wales Treasury and the authority and the Federal Government. At the end of the day, both these bodies expect the capital assistance provided by them and channelled from them through the authority to be managed prudently. The findings of the competition policy review and the current performance results are a credit to all authority staff and I congratulate them. The authority's effectiveness is also a tribute to the authority board, which acts as a sounding board for Government policy and helps to finetune authority assistance programs. I would like to recognise at this point the efforts of the board under the guidance of its chairperson, Fran Rowe, who among other things including farming, is a Rural Financial Counsellor with the Lachlan Advisory Service. It is not surprising that the competition policy review found the authority board was of considerable value to New South Wales rural communities and the general public.

The amendments to the Rural Assistance Act I am putting forward today reflect the very positive assessment of the authority by the review team. This amendment bill is therefore more about finetuning the current operations of the authority, than about making dramatic changes. The major amendments are: Change the objectives section of the current Act so that the Act itself is more clearly linked to the adoption of efficient and sustainable farming practices and to the delivery of other support in times of natural disaster. Reduce the largely administrative distinction between the current general, special and relief assistance programs, by consolidating these three categories into a single program of assistance. The bill provides, therefore, that these sections of the Act be replaced with a single section providing for programs of assistance which have clearly defined purposes. The first of these purposes is the protection of agricultural land and water resources by facilitating the use of more sustainable land and water management practices. The second purpose is to enhance farmers' ability to put into practice measures to manage adjustment pressures and industry downturns—for example, through the provision of training opportunities such as FarmBis.

The third purpose is to ensure the availability of short-term assistance in times of natural disaster and any other programs with purposes connected to the carrying on of farming operations or rural industries as the Minister determines to be appropriate. The bill addresses the lack of a clearly defined role for the Rural Assistance Authority Board in the current Act by setting out the functions of the board explicitly as: advising the Minister in relation to rural assistance and disaster relief; where appropriate, determining program guidelines to give effect to policies of the Government; and reporting annually to the Minister on the effectiveness of programs and service delivery of the authority. This provision merely proposes to clarify the existing function of the Rural Assistance Authority Board. The advice the board currently provides to the Government on rural assistance and disaster relief matters is valuable and highly regarded.

The new requirement for the board to provide annual reports on aspects of the authority's operations will assist the Minister to evaluate whether the authority's programs are meeting Government objectives and thereby to evaluate the overall performance of the authority; assist the board to perform its advisory role by authorising the authority to provide relevant information to the board; ensure that the composition of the board adequately reflects community views by introducing provisions to review the composition of the board every five years. The Act currently requires the membership of the board to represent farmers and to also consist of persons with qualifications in banking, farm management and/or an associated area that the Minister considers necessary to enable the board to carry out its functions.

At present at least one board member has qualifications in farm family welfare. The review group confirmed that these areas of expertise on the board are appropriate at the moment. However, at the recommendation of the review group, this bill provides for the regular review—every five years—of the representative positions on the board to ensure they continue to reflect major areas of community interest in relation to rural assistance and disaster relief. For example, the review noted that it may be appropriate at some stage to include a board member with expertise in the environment. This bill also removes one legislative provision from the current Act—the protection order. A protection order enables the authority to temporarily stop a mortgagee or other security holder from enforcing their rights against secured property.

Historically, as I mentioned earlier, providing a buffer between farmers and their creditors was an important role of the authority in the Depression era and shortly thereafter. However, as the review found, not one protection order has been issued for over 10 years. The review noted that the protection previously afforded to farmers by these orders is now being very successfully provided through the

Farm Debt Mediation Act 1994 and that, in effect, the existing provision is now redundant. This legislation will ensure that programs to achieve the important work of the authority continue. I believe that this bill ensures that the authority will continue to remain closely focused on current rural assistance issues and that it has an improved capacity to respond to emerging industry and farm family assistance needs. I commend the bill to the House.

The Hon. D. J. GAY (Deputy Leader of the Opposition) [11.15 a.m.]: I support the Rural Assistance Amendment Bill. This is one of those rare opportunities when the Opposition can congratulate the Government on continuing to refine and maintain the relevance of the Rural Assistance Authority [RAA], an essential rural agency. Farming is difficult. It is fraught with the unexpected. The most efficient, organised and professional farmer cannot foresee natural disaster in the form of flood, fire or drought. Under the current economic climate, farming in Australia operates at the narrowest of margins. One interruption and the best laid plans can mean economic ruin. The services offered by the authority will enable farmers to keep going long enough for them to get back on their feet, and this is important.

The authority is not giving handouts, nor are farmers receiving them. Farmers are extremely proud and seek help only when things are truly desperate. Low interest loans administered by the RAA have been the saviour of many a farm for almost 70 years. The amendments we are debating have been brought about by the recent national competition review of the authority. Competition reviews are required of all government legislation that may restrict market behaviour by the end of this year. The review found that the authority is held in very high regard by the rural communities, and I certainly echo that finding. I have heard nothing but praise for the authority. It is efficient and effective. Therefore, the public benefit from the legislation exceeds any negative competition effects that may result from its enactment.

The authority began its life in the 1930s as the Farmers Relief Board at a time when many soldiers were returning from the war and were settled on farms, on soldier-settler blocks. Unfortunately, many of these farmers suffered under extraordinary conditions. The size of the farms at the time were much too small, but they did not learn from their mistakes and the soldier-settler blocks after the Second World War were also too small. Had it not been for Government assistance these enterprising people who have developed much of this country would not have survived. Since its inception the authority has been through a number of changes, but its purpose has remained essentially the same: to offer low interest loans to farmers who cannot obtain the finances they require from a bank. Its current loans portfolio is at \$78 million.

The Rural Assistance Authority is important because it can perform the role of lender when traditional loan agencies will not provide loans. In light of the ongoing concern about banks by rural and regional people, the role played by the Rural Assistance Authority is becoming increasingly important. It would be a great thing if the larger institutions would take notice of the authority's work and its approach, and exercised some corporate responsibility by following its lead. For the authority to continue performing this role it must remain flexible so that it can respond to the changing needs of its clients. The amendments put forward by the Government are worthwhile because they keep the authority relevant.

It is important to note that communities as a whole benefit from the Rural Assistance Authority not simply because small businesses in regional communities can now apply for loans—and so they should—but also because it helps to keep farms viable with a respectable income that can be spent in the local town at the local grocery store, farming supplier, shops, local solicitor, et cetera. Round and round it goes, and the whole community benefits; people are able to stay in their local communities. This is how we keep our country towns and villages going. We have a social and economic responsibility to ensure that these towns are given a fighting chance. By supporting this legislation we are in part helping to ensure the furtherance of these communities, which is important.

These amendments will make several changes. First, they will clarify the objectives of the Rural Assistance Authority. These objectives will be the delivery of programs that promote the adoption of more efficient and sustainable farming practices and support rural communities in times of crisis. The next change will ensure that any assistance given by the authority must be relevant to the circumstances. The third and important change is to bring into one group all three categories of assistance to improve the flexibility of the Rural Assistance Authority. An interesting change is to remove that aspect pertaining to protection orders. With the introduction of the Farm Debt Mediation Act 1994 this power was deemed redundant by the competition review.

The fifth important modification is to provide the Rural Assistance Authority with a clearly defined role. It is to advise the Minister on rural assistance and disaster relief, to determine program guidelines that will give effect to government policy where it is deemed appropriate and report annually to the Minister for

Agriculture. Another important development is the new requirement that the Rural Assistance Authority is to provide necessary information to the board. Finally, the composition of that board is to be reviewed every five years to ensure it properly reflects the community's expectations. It is important to note the breadth of the authority's activities and a variety of communities that it helps under various circumstances. In recent times the authority has assisted people affected by the Newcastle earthquake and the Sydney hailstorms. It helped chicken farmers at Mangrove Mountain and it assisted many farmers in my home town of Crookwell who were affected by fires in 1998. The contributions of the Federal and State governments to the Crookwell fires were paltry, but that is not the fault of the RAA. The work of the Rural Assistance Authority is diverse.

Another important aspect of the authority's work is the administration of the FarmBis scheme. This scheme is funded jointly by the Federal and State governments and it has been an outstanding success by all accounts. The Rural Assistance Authority has contributed \$10 million to the farm business program in the last 18 months or so. Approximately 30 per cent of all registered farmers in New South Wales have attended one of these seminars, where they have obtained information and training in marketing, natural resource management and quality assurance. This training is an essential part of farming in the twenty-first century. It is far better to teach people how to avoid difficult financial situations than to intervene once the creditors knock on the door.

The authority will be responsible also for administration of the Farm Debt Mediation Act. This means that the Rural Assistance Authority also plays an important part in the relationship between banks and farmers—an area in which I have a continuing interest. As I said earlier, we are happy to support this bill, but we emphasise that this is but a minor part of the agricultural industry in this State. We have to ask the Government if it is really fair dinkum about supporting farmers in real terms. The honourable member for Murrumbidgee in another place, Adrian Piccoli, when debating this bill, said:

If the New South Wales Government continues on its present course, farmers might begin to look forward to enduring natural disasters rather than the disasters that have befallen them courtesy of that government.

The Hon. J. J. Della Bosca: That's harsh.

The Hon. D. J. GAY: It is harsh, but I believe it is a fair comment. He is not one to exaggerate.

The Hon. J. R. Johnson: You missed the point—it was the Federal Government.

The Hon. D. J. GAY: You are ever a soldier for the Labor Party! The Hon. J. R. Johnson indicates that it is the Federal Government's fault. He, of course, knows that is incorrect and his smile indicates that we have caught him out on that! We continue to battle with native vegetation legislation and have the up and coming water reforms to deal with. The authority is a vital institution, but the Government could do far more to help farmers across the board by ceasing to make farming in this State such a burdensome profession. Workers compensation fees continue to make employing people to help on farms unattractive. Septic tank regulations are another abrogation of the responsibility of this Government by forcing individuals to do what is actually government work.

Despite all the admirable changes to the Rural Assistance Authority, it is but one small aspect of farming in New South Wales; the Minister and his Government need to do a lot more to help in the broader picture—certainly balancing the \$7 billion to \$8 billion that Dr Richmond indicated was spent on the Olympic Games by all tiers of government. People in rural and regional New South Wales have the right to expect a fair amount of catch up. The Hon. R. S. L. Jones will move amendments that seek to have the annual reports of the Rural Assistance Authority, which are received by the Minister, tabled in Parliament. While we always seek to ensure that the Government is kept accountable and transparent, that may be done only if the confidentiality of people is not exposed. The Opposition believes that the tabling of these documents could lead to the exposure of private financial dealings of those in receipt of loans. People have a right to believe that these matters will remain private, in the exact same way that a bank is obliged to keep the finances of its customers private.

We want to encourage people who need help to apply for assistance. If such documents are made public it could act as a disincentive. For this reason, we will not support the amendments proposed by the Hon. R. S. L. Jones. The Opposition will not support either of the amendments proposed by the Hon. I. Cohen. It does not make sense for the honourable member to propose that ecologically sustainable development [ESD] principles must be applied to FarmBis operations. More importantly, this is yet another indication that the Greens do not understand how farms are run. They appear to work on the assumption that the only way to make a farm work is to rape and pillage the land. This simply is not true. If farmers want to leave a viable property for their children, they must conserve and look after the land. Farmers are the cheapest and most practical means of conservation in this country. The biggest and most enthusiastic Land Care groups in my area and many areas of this State are run by farmers.

I will deal with the amendments proposed by the Hon. Dr A. Chesterfield-Evans at the Committee stage because to comment on them now would take up too much time. The reality of competition policy, globalisation and economic rationalisation continues to squeeze our farming sector. It is our duty to provide mechanisms that will facilitate change in the farming sector and help families adjust. The Rural Assistance Authority is a fundamental tool in allowing these changes to occur in the best possible manner. The Hon. I. Cohen interjected on my comments about ESD. I remember he was responsible for trying to introduce amendments to the Independent Pricing and Regulatory Tribunal Act that would have been anti-Green. Frankly, his comments on this issue are about as relevant as his comments to that particular Act. It is for these reasons that the Opposition supports the bill. We take this opportunity to call on the Government to do more in real terms for the farming sector of this State.

The Hon. I. COHEN [11.30 a.m.]: Whilst the Greens have serious reservations about the Rural Assistance Amendment Bill, we do support it. I listened with interest to some of the comments made by the Deputy Leader of the Opposition, particularly regarding ecological sustainability concepts put forward in the Greens proposed amendments. It is a shame that the Deputy Leader of the Opposition went on to make the statements he made about land care and tree planting. The Greens applaud such activities that are now occurring in country communities. They are going a long way to resolving many of the problems in the rural sector, building up a sustainable environment so that the farming community can be maintained in difficult periods. I am surprised that there is a perceived difference of perspective. I often repeat the adage, which is accepted by some in the farming communities: scratch a farmer and there is a green underneath. It applies in this case. The conservation movement, or the Greens, and the farming community have an opportunity to work hand in hand to achieve positive results.

The Greens urge the House to accept our proposed amendments, which are designed to strengthen the provisions of the bill that refer to sustainable land and water management. The Deputy Leader of the Opposition said that somehow the Greens are condemning farming practices of the past. I think that we are all agreed that there have been far less than sustainable farming practices. One need only refer to the salinity problems and the debate that fortunately is now raging throughout the community. The Federal Government has made a less than substantial financial contribution in this area but it is a start. The Federal Government has recognised the problems of sustainability arising from less than adequate land management in the past. I hope that the whole community—including conservationists and the many conservation farmers—can co-operate and move ahead to achieve positive developments in which we can share and of which we can be proud. The bill is part of the recognition of this need.

This bill is a far cry from the economic rationalist view that the weak should fall. The bill will bolster those in need in the rural community. The Greens simply ask that an ecologically sustainable perspective be kept on the matter of whom we help and how we help. The bill is designed to improve the process for providing programs of assistance for farmers, particularly in relation to events such as drought and flood, which many people refer to as natural disasters. The Greens do not accept that these events are natural disasters. They are more correctly recognised as normal parts of Australia's climatic cycle. Australians still have not come to terms with the climate of this land, which is so different from the European climate. European farming practices have been more attuned to traditional European methods. In Australia there should be more orientation to farming practices suitable to our harsh and difficult environment.

For example, wet weather cycles that inundate floodplains are an essential ecological process upon which many species of native plants and animals depend. Where farms are located on the floodplains the natural cycle is seldom understood and respected. Rather, it is regarded as a natural disaster to be avoided if possible with the building of levees and other structures to contain the water. In my area of the world there is debate on this matter. Sustainability of fisheries is another important aspect. We are looking at the natural facility of land-based areas to continue to produce the resource that is so important to recreational and commercial fishing and maintenance of the environment. There is significant debate about water containment and levees in our coastal and inland river systems. We need to come to an accommodation and get back as close as possible to natural processes if we are to have sustainable ecological processes working hand in hand with the land use of the farming community if we are to survive and thrive in difficult circumstances.

I am from the north of New South Wales, where we are experiencing the driest period for many years. I live in a community in a natural bush area that is drier than I have seen it for about eight years. Many areas have to import water. It is difficult to remain sustainable in those circumstances. The forest is changing. The drier conditions are affecting forest harshly but the falling leaves and thinning of forest replenishes the soil. There is almost a subtropical climatic phase and when there is rain later in the year the humus build-up will have a

productive impact on the soil. The best way of ameliorating the impact on the land is to get as much natural vegetation on the land as possible to enable it to withstand the intense times of the dry. An additional cause of so-called natural disasters is environmental change that has occurred throughout agricultural lands. I refer particularly to clearing and irrigation. These changes mean that the damage caused by normal climatic events is made even greater. For example, during periods of heavy rain the run-off from cleared land is more likely to cause floods, in comparison with the run-off from forested land, which is better able to absorb large quantities of water.

I recently attended the salinity conference. We visited properties desperately affected by salinity. The farmers had revegetated on the high areas in the distance rather than, as one would have expected, in the lowland areas to combat salinity problems. The high hills were the recharge areas. The aim was to retain water in those areas longer to allow the forest to absorb it and trickle it out over a longer period. That was an effective healing process for that farming land. It is part of the valuable process that occurs and it is part of the function of forests, which recently the Government has agreed to save. We need those forests. I hope that the Howard Government will have a long, hard look at the land clearing that is occurring, particularly in south-east Queensland, and its effect on salinity.

Land clearing is occurring at breakneck speed while government is only starting to talk about the problems of salinity. Unabated land clearing must be stopped in the very near future if we are to resolve many of the ingrained and very expensive practices to repair salinity problems of this State. The Greens understand that we cannot turn back the clock. We cannot remove all the dams from the rivers or put the cleared forests back. But we can attempt to ameliorate the situation and learn from the mistakes of the past. We must change our present and future management practices. In the *Sydney Morning Herald* of 14 August there was an article by Paul Kravchenko. He wrote:

... John Cobb, president of the NSW Farmers' Association, thinks that rural produce could be successfully marketed by printing on the packet: "This breakfast cereal came to you courtesy of land clearing".

Does he represent all farmers or just those who refuse to acknowledge that there is a problem? The conservation of native vegetation and habitat is not the only issue in which we should all have a say. Land clearance directly contributes to the serious land degradation in Australia.

Part of the justification for continuing to clear is the view that clearing native vegetation equates to more productivity. Unfortunately, the reality is that the downward trend in farm incomes over the past few decades has more to do with world markets than to the encroaching scrub on grazing land.

Some people find it hard to accept change. To somehow associate the impact of 200 years of European-style clearing and farming with 40,000 years of landscape modification by Aborigines, and to imply that the two are similar is not only ignorant but insulting to the original peoples of this land. The lesson Aboriginal people learnt is: humans need to work within the constraints of nature.

Of course, my reading of the landscape is much different to the one presented by Cobb, who sees only farm paddocks, grazing livestock, orchards and vineyards.

When I drive through country NSW I see dry, overgrazed paddocks, where sheep huddle in the meagre shade afforded by a lone gum tree. I see bare hillsides, where all of the soil has washed away and silted up the creek in which, only a generation ago, children swam freely.

In country towns I see dead areas in sporting grounds and playing fields due to rising saline water tables. On country roads I see roads breaking up after being eaten by salt. I see fine clouds of dust kicked up by the hoofs of stock in areas that explorers once described in glowing terms of their productive and abundant native grasslands.

In areas where the picture is more rosy, farmers have taken initiatives to find new crops, new niche markets and to improve their management of the land. There is enough existing knowledge about how farming and conservation (which includes soil, vegetation and animals) can coexist.

The Hon. Dr B. P. V. Pezzutti: What about some GM modification to make them salt tolerant?

The Hon. I. COHEN: That would be a typical short-sighted solution to a broad-scale environmental problem. What is wrong with seeking together to rehabilitate the land and maintain what we have? The Hon. Dr B. P. V. Pezzutti would like to clear-fell the whole of south-east Queensland and introduce a genetically modified [GM] crop. His attitude clearly shows he has a scientific approach to this broad-scale environmental problem. The article continues:

In fact, the two are interdependent. To say that on-farm conservation practices only benefit city people is ignoring the fundamental truth that all our activities, and especially agricultural ones, depend on healthy ecosystems to survive.

Cobb says that city people should be aware of where their food comes from. I suggest that farmers should be aware of who buys the food. It is this inability to appreciate the importance of consumers' perceptions and power of choice that limits the success of much rural produce. Farmers cannot afford to ignore urban dwellers (the majority of Australians) and the concern over what is happening to our environment.

Regulatory instruments like the Native Vegetation Conservation Act were introduced due to the community's concerns regarding the unsustainable level of clearing identified in the 1990s (conservative estimates of 150,000 hectares a year in NSW).

We cannot turn the clock back to the era when farmers believed it was their "right" to clear land—

The Hon. D. J. Gay: Nor do we want to.

The Hon. I. COHEN: At least someone on the Opposition benches takes this matter seriously, and I appreciate that. There is much room for conservationists and farming communities to work together on this and I am surprised at interjections from the back bench ridiculing what I believe is the conservation movement's extension of a productive and friendly hand to deal with these problems. The article continues:

If generating farm income involves land clearing, then who pays for the outcomes of the resulting land degradation?

The disconnection is not between rural and urban, it is between thinking that belongs to the last two centuries, and that of today. It is between people who deny that we have a problem, and those who decide to leave our grandchildren with a still productive landscape.

Paul Kravchenko is the native vegetation co-ordinator for the Nature conservation Council of NSW.

The Greens are concerned that this seemingly well-intentioned legislation will prop up farming practices that are responsible for causing land degradation and salinity. If properties are overstocked, they are much more susceptible to damage from drought and fire. Yet these properties are likely to be eligible for assistance under the scheme. It is essential that programs of government assistance are targeted to encourage activities that are socially, economically and environmentally beneficial. The Greens want to see assistance targeted at land managers who reduce stock numbers, retain native vegetation and avoid environmentally damaging practices, such as the overuse of pesticides. It is these farms that are likely to be more financially viable in the long term.

Earlier I referred to the ignorant comments of Mr Cobb that people would choose to buy cereal with labels saying, "This product comes to you as a result of land clearing." I suggest the opposite is true. If consumers are presented with a real choice in which products are truthfully labelled, all the evidence suggests they would prefer products produced in environmentally friendly ways. It is quite clear that we have an opportunity to have a niche market in this country, both domestic and overseas. It has been proven quite clearly that the clean, green, organic image is an opportunity for Australian farmers to really have a significant niche marketing place on the global economy, and that is certainly not a genetically engineered market. I am talking about organic, biodynamic—and I am not just talking about the greenies here. I was uplifted by the comments of a farmer at Wellington who appeared before the agricultural inquiry conducted before the Standing Committee on State Development, of which I am a member.

The Hon. Dr B. P. V. Pezzutti: And he put the cow horns in the soil.

The Hon. I. COHEN: This gentleman is a farmer, perhaps in his fifties—a traditional operator on the land; a beef farmer. He said that his farm was going backwards, as were many other farms in the area, and that his son, on his return from agricultural college, suggested biodynamics. As the Hon. Dr B. P. V. Pezzutti said, he was able to plant those cow horns on the land and develop the land towards organic production. That farmer is now exporting biodynamic beef to Japan. He has been able to bring his daughter back onto the land to manage a guesthouse because the Japanese customers insist on viewing the environment in which their product is raised and slaughtered. He has a thriving business and his neighbours are asking how he has managed to maintain such a viable farm in these difficult drought periods. These are success stories in which the farming community is working well by looking at the niche market strategy and developing an effective export product particularly to places like Japan, which has a huge and prosperous market.

The rural industry has declined during a time of record prosperity for other sections of Australian society. Climatic conditions, which are an unpredictable feature of this country, cannot be blamed for the rural downturn. Rather, the responsibility for the rural crisis rests with the economic policies embraced by the big parties and their mates at the top end of town. The disgusting dairy deregulation capitulation that we witnessed during the winter session was the most recent example. As a result of dairy deregulation at least \$150 million per annum less in farm income is going to New South Wales farmers. At the same time, shares in the dairy processing companies are at record highs. Deregulation of the dairy industry resulted in a direct transfer of income from rural communities to those who benefit from the unproductive stock market trade.

I refer to this example to illustrate the central point that needs to be made about this bill. Natural climatic variations have always existed in this country and have shaped the environment for millennia. The

failure to accept the inevitability of these variations has proved disastrous for both the land and the people who depend upon it for their livelihoods. Aboriginal people learned to understand and respect these forces. Now, rather than seeking advice on indigenous land management practices, governments prefer the advice of the global financial markets. It is the banks and agribusiness that set the agenda on rural policy.

The real disasters in rural New South Wales in recent years are not the result of floods, fires or droughts. Rather, they are the disasters produced by deliberate government policy, which is being dictated by the financial markets. Financial management is the same everywhere and is incapable of understanding local or regional variations. In Committee I will move amendments designed to strengthen the capacity of the bill to achieve ecological sustainability. The Greens welcome the provision of assistance to farmers who are caring and responsible land managers, and I concede that there are many. However, assistance should not be made available to those who regard the land as simply an instrument for exploitation.

The PRESIDENT: Order! I ask members to extend to the Hon. R. H. Colless the usual courtesies extended to all members while making their inaugural speeches in this House.

The Hon. R. H. COLLESS [11.49 a.m.] [First speech]: It is with great humility and approbation I stand in this House as I embark upon my political career. This, the oldest House of Parliament, the original House of Parliament in Australia, is steeped with the history and tradition of European settlement in this land. I address this House in the company of contemporary members, and some who have gone before. I acknowledge the seven busts of John Blaxland, James Macarthur, William Bede Dalley, Sir Alfred Stephen, Sir John Hay, Sir John Lackey and Sir Francis Suttor as they preside over the debate that occurs here.

I believe it behoves all who take their place here to be cognisant of the minds of great men and women who sat on these benches in times past. In that regard I wish to acknowledge the contribution made to this House by my National Party predecessor, the Hon. Richard Bull, during his parliamentary term. Renowned for his hard work, his dedication to his parliamentary duties, he was described by the Hon. John Hannaford in his final address to this House as probably the best member of Parliament never to have become a Minister. Thank you, Richard, for your dedication, perseverance and commitment over the 16 years you served the people of New South Wales in this House as a National Party member of the Legislative Council.

I would also like to acknowledge that one of the best-known members of the National Party in Australia, the Rt Hon. Ian McCahon Sinclair, also commenced his long and meritorious parliamentary service in this very House in 1961, before moving into Federal Parliament as the National Party member for New England in 1963. Ian Sinclair was one of the most talented debaters and toughest politicians to serve in any parliament in Australia, and I was very honoured to serve as Secretary of the New England Electorate Council when Ian was member for New England.

I wish to also acknowledge two of my ancestors who served in the first Parliament of New South Wales and I would like to share with honourable members the history of some of my family members who made a significant contribution towards making New South Wales and Australia what they are today, and the impact this history had on me as I developed my own philosophies to life.

Richard Hargrave, whose name I now bear as my first and middle names, came to New South Wales in 1838 aboard the sailing ship *Argyle*, carrying introductions to John Macarthur and Messrs Hughes and Hosking, who had business dealings with Richard's father Joshua in London. Hughes and Hosking gave young Richard a start working on stations at Bombala and Delegate. Four years later he was entrusted with moving 5,000 head of cattle from Delegate to new runs in the northern districts, to be known as Callandoon and Goondiwindi on the McIntyre River, and Beebo and Whyemoo on the Severn River. In 1843, only one year after they arrived in the northern districts, the fledgling colony suffered a financial disaster, with Hughes and Hosking failing and Richard Hargrave losing everything except the clothes he was wearing, his horse and his saddle.

The hardships that are currently being faced by many in the rural industry are nothing new in this land, and the image of Australian primary producers as the financially fortunate in our society, while it may be the case for a small number of producers for a small number of years, is an absolute fallacy for the vast majority over the history of farming since the early 1800s. Richard Hargrave was fortunate in that his father refinanced him and he was able to take up a grant of 21,000 acres known as Hillgrove Station, east of Armidale, and a 50-acre block adjacent to where the city of Armidale now stands. At this time there was but a single shepherd's hut in the vicinity.

Richard married Mary Williams and they lived on Hillgrove Station for 40 years, raising seven sons and three daughters. A son Matthew married Anne Victoria Hall and my paternal grandmother, Blanche Doris

Anne Hargrave, was born to them. Richard and Mary's third son, Richard Jr married Georgina Mary Hall and acquired Kulki Station north of Inverell in 1878, where they lived until Richard Jr died in 1910. Richard Sr also acquired an interest in Broadmeadows Station and Kangaroo Creek on the Clarence River, held leases for Bostobrick and Tyringham and held Hernani in New England, although they always lived on Hillgrove Station.

Richard embarked upon a political career, being elected as the first member for New England and Macleay in the first Legislative Assembly of New South Wales. It was said of him at the time that no constituency ever had a better or more conscientious representative. Richard Hargrave later retired to the Armidale property, which he named Harewood after the ancestral home in Yorkshire. Harewood was sold in 1899 and Richard and Mary moved into a cottage near the Armidale railway station in what is now known as Hargrave Street until they passed from this life in 1905.

Richard Hargrave's older brother, John Fletcher Hargrave QC, arrived in New South Wales in 1856 and served in the Legislative Council from 1859 until 1861. He was further appointed as a Representative of Government in the Legislative Council and served as Solicitor-General and Attorney-General until 1865. One of John Fletcher Hargrave's sons was Lawrence Hargrave, aeronautical pioneer, inventor, scientist and engineer who was recognised on the original \$20 note.

Lawrence was a man of great social and scientific vision, foreseeing the need for a child endowment scheme, the development of Papua New Guinea, a bridge across Sydney's harbour and the need for nations to pool scientific knowledge. He was also responsible for developing many concepts of aviation, including curved wing design and radial aeronautical engines. Lawrence Hargrave's contribution to the successful Wright brothers inaugural powered flight in the early 1900s has never been truly recognised and many of Lawrence's original drawings and designs are now contained in the Power House Museum. Richard Hargrave of Hillgrove Station—my great, great grandfather—and John Fletcher Hargrave—my great, great uncle—are both persons in my ancestry of whom I am extremely proud, and who have provided me with the genetic framework for vision, for hard work and for commitment to a cause.

My ancestor on the Colless side arrived in New South Wales aboard the *Barwell* on 18 May 1798, complete with a set of leg irons. George Colless was arrested in Birmingham in February 1793 for the theft of a gown piece. He was sentenced to death for burglary, reprieved and sentenced to seven years transportation and finally put on board the *Barwell* in December 1797. George Colless served out the remaining two years of his servitude in Penrith and became a free man in March 1800. After working as a share farmer he purchased and was granted various parcels of land, having accumulated some 80 hectares in total by 1823. This land is opposite the Castlereagh Uniting Church on the road between Penrith and Richmond. The church is adjacent to the now famous Sydney International Regatta Centre at Penrith Lakes.

George was assigned a convict lass, Ann Goodwin, as his housekeeper and together they had 10 children. The eldest, William, was born in 1805. William overlanded cattle to Coonabarabran in the late 1830s, later moving further north to take up land on the Culgoa River in the 1850s. William and his sons returned to an area south of Walgett in later years to take up more land in the Bungle Gully area. He named it Come By Chance and a common question at family reunions is, "So, are you from the Come By Chance Collesses?" Two generations later on 19 June 1898 my grandfather Keith Kenneth Colless was born at Ningawalla Station, Fords Bridge on the Warrego River, north-west of Bourke. He married Blanche Doris Anne Hargrave in 1924 and my father, Kenneth Hargrave Colless, was born in Sydney in January 1926.

As a sixth-generation Australian, I am aware of the interaction my ancestors had with the Aboriginal people at the time, and there is no doubt that without the assistance and advice the early Collesses received from the local tribal people, they would have perished in an unknown land, with abundant feed and water in good seasons, but wrecked by drought and poor quality feed and water on a regular basis. In recognition of the role the Aboriginal people played in our early family history, I say a very sincere thank you to them for assisting these early settlers to survive a harsh land, very different from their English upbringing and the kinder climes of Penrith and Castlereagh.

In March 1949 my grandfather Keith Kenneth Colless and his two sons, Kenneth Hargrave and Robert Henry, moved east from the western plains and purchased Bendemeer Station between Tamworth and Armidale. Kenneth Hargrave Colless, my father, married my mother, Yvonne Tipling, in 1950 and I was born in Tamworth in 1952. Grandfather died unexpectedly in 1955 and Bendemeer Station was sold in 1957. My parents purchased a property at Bundarra, between Inverell and Armidale, where I spent the early years of my youth learning the skills of the land and being schooled at Blackfriars Correspondence School in Sydney. My secondary education

commenced at Tamworth High School and was completed at Singleton High School from where I won a cadetship with the Soil Conservation Service to Hawkesbury Agricultural College specialising in soil conservation and agronomy.

In 1976 I married Toni Christine Brown from Windsor, and we now have three children, Michael, Belinda and Danielle, all in their late teens. I say a very sincere thank you to Toni and our children for the support they have given me over the last year, in my role as Mayor of Inverell and since my preselection as a National Party member of the Legislative Council.

I spent 26 years working for the Soil Conservation Service, from Henty in southern New South Wales, Cowra, Goulburn and Gunnedah and finally returning to Inverell in 1987. During those years I focused on many innovative programs, including conservation farming, dryland salinity management and vegetation, pasture and grazing management, in addition to the structural soil conservation works programs for which the New South Wales Soil Conservation Service won worldwide acclaim. I resigned following the change to the Department of Land and Water Conservation and the final dismemberment of the Soil Conservation Service by the Carr Government. Since resigning I have enjoyed working as an agricultural and environmental consultant, focusing on balancing soil, plant and animal nutrition, improving the environment and fulfilling the role of Mayor of Inverell Shire.

Honourable members may be wondering why I have detailed so much of my family history. I do so for several reasons. Firstly, my family is extremely important to me, and the Colless family is a very close and tight-knit family. The history of one's family can instil an immense sense of pride, of loyalty and stimulus when reviewing the trials and tribulations our forefathers had to overcome in order to survive and achieve what they did for our nation. The National Party, which I am extremely proud to represent in this House, has a belief that the family unit is the basis of a strong and stable society, and that is also a fundamental philosophy I firmly believe in.

Secondly, my family has been involved in agriculture and developing this State for many generations. I am acutely aware of the contribution my ancestors made to this development. We did not always get it right, and I say that with the benefit of hindsight, keeping in mind that as they arrived here from England they brought with them English farming technology and skills. They had to quickly adapt these skills to better suit the Australian climatic conditions, Australian soil types and Australian vegetation communities. I come from a long line of family farmers, and my focus on productive, wealth-creating ecosystems developed as I began to understand the importance of managing the environment in order to maintain or improve productivity while also maintaining environmental stability.

I believe we live in an anthropocentric society, which views man as being all powerful, all conquering and in control of all things. The increase in human knowledge over the last 100 years leads us to believe that this knowledge can bring ever increasing social, economic and environmental benefits, as we can now control all things with science and regulation. This is an incredibly arrogant and egotistical viewpoint, and one I believe we must rethink if the human race is to survive in the longer term. Science and knowledge are very important for our future survival; but they are not a panacea, they are merely tools we must use appropriately.

Anthropocentric societies are resource and energy hungry and do not realise they are depleting natural resources on an unsustainable basis. Decisions are made essentially on an economic basis, and when environmental problems begin to appear, governments and bureaucratic decision makers are convinced the only solution is to control the environment through regulation. The symptom of such a society is aberrant behaviour such as aggression, conflict, consumerism, additions, egotism, paranoia, hysteria and extremes of anxiety. I have observed many of these emotions in my primary producer clients as they attempt to grapple with the Carr Government's green reform agenda, manifested as regulatory extremes such as the Native Vegetation Conservation Act.

We must move towards an ecocentric society, which views the balanced natural world, of which man is an integral part, as the central power in control of all things. Decisions are made on social, economic and environmental grounds. It is of great concern to me that the words "social, economic and environmental" have become a cliché in recent times, with many who use the phrase not understanding what they are saying. To make a decision on this basis, the first consideration is the needs and quality of life aspirations of the people involved. There must be a statement developed and enunciated by the people themselves, not an assumed statement developed by politicians and/or bureaucrats remote from the community, as so often happens in reality.

In order to achieve that quality of life, the community needs to generate enough income to pay for the enunciated quality of life. This income can be generated by creating real wealth or by accumulating wealth created by the primary or mining industry sector of the community. Real wealth creation can only occur through the mining industry or primary industry. Mining removes a finite supply of a resource base, which results in an injection of real wealth, which can be recycled many times, into the community. The final environmental result, though, is simply a hole in the ground. Primary industries, including farming, forestry and fishing, are the only truly sustainable wealth creating industries as long as the sun continues to shine and the rain continues to fall. The fundamental resources of energy from the sun, minerals from the soil and gases from the air are mixed with water to produce all the food, fibre and building materials that the community needs on a truly sustainable basis. There is an infinite supply, so long as the natural resource base is managed to maintain the ecological balance and health.

It is because the natural resource base must be managed to ensure a productive ecosystem for as long as humans wish to inhabit the earth, that environmental considerations must underpin the decision-making process. It concerns me that many decisions are made with the environmental considerations placed before the social and economic considerations, and, within a regulatory framework, it is an anthropocentric decision-making process. We must ensure we maintain a healthy, productive natural environment, to provide our communities with the food, fibre and building materials they require in order to enjoy the quality of life they aspire to. The natural environment is the only sustainable source of wealth creation, and it is the primary producers of this nation that must be in control of the management of this resource base if we are to continue to enjoy the fruits of wealth creation indefinitely.

An ecocentric society is characterised by an understanding of and dependence on the natural world for health, wealth and happiness. The National Party is the natural political party to pursue this agenda, as we are the only party that can truly represent primary producers and develop policies that will integrate the balance between social justice, sustainable productivity and environmental stability to keep our nation competitive on the world stage. The National Party stands for the family as the basis of a strong and stable society, for equal opportunity to contribute to and share in the benefits of wealth creation, for freedom, freedom of speech, freedom of movement and freedom of philosophy. We stand for free enterprise, for private ownership of business and for minimum interference in industry, commerce, production and distribution, and we stand for the development of our economy, the decentralisation of population and services and for the balanced protection of our environment.

The National Party is truly the natural vehicle to develop the concept of ecocentrism and to integrate this concept into our daily decision making process. I hope to be able to contribute to the debate in this place in this regard, so that real progress can be made for the people of New South Wales and the anthropocentric regulatory approach can be reversed as we head towards a more pragmatic approach to the environmental debate. Fundamental to ecocentrism is the removal of essentially regulatory processes and reinstating processes that provide incentives for primary producers to change management practices. Such incentives are feasible and can achieve the desired result at much less cost to government than by imposing a regulatory, confrontational process such as we have recently seen with the Carr Government's green reform agenda.

I have a long family history in the north and north-west of New South Wales, from different strands of the family. As my family was instrumental in developing the wealth-creating industries in these areas, I now feel a great sense of responsibility to participate in rejuvenating primary industry in New South Wales, armed with current knowledge and a desire and a vision to improve our knowledge base to ensure environmental stability while improving our ability to continue to create real wealth. I understand the land management and environmental issues the community is facing and I look forward to working with people all over New South Wales as the National Party further crystallises land management and environmental policies over the next couple of years.

In this regard, it is an honour to deliver my maiden speech in this House speaking to the Rural Assistance Amendment Bill. I have seen throughout my career the hardships and difficulties the wealth-creating primary producers of this State have suffered as a result of disasters such as fire, flood and drought being inflicted upon them. There is a tremendous community benefit to be gained from making sure this section of the community receives adequate support to enable them to continue to create the wealth we all benefit from.

The Rural Assistance Act in its current form does not contain a clearly defined objective, and the proposed amendment clarifies the objective of the Act to promote the efficient delivery of programs of assistance to farmers and other persons engaged in rural industries. It will work towards encouraging the wealth

creators to adopt land management practices that are more efficient and more sympathetic towards the environmental stability we must strive to achieve. The Rural Assistance Authority is managed by the Rural Assistance Authority Board, and the current Act is inadequate in describing the functions of the board. The amendment clarifies the function of the board by ensuring the Minister is advised of the assistance provided, the effectiveness of assistance and the performance of the authority in the delivery of that assistance. The board will also be required to determine the general policies of the authority through setting guidelines for implementation of assistance programs.

The amendment also improves the accountability of the Rural Assistance Authority to the board and the accountability of the board to the Minister. It also requires the Minister to review the composition of the board to ensure the board truly reflects the community needs and aspirations with respect to rural assistance and disaster relief. The current Act has separate sections for general assistance, special schemes and disaster relief schemes. While working with the Soil Conservation Service, I assisted many New South Wales farmers with applications for assistance under the Special Scheme for Soil Conservation, and this scheme was responsible for funding many integrated soil conservation works programs throughout New South Wales.

One of the problems of this scheme, from an administrative viewpoint, was that a whole farm improvement program typically involved a soil conservation earthworks program to control or prevent soil erosion, refencing to suit the earthworks, pasture improvement to improve ground cover, stock water conservation works, fodder and grain storage facilities and genetic improvement to the livestock. While some fencing and pasture improvement work was able to be justified under the special scheme, many other farm improvements could not, and this substantially increased the administrative workload, both for the applicant and the authority.

The amendment now allows for all components of a whole farm improvement program to be dealt with as one program, and this will substantially improve administrative efficiency for both applicant and the authority. It is pleasing to note in the amendment that sustainable land and water management practices and permanent improvements to help the farmer prepare for drought have been identified, but it does concern me that there is no specific identification of farmer education as a purpose for assistance. I would call on the Minister in that regard to give the House an assurance that farmer education programs, particularly for training in improved land management practices, would qualify for assistance under new sections 18 (1) (d) or 18 (2) (d).

I support the Rural Assistance Amendment Bill, as the amendments will streamline the provision of assistance to the wealth creating primary producers in this State. It is an excellent start, but there remains much to do to free the shackles and impediments from farmers as they go about their daily task of creating wealth. I look forward to making a substantial contribution in that regard. I wish to offer my thanks to some very special people in my life: my wife Toni, my parents Von and Ken Colless, my brother-in-law Laird Stewart and my good friend, political advisor and confidant, John Williams, who are all here today. I sincerely thank them for the support and guidance they have given to me as I have embarked on this career. To my family members who are unable to be here today—my sister, Jenny Stewart, and my brother and sister-in-law, Bill and Marie Colless, and my children, Michael, Belinda and Danielle—a very personal, very sincere and heartfelt thank you to all. To my parliamentary assistant, Jan Tydd, and my good friend Gaye White, many thanks to you also for your assistance as I prepared for this speech today.

I wish also to thank the people of Inverell Shire, for the support they have given me in my local government career since 1991 and as Mayor of Inverell Shire, albeit for only one year. I received many very positive comments from the Inverell community since my preselection for this position, and it is very important to me to know that my local community is firmly behind me. Thank you, people of Inverell, for all your support over the last nine years, and I hope to be able to continue to represent you at the New South Wales parliamentary level.

Finally, I wish to offer my sincere thanks to all present here today for the welcome I have received from all sides of the political spectrum. It is a great honour to serve the people of New South Wales in this House and I have been warmly welcomed by all. I would also like to thank my National Party colleagues in this House, in the other place and, in particular, in the central council of the National Party for their support and guidance as I scale the learning curve towards becoming an effective contributor to the legislative process in New South Wales.

Reverend the Hon. F. J. NILE [12.16 p.m.]: I congratulate the Hon. R. H. Colless on his maiden speech. I can confirm the goodwill that the people of Inverell have towards him. I was in Inverell only last

weekend addressing meetings of folk from various churches in the area. Many of them spoke to me about the Hon. R. H. Colless in the most complimentary terms and said they appreciated his leadership in the community. They were very pleased that he is now a member of the New South Wales Parliament. As the Hon. R. H. Colless said, the Rural Assistance Amendment Bill reminds us of the need to assist farmers who often face hardship caused mainly by drought, or by other means such as bushfires and the failure of crops through disease.

I am pleased that the Government is giving its full support to the Rural Assistance Authority. Originally, the authority was established as the Farmers Relief Board in 1932. In those days the board helped prevent creditors taking action against indebted farmers. Many soldier farmers were not skilled farmers, and they were also affected by the Depression. Sadly, a number of the soldier settlers failed, but others succeeded. In 1939 the Farmers Relief Board became known as the Rural Reconstruction Board, in 1971 it was known as the Rural Assistance Board, and in 1989, following the passage of the Rural Assistance Act, it became the Rural Assistance Authority.

I have been involved with inquiries in rural areas, in particular, to investigate the pressure on farmers, which impacted to such an extent that there was an increase in suicides in rural areas. The Standing Committee on Social Issues investigated the suicide problem and also tried to ensure that back-up organisations, such as the Rural Assistance Authority, could assist farmers who may be facing tremendous economic pressures and debt. Some farmers had borrowed large amounts of money when the seasons were good. We now know that in some towns bank managers were encouraged to solicit loans and to make it easier for farmers to borrow money. Sometimes the loans exceeded the value of the property and the farmers became bankrupt.

Some farmers became so desperate when they realised that they could not cope with their payments, because they had no income, that they took their lives. The members of the committee were very keen to ensure that the Rural Assistance Authority was able to provide counselling and advice to help farmers survive in those difficult economic circumstances. The bill is a result of the competition policy review, which is occurring in all areas of government activity. The review comprised representatives of the Rural Assistance Authority, the New South Wales Treasury the New South Wales Department Agriculture, the Cabinet Office, the Department of Land and Water Conservation, the New South Wales Farmers Association and the New South Wales Rural Financial Counsellors Association. The review, which was completed in February 1999, made a number of recommendations.

The recommendations cover a number of areas and are included in the bill: to address the lack of clear objectives in the current Act; to ensure that assistance provided by the Rural Assistance Authority remains relevant; to provide more effective service delivery, that is to amalgamate general, special and relief assistance into one program of assistance; and to repeal protection orders, as none have been issued for more than 10 years and the protection they afford is now largely available through the Farm Debt Mediation Act 1994. As members of this House know, I was very active, together with the Hon. Bryan Vaughan, in pushing for legislation to assist farmers who were facing such large debts that they could not meet their repayments. We are very pleased that further assistance was given to the farming community.

The review also addressed the lack of a clearly defined role for the Rural Assistance Authority Board in the current Act. That role will be clearly spelled out in the Act and will include advising the Minister in relation to rural assistance and disaster relief; determining, where appropriate, program guidelines to give effect to policies of the Government; and reporting annually to the Minister on the effectiveness of the programs and the service delivery of the Rural Assistance Authority. Other changes to the Act will assist the board to perform its new and expanded role. The Rural Assistance Authority will be required to provide necessary information to the board. The changes will ensure that the composition of the board adequately reflects community views by reviewing the composition of the board every five years.

Quite often farmers need not just advice or counselling but financial assistance. Part of the ongoing review of the Rural Assistance Authority should be to consider making funds available for an emergency so that low-interest loans can be provided to farmers to get out of a commercial predicament. Quite often they were receiving advice, but not much more than that. I received a letter from the New South Wales Farmers Association again indicating its support for the Rural Assistance Authority, and stating that it is a key element in the future success and profitability of the agricultural sector. New South Wales Farmers considers the Rural Assistance Authority the most effective means of delivering assistance and adjustment strategies to the rural sector.

The association states that the Rural Assistance Authority should continue to be the sole administrative agency for government-funded financial assistance programs to farm businesses in New South Wales, as there is

a need for consistency in the way in which applications for assistance under various programs are treated, and a central point for the monitoring of program outcomes. The association agrees, however, that there may be a role for outside involvement in the delivery of other components of the assistance. The association states also that the current delineation between the general, special and relief schemes is not clear. The Rural Assistance Authority has two broad areas of activity, first, programs to enhance productivity and sustainable farming practices and, second, assistance for long-term viable farms in times of downturn due to extreme economic or climatic events.

The association also states that the Rural Assistance Authority would better serve rural industries if its structure and administration were more clearly focused on the two core components of its activities. As such, the association supports a subdivision of the Rural Assistance Authority's main roles by having them run by separate divisions established under the current single authority. It suggests that the Rural Assistance Authority could be renamed the Rural Development Authority to reinforce its image and programs administered under either the rural development or rural assistance divisions of the authority. For those reasons the Christian Democratic Party is pleased to support the bill.

The Hon. R. S. L. JONES [12.25 p.m.]: The bill implements changes to the Rural Assistance Act recommended by the competition policy review of the Act. Those changes define the objects of the Act to deliver programs that promote the adoption of more efficient and sustainable farming practices and support rural communities in time of crisis; require a public benefit test to be applied to all assistance programs under the Act; amalgamate general, special and relief assistance into one program of assistance; repeal provisions for protection orders; set out the functions of the rural assistance authority board in advising the Minister, determining program guidelines to give effect to policies and reporting annually to the Minister; require the authority to provide information to the board; and require the composition of the board to be reviewed every five years.

In the interests of public accountability the Rural Assistance Authority Board should also be required to produce an annual report on the effectiveness of the programs of assistance provided to farmers and other persons engaged in rural industries and performance of the authority in the delivery of assistance under those programs. That report should be required to be tabled in Parliament and made public in a timely manner. I will move an amendment at the Committee stage that will ensure such a report is required to be tabled in both Houses of Parliament within 15 sitting days of its receipt by the Minister. I understand that the Government was concerned that my amendment as a first draft would necessitate the tabling of all information communicated to the Minister under clause 10 of the bill, such as internal policy proposals and guidelines, et cetera.

Similar concerns have also been expressed to me, and no doubt other members, by the New South Wales Farmers Association in the briefing note on the bill that it sent on 5 September. However, as this was not the intent of the amendment I have had Parliamentary Counsel refine and redraft it to ensure that is not the case. The redrafted amendment should more adequately address the concerns of the Government and New South Wales Farmers. Therefore, I urge all members of this House to support it. Honourable members should note that even though New South Wales Farmers have not been able to reissue its briefing note to take account of my redrafted amendment, the association has made it clear in discussions with my advisor that it stands by the following position on my amendment:

If this amendment refers to the tabling of an annual report by the RAA, then unless there are logistical difficulties associated with the timeframe (for tabling) New South Wales Farmers Association would not be opposed to the amendment.

Honourable members would also be aware that my amendment is supported by the Environmental Liaison Office, which stated in a letter to the Minister on 29 August:

This amendment allow the Authority to be publicly accountable for their operations and allows community evaluation of effectiveness of the assistance programs. As highlighted in the Dubbo Salinity Summit held in March, the rural community's ability to evaluate and consider the application of assistance programs ensures their relevance and success.

Together the amendments serve to strengthen and clarify the role and provision of Rural Assistance programs within the objectives of the Bill.

The members of the ELO group strongly urge you to support these amendments.

Members of that group are, of course, the Nature Conservation Council of New South Wales, Greenpeace, the Austrian Conservation Foundation, the National Parks Association of New South Wales and the Total Environment Centre. I understand that my colleague the Hon. I. Cohen will also move amendments in Committee that aim to incorporate ecologically sound development [ESD] principles into the bill by defining

sustainable land and water management practices as those carried out in accordance with the principles of ESD described in the Protection of the Environment Administration Act, and requiring the authority to be satisfied that any assistance granted is consistent with ESD principles. Last month I went out to far western New South Wales for the first time.

When I went to Nyngan I stayed in a motel and we had breakfast in a cafe the following morning. On the cafe wall was a line that showed where the flood had been through 10 years previously. It was quite interesting to look around at where that water would have been because the area was very much under water at the time. I was surprised at how small the Nyngan community was. I thought it would be much bigger. We went through other towns such as Cobar and Broken Hill, which is an interesting town full of artists, up to Tibooburra, through to the Bulloo overflow, down to White Cliffs and back to Cobar. We also went to Lake Eyre, but that is another story.

A month ago the country was quite green as there had been considerable rains and the Bulloo overflow held a considerable amount of water. Swans and other birds were breeding in the area. The Bulloo overflow is one of the areas the Government intends at some point to acquire as a national park. The National Parks and Wildlife Service would like to acquire that valuable area. There is not an awful lot of useful production of livestock in the area, but I believe it would be very valuable as a tourist resource. The Sturt National Park is looking very good: it is very green and has lots of kangaroos and emus—although quite a few had been run over. While driving on this 4,500-kilometre trip I noticed that by and large the kangaroos being run over were small reds and greys; there were not many large ones. The only large kangaroos we saw that had been run over were around the Sturt National Park. The same had happened in South Australia; almost no adult kangaroos had been run over. In some areas great distances were travelled without seeing any kangaroos that had been run over. This indicated the status of the kangaroo population.

I have expressed concern in this House about the shooting of the large male and now female red kangaroos. From that anecdotal evidence of the kangaroos that had been run over, not too many large ones were outside the Sturt National Park. The concern expressed by people out west is that the large reds are becoming more scarce. The Hon. I. Cohen mentioned natural cycles. Of course, it is true that these are natural occurrences; there were natural floods and droughts. These cycles are repeated endlessly. Now the country is in quite good condition, but in the next 12 months it may well be drying out and facing a similar situation to that in 1982-83 when 70 per cent of the kangaroo population died in about a three-month period. Farmers out west by now should be well aware that they should prepare themselves for what may well be a three- or four-year drought, with half of their stock dying along with wildlife.

It seems that when people have good times they believe those good times it will remain forever. In 1987 this House passed the Credit (Rural Contracts) Act, which Reverend the Hon. F. J. Nile may remember. That Act has never been proclaimed and has been left lying on the shelf gathering dust for the last 13 years. That Act would be useful for farmers, particularly during a drought period, as it would prevent their equipment being seized by credit providers. I urge the Government to dust off the Credit (Rural Contracts) Act 1987 and proclaim it. After 13 years it is about time that was done. I believe the Act was not proclaimed because some banks were reticent to allow it to go through. That Act would be of great assistance to farmers during hard times. It is interesting that we pay so much attention to those on the land, when some business people in cities are facing hard times since the introduction of the GST and they do not get the same kind of assistance. We should be looking at all income generators, not just those on the land; in urban areas people provide wealth and sometimes they need assistance. We should be even-handed in providing assistance.

The Hon. Dr A. CHESTERFIELD-EVANS [12.34 p.m.]: The Australian Democrats support the Rural Assistance Amendment Bill. The purpose of the bill is to amend the Rural Assistance Act 1989 by complying with recommendations made by the national competition policy agreement review. The review of the New South Wales Rural Assistance Authority [RAA] assessed the Act's impact on primary industry support and programs for family farming businesses. The authority also provides financial assistance to primary producers in times of crisis, such as during floods and drought. The bill will amend the current administrative and membership fluctuations of the RAA board. It will broaden the range of assistance programs available to primary producers and repeal the provision enabling the authority to issue temporary protection orders for farmers.

The Australian Democrats are well aware of the economic difficulties New South Wales primary producers face daily. Fluctuating commodity prices, competing on the global market against subsidised producers from the European Union and the United States of America, the loss of commercial and financial

services in many communities, falling rural populations, the demise of key infrastructure development and a dependence on unpredictable weather makes farming a high-risk enterprise. In order to survive the increasingly competitive and globalised market, primary producers need to continually develop marketing and best-practice skills to maintain viability of their enterprise. Just as in any business, primary producers need higher returns on capital invested to remain profitable and it is essential to do this in an environmentally sustainable manner because if the land is not adequately cared for disaster is certain in the longer term.

The RAA provides assistance to primary producers to cope with the uncertainties of farming in times of natural disaster and through times of economic hardship. The Rural Assistance Authority Act has its origins in the Moratorium Act, which was introduced by the Labor Government of Jack Lang. That was a real Labor Government, the likes of which the people of New South Wales have not seen in a long time. The RAA assisted farmers through the economic depression of the 1930s by issuing stay orders preventing creditors from foreclosing debt owed to them. It helped farmers by giving them additional time to pay off debt. The authority has since broadened its scope of assistance and has changed names many times, but its principal purpose has remained essentially the same. The authority provides assistance to primary producers to improve their business operations.

For example, the authority will provide \$10 million in farm training grants to more than 10,000 New South Wales farmers through the FarmBis program, and it will provide approximately \$3.5 million through West 2000 Plus for rural restructuring assistance, training and skills development programs, and natural resource management training for communities in the Western Division. The authority also provides financial assistance to communities affected by natural disaster. It provided financial assistance to communities affected by the 1989 Newcastle earthquake and the 1999 floods in Wollongong. Financial assistance was given to help small business owners affected by severe storms in Coffs Harbour during 1996 and to poultry farmers at Mangrove Mountain after an outbreak of Newcastle disease almost wiped out the local poultry industry in 1999.

Not surprisingly, New South Wales Farmers support the bill; indeed, it forwarded submissions to the reassessment process. The briefing note states that the association views the New South Wales Rural Assistance Authority as a key element in the future success and profitability of the agricultural sector and considers the RAA the most effective means of delivering assistance and adjustment strategies to the rural sector. Farmers' needs are becoming more diverse; they must embrace new technology and risk management to be financially and environmentally sustainable. There is also a need for mechanisms to overcome failure in the rural credit market and to ensure that sufficient investment is made to maintain and enhance the natural resource base of agricultural land. The market failure in rural credit market exists in part because banking institutions cannot recognise the long-term future returns from expenditure on conservation measures that may generate benefits over a time scale of 20 to 100 years.

The association believes that the RAA should continue to be the sole administrative agency for government-funded financial assistance programs to farm businesses in New South Wales as there needs to be consistency in the treatment of applications for assistance under the various programs, which is an essential point to monitor program outcomes. However, there may be a role for outside involvement in the delivery of other components of assistance. The association believes the current delineation between the general, special and relief schemes is not clear. The RAA has two broad areas of activity: first, programs to enhance productivity and sustainable farm practices; and, second, assistance for long-term viable farms in downturn due to extreme economic or climatic events.

The association believes that the RAA would better serve rural industries if its structure and administration were more clearly focused on the two core components of its activities. As such, the association supports a subdivision of the RAA's main roles, having them run by separate divisions established under the current single authority. It suggests that the RAA could be renamed the Rural Development Authority to reinforce its image, and the programs could be administered under either the rural development or the rural assistance divisions of the authority. The association believes that such a division of the authority would destigmatise the role of the authority in relation to assistance for rural development proposals, and enable much more targeted promotion and marketing of various support measures to be carried out. It is not anticipated that such a division of the RAA would require significant restructuring, but it would enable more targeted reporting and marketing of RAA programs.

The bill contains general housekeeping provisions which are not all that important. New section 2A outlines a clearer objective of the Act. Item [2], which inserts new section 3, and item [8], which inserts new section 15, refer to protection orders issued by the authority to temporarily stop creditors from reclaiming debts

from a farmer. The New South Wales Farmers Association submission to the national competition policy [NCP] review of the Act stated that the provisions of the Farm Debt Mediation Act appeared to adequately provide the protection required in terms of the imbalance of negotiating power between farmers and banks. The association therefore recommended the repeal of the provisions relating to the issuing of protection orders by the authority. Taking this into consideration, and as a protection order has not been issued in more than a decade under this Act, the Democrats will support the repeal of the provisions relating to the issuing of protection orders under the current Act as there are alternative mechanisms in place.

The bill inserts a new subsection (1) into section 10, which deals with the function of the RAA board. The Democrats welcome the Government's initiative to revise the functions of the board and to clarify its function. However, the distinction between general, special and relief schemes available to potential applicants is not clearly defined. The New South Wales Farmers submission to the NCP review of the Act argued that "the Authority is currently viewed by many farmers as a 'propping up' mechanism rather than a vehicle for development". To many farmers the image of the authority is a bit ambiguous. To many farmers it is seen as an avenue of last resort, and this image can dissuade them from using the schemes to improve production efficiencies in their businesses or to enhance the productivity of the land through investing in sustainable land use practices. The Rural Assistance Authority is not a charity; however, such a perception exists. The image must change to make the authority more successful and accessible to primary industry producers as a means of assistance to farmers. I shall move minor amendments to the bill during the Committee stage to facilitate this end.

The Hon. J. J. DELLA BOSCA (Special Minister of State, Minister for Industrial Relations, Assistant Treasurer, Minister Assisting the Premier on Public Sector Management, and Minister Assisting the Premier for the Central Coast) [12.43 p.m.], in reply: I thank honourable members for their contributions to the debate on the Rural Assistance Amendment Bill. I also congratulate the Hon. R. H. Colless on his inaugural speech. As has been stated in the debate on both sides of the House, and in the other place, the Rural Assistance Authority has had a long and important history in the development of the New South Wales agricultural sector. I am pleased to represent the Minister for Agriculture in this House in promoting a bill which will ensure that the authority continues that role and remains relevant to today's circumstances.

A relatively recent example of the effectiveness of the Rural Assistance Authority was the case of the Mangrove Mountain chicken growers who were affected by the outbreak of Newcastle disease. Mangrove Mountain is in my general neighbourhood and a number of the chicken growers there are very good friends of mine and are personally known to me as hard-working people. They were badly affected by the outbreak of Newcastle disease. Chicken growers were able to apply to the Rural Assistance Authority for low-interest loans to see them through what was certainly for them a disaster, although not officially classified as a national disaster.

The Commonwealth Government, on the other hand, did not approve exceptional circumstances assistance to the chicken growers of Mangrove Mountain, indicating a distinct lack of interest in their plight, and more importantly indicating that it is somewhat out of touch on this matter. This response should be contrasted with the actions by the Rural Assistance Authority. The authority offered emergency assistance loans to all affected poultry producers. The low-interest loans were to a maximum value of \$20,000. I am advised that the combined value of these loans was almost \$300,000.

The Hon. D. J. Gay: But \$20,000 does not go far when you are replacing all your chooks.

The Hon. J. J. DELLA BOSCA: It goes a lot further than nothing. The \$300,000 is only \$20,000 less than the \$320,000 that the Commonwealth provided to the affected producers in the form of ex gratia welfare payments at a level equivalent to unemployment benefits. While the authority loans cannot make up for the Commonwealth's failure to provide exceptional circumstance assistance payments, they did help the farmers. I thank the Deputy Leader of the Opposition for his remarks in the debate. I commend the bill to the House.

Motion agreed to.

Bill read a second time.

CHILDREN AND YOUNG PERSONS (CARE AND PROTECTION) MISCELLANEOUS AMENDMENTS BILL

Second Reading

The Hon. CARMEL TEBBUTT (Minister for Juvenile Justice, Minister Assisting the Premier on Youth, and Minister Assisting the Minister for the Environment) [12.46 p.m.]: I move:

That this bill be now read a second time.

When the Children and Young Persons (Care and Protection) Act 1998 was introduced into Parliament Minister Lo Po' indicated that the Act would not be immediately proclaimed, so as to allow some time for the new legislation to be considered. Since that time a very active review process has been undertaken, with a wide range of comments having been received from organisations such as the Community Services Commission, the Association of Children's Welfare Agencies, Burnside, the Foster Care Association, the Senior Children's Magistrate, the Law Society and Legal Aid of New South Wales, as well as from members of this House and government agencies. The extensive initial training and information seminars that the Department of Community Services has been conducting statewide have also attracted a tremendous amount of interest in the new care Act and led to further comments being made. More than 700 people attended one seminar held in the Sydney central business district. I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.

Leave granted.

There have been impressive attendances at country sessions, with well over 100 people attending seminars in Wagga Wagga and Dubbo, for example. Requests for additional seminars continue to be made, and the department is hard-pressed to meet the demand. This has generated enthusiasm and support for this legislation. It has also assisted in identifying operational difficulties that normally would not be identified until after the Act was proclaimed. New legislation will always have the potential to raise these practical concerns. We have, therefore, been fortunate to have this opportunity to consider the need for amendments to the Act prior to its proclamation. This bill proposes amendments of an operational nature relating to both child protection and out-of-home care services. The amendments do not represent policy changes, but seek to enhance the functioning of the Act. Any proposed changes that sought significant policy shifts in the legislation passed by this House, with the support of all parties, have not been included.

I turn first to the issue of child protection. The amendments effect a myriad of changes and I wish to draw the attention of this House to only a few. Within the field of child protection, the amendments stipulate the record-keeping requirements to be observed by the Director-General of the Department of Community Services [DOCS] in regard to reports of children and young people at risk of harm, control the use of reports about children or young people who are at risk of harm, and permit the director-general to withhold copies of videos in certain limited circumstances. Record keeping and the documenting of why and when decisions are taken is a vital role in any system of child protection. It is good practice. This new provision does not alter this. What it does do is make this best practice an express and clear requirement for all departmental officers. In doing this, it recognises that a lack of record keeping is one of many areas in which the department is seeking to improve the way in which it serves our children and young people.

Both the 1987 and the 1998 care and protection Acts recognise that it is essential to preserve the confidentiality of people who report abuse. The bill clarifies three aspects of this protection. The first is to make sure that details of a report cannot become publicly available through other non-care court proceedings. A prohibition that simply stops the use of a report in evidence has been found to be insufficient as courts have allowed this sort of information into an open court room. The bill seeks to impose an absolute prohibition in all except care proceedings. Likewise, courts and tribunals are increasingly asking my department to justify whether a disclosure is in fact a report of abuse and so liable to protection. To justify this decision, departmental officers are being required by these courts and tribunals to disclose details of the report, thereby defeating the entire purpose of the provision. This amendment proposes to introduce an efficient way of avoiding this difficulty without removing the opportunity of someone to challenge a departmental decision as to what is a report.

A substantial decision can also be the subject of a complaint to, or an inquiry by, the Community Services Commission. This Government has introduced and funded innovative investigative techniques involving video and audio recording of evidence. This is particularly helpful in recording the evidence of children and seeks to avoid the child being further harmed through abuse by the very system intended to protect him or her. In the area of criminal law, my colleague the Attorney General has already introduced legislation that prevents copies of this sort of evidence being made available to child abusers to feed their prurient interests. This provision introduces similar controls in the care jurisdiction. It does not prevent access to any evidence where this is needed by someone to prepare a case but it does stop ongoing misuse of these recordings of children.

It has also been a long-established offence to identify any child or young person who is involved or might be involved in care proceedings. These children and young people may already be victims and have suffered as a result of inappropriate and wrong adult behaviour. Why should they suffer further by having the most intimate details of their lives broadcast for all to see or hear? Why should they be further tainted by unwanted publicity? The 1998 Act tried to overcome some loopholes that the print media had already exploited to identify children when it was obvious from the story that these children were about to be, or had been, involved in care proceedings. What it did not do was extend these provisions to details about children involved in care proceedings posted on the Internet. This oversight is now being corrected. Provided that the material can be accessed by someone in this State, people will no longer be able to escape punishment when they publicise the details of children and young people just because they have used a server interstate or overseas nor because they scanned the material onto a web page across the State border.

The second group of issues concerns the operation of the Children's Court. The amending bill also refines how the Children's Court functions. The amendments introduce more flexibility surrounding the holding of preliminary conferences. They allow a Children's Magistrate to act in the place of a Children's Registrar. They ensure that the Director-General of the Department of Community Services is consulted prior to being required to supervise access between a child or young person and some other person when the contact involves some degree of risk. They also recognise the valuable assistance that can be provided to the court by support persons when there is no official interpreter for any of the parties to a hearing who do not sufficiently speak or understand English. The 1998 Act was designed to establish a user-friendly statewide Children's Court that brought specialist knowledge of dealing with children to all of our children and young people—no matter where they might live. These changes will help this come to fruition.

The third group of changes is about compulsory assistance orders. When the Act went through Parliament, some concerns were raised regarding the making of compulsory assistance orders. These orders may be made only by the Children's Court on the personal application of the Director-General in regard to a child or young person who has suicidal tendencies or who is engaging in self-destructive behaviour. The proposed amendments will require the Director-General to notify the Children's Guardian whenever an application is made for such an order, or when an interim order is made. The Children's Guardian will be able to be a party to such proceedings and, if not a party, must now be notified of the making of such an order. The other change that is proposed to this part of the Act is to introduce the capacity for a range of persons to approach the court to seek to have such an order varied or revoked. These additional requirements will ensure that such orders are not used in ways that Parliament did not intend.

The final group of issues is about out-of-home care. In regard to children and young people in out-of-home care, problems arose in regard to the definition. One of the difficulties was that, until a child or young person had been in care for the specified number of days, the operation of the Act did not take effect. Thus foster carers were not able to provide the care that the Act envisaged until they had had the care of a child or young person for 14 days if on a court order, or 28 days if a voluntary placement. The proposed amendment overcomes this problem by recognising that once children and young persons enter into a formal care situation they are regarded as being in out-of-home care. Related to this amendment, a number of groups and some carers have expressed concern about the existing provisions concerning the physical restraint of a child or young person.

Accordingly, it is proposed to amend section 158 to ensure that restraint can be used only in serious situations when injury to the child or to other people is likely. Any use of restraint must be consistent with any behaviour management requirements in the child's or young person's care plan. The Act also requires a carer to follow appropriate DOCS guidelines. This requirement is maintained. These changes now allow a right of review to ensure that any physical restraint applied to children and young people is appropriate and reasonable. A number of other amendments are proposed to broaden the financial assistance that may be made available to carers, to clarify decisions reviewable by the Administrative Decisions Tribunal, to resolve a number of definitional problems and to introduce a number of regulation-making powers. These amendments will make a good Act even better. They will mean that, when the Act is proclaimed later this year, all those involved in its administration can apply it, confident that significant matters that were identified as problematic have been resolved. I commend the bill to the House.

The Hon. PATRICIA FORSYTHE [12.48 p.m.]: Before making some remarks about the Children and Young Persons (Care and Protection) Miscellaneous Amendments Bill I offer congratulations to our new Coalition member, Hon. R. H. Colless, on his first speech this morning. When the Hon. Richard Bull retired we lost a very fine member of the National Party and the Legislative Council, a great parliamentarian and contributor in this place. Having listened to the first speech of the Hon. R. H. Colless this morning, I have every confidence that we have found a perfect replacement for the Hon. Richard Bull and I look forward to many years of working with him.

I now turn my attention to the bill. The Opposition does not oppose the bill. Indeed, it would be illogical for us to do so given our support in 1998 for the bill that the bill seeks to amend. However, the Opposition has a number of concerns and I will move amendments on behalf of the Opposition during the Committee stage. The bill is not complicated. It derives from what the Minister has described as minor amendments or amendments that relate to the operational nature of the Act rather than to any underlying policy changes. I take issue with the Minister in relation to the role of preliminary conferencing and the courts, but I will say more about that later. The bill is the result of an ongoing consultation process by the Government since the December 1998 legislation was passed by the Parliament. This has involved many of the groups within the sector. In my view that consultation has not been as broad as should have occurred. I suspect that had the consultation been broader it may have led to the resolution of some of the problems the Opposition amendments aim to overcome.

In particular, I refer to the fact that the original architects of this legislation, Judy Cashmore and Professor Patrick Parkinson, seemed to have been largely overlooked by the Government in the ongoing work that has taken place since December 1998. In fact, I thought that the Minister, in her summing up of the debate in the other place, put down the contributions of these people. She suggested that if we go down the path of amendment the consequence would be to either introduce changes in Committee without consulting the sector or to delay proclamation. Nothing could be further from the truth. She said she was aware that Professor Parkinson had made some well-intentioned comments, which is an extraordinary put down of a person who has spent the considerable part of four years undertaking one of the most significant reviews of legislation that has taken place prior to legislation coming to this Parliament.

I am sure that my colleagues who were in this place during the last Parliament will recall the large volume of documents that were released in relation to the review of the Act. Professor Parkinson was charged

with the review of the care and protection legislation, first by the former Coalition Government and then by the Carr Labor Government, but he has been effectively ignored by this Government since then. However, that is only one of the problems. In December 1998 this House, as one of its last acts before the Parliament prorogued for the election, was to see through this legislation, which involved minimal amendments. It was generally agreed that the legislation must be enacted by the Parliament so that the department could get on with the transition process to enable proclamation of the bill. The sector and everyone involved with the review were keen to see the new legislation. That was in December 1998. It is now October 2000 and still most of the bill has not been proclaimed, except for minor amendments to assist with the operational nature of it. The Government still has not guaranteed that gazettal of the main legislation will occur. However, I believe it has foreshadowed a date in mid-December.

The past two years have been categorised by frustration within the sector as to whether the Government will ever get its act together on this legislation. There needs to be considerable rethinking on the way the Department of Community Services treats children at risk and the parents of children at risk. The original legislation sought to support parents rather than to remove children; it moved from the concept of wardship to a much more modern approach, a measure that was welcomed by all sides of this Parliament and the sector. I am disappointed that almost two years later, despite some fine tuning which has mostly been agreed to by the sector, we are still uncertain whether the necessary resources are in place. The original legislation was to establish a children's guardian, but there is still no such office.

Although the Opposition supports the bill, it is disappointing that the Government has not achieved what was expected of it in December 1998 when the Opposition, in good will, supported the legislation because the principles behind it were correct. The Opposition is happy to support the minor amendments relating to operational matters. A further element is that anyone who uses the Internet to reveal the identity of any young person involved in Children's Court proceedings may have action taken against them. That shows how far we have moved in two years in our understanding of the impact and role of the Internet. Although something may be framed entirely out of the State or nation, many people are now able to access that information and it is important that appropriate safeguards be put in place. The most disappointing aspect is the measure that seeks to restrict the role of conferencing. As I shall move amendments in that regard in Committee, I will not discuss that in detail now. On the whole the bill will improve the original Act, as is intended.

I acknowledge that the Government has consulted with the sector on a regular basis. Notwithstanding the importance that I attach to consultation, the Government has dragged the chain in introducing this important legislation. The Government has suggested that amendments will further delay the process, which is the sort of weak excuse we have come to expect from it. The issues I will be raising have been well canvassed, both in August in the other place and in discussions with many interest groups. Therefore, I will not accept a suggestion that amending the legislation will delay the process. That was put over our heads in 1998 and the Opposition went along with it, but it will not do so now. It is time to ensure that the legislation is right. One amendment will merely correct a drafting error, and I am sure that the Government would be keen to ensure that the best legislation is in place to achieve a better system of care and protection for children and young people in New South Wales.

The Hon. I. COHEN [12.57 p.m.]: I support the Children and Young Persons (Care and Protection) Miscellaneous Amendments Bill. This bill has a long history. It proposes mostly minor and technical amendments to the 1998 Children and Young Persons (Care and Protection) Act, which is still not proclaimed. The 1998 Act stemmed from a review of the 1987 Children (Care and Protection) Act 1987 by the community welfare legislation review unit. This commenced in 1994 and was chaired by Professor Patrick Parkinson. The review was extremely thorough and involved wide consultation. In November 1997 the review team published a document containing major recommendations for reform. This was presented to the Government. Many of the recommendations were contained in the original round of legislation. There was tremendous relief by many in the community when the bill was finally passed in 1998, as it had long been apparent that the 1987 Act needed to be significantly overhauled and a new system put in place.

The 1987 Act has failed to adequately protect children from abuse. The Greens support the bill but have concerns about aspects of the bill. Some of these issues were raised by the Greens during debate on 1998 Act; others have been raised by Professor Patrick Parkinson. The issues raised by the Greens in 1998 and not dealt with in the 2000 bill relate to children in kinship care and out-of-school-hours care. The Greens had amendments drafted to deal with these issues but withdrew them on the understanding that the Government would look at the issues during the first review of the Act. The Attorney General, on behalf of the Minister for Community Services at the time, gave a ministerial undertaking that these two issues would be looked at by the Government. In particular, the Attorney General said:

On behalf of the Government I am happy to give an assurance also to the Hon. Patricia Forsythe and the Hon. I. Cohen that as part of the consultation surrounding chapter 13 the Government will discuss the other two issues raised.

The Council of Social Service of New South Wales [NCOSS] points out that kinship care is now the substitute care placement option with the largest number of children and young people. The figure is almost 40 per cent, with another 10 per cent in non-related family placements.

[The Deputy-President (Reverend the Hon. F. J. Nile) left the chair at 1.00 p.m. The House resumed at 2.30 p.m.]

The Hon. I. COHEN [2.30 p.m.]: The Act follows the principle of least intrusive intervention with regard to substitute care. Kinship placements are treated differently to out-of-home care on the basis that children in these circumstances usually have better outcomes and, generally, the less intervention by the Department of Community Services [DOCS] the better. On the whole this is true, but some children and young people who are in kinship placements will face difficulties similar to those faced by children in out-of-home care. NCOSS argues that:

As the Act currently stands, children and young people, and their carers in kinship care are explicitly excluded from any of the rights and entitlements to children/carers in foster care. Chapter 8 of the Act—Out-of-Home Care—sets out a number of rights and entitlements around access to information, review of placements, rights, access to leaving care services and the protection of the Children's Guardian. By definition, children and young people in kinship care miss out on these, not because they do not need them but because of a relationship to a particular carer.

The Greens are of the view that an amendment is needed to allow children and young people in kinship care to be included within the definition of out-of-home care where the carer or the child has sought assistance from the director-general. This would enable the carer or child to request assistance such as access to counselling and leaving care services. Currently the Act restricts such services to children and their carers, who are defined as being in out-of-home care, such as children in foster care. In the Greens view, those in kinship care should have access to the same services.

A second issue raised by the Greens in 1998, but not dealt with in the 2000 Act, is the issue of outside of school hours [OOSH]. The Network of Community Activities has provided a briefing paper to crossbenchers on the OOSH issue. There are approximately 640 community-based OOSH services operating in New South Wales, servicing up to 80,000 five- to 12-year-old children. These figures take into consideration casual, regular and vacation care users. Many children attend OOSH services for up to five hours per day during school terms and for eight to 10 hours per day during the school holiday period. As the network points out, neither the Commonwealth nor State governments regulate or monitor OOSH services.

It is unbelievable that in the year 2000 children are in formal child care situations such as OOSH yet are in environments which are totally unregulated. What do parents do if something happens to their child, such as physical or sexual abuse, while the child is in care? How can the Government justify regulating child care services for under five-year-olds yet leave the OOSH sector totally unregulated? The Greens believe that OOSH services should be regulated and included in the Act. There is community support for these amendments. For instance, in a letter addressed to me and dated 10 October, the Association of Children's Welfare Agencies [ACWA] said:

ACWA remains concerned that amendments to the Act in relation to kinship care and the licensing of out-of-school hours care have not yet been made. This is in spite of these issues having been raised by ACWA and others on numerous occasions over the past two years.

With regard to the two amendments, a substantial number of New South Wales community sector organisations and consumer agencies have repeatedly raised them with NCOSS. The Greens will be moving amendments in Committee to address these concerns. Professor Patrick Parkinson has outlined certain omissions to the Act. One of these relates to section 65—children's registrars. In his briefing note Patrick Parkinson stated:

The Government proposes to amend section 65 to provide that the Children's Registrar may dispense with the need to hold a preliminary conference if he or she is of the opinion that it would not be appropriate in the circumstances to hold a preliminary conference or that it should be deferred until some later time.

As Parkinson points out, the amendment raises the question of what should happen if there is not a preliminary conference. If there is no preliminary conference, all the interim steps, such as setting hearing dates and other preliminary matters, have to go before a magistrate thus replicating the existing system. It ties up court time in procedural matters. Parkinson specifies that:

The idea behind having preliminary conferences is that the practice of having list days in which large numbers of matters are brought before the court for brief procedural steps will be abolished. List days may be convenient for the court, but they are far from convenient for other participants who must spend a long time waiting around the court for their cases to be called.

An example includes an entire Aboriginal family who had to travel 400 kilometres each way to attend all preliminary hearings. The practice of requiring participants to attend all pre-trial hearings can be expensive and disruptive for the participants, and can be a complete waste of the time of professional people, such as district officers, lawyers and experts involved in the case. Parkinson continues:

List days were the subject of serious criticism in the course of the review of the 1987 Act which led to these reforms.

Instead, under the new Act, the first significant step in a court action should be an appointment with a Children's Registrar at which all the parties and their legal advisers will be present. At that meeting the idea is that the registrar should map a pathway for the resolution of the case, by hearing or otherwise.

The amendment seems reasonable so that children, their care givers, DOCS officers and others involved in the case are not tied up for hours, sometimes on numerous occasions, before the substantive hearing has even commenced. Parkinson suggests that a Children's Registrar ought to be able to defer a preliminary conference, but not to dispense with it entirely. The Government on the other hand has pointed out that there are some care applications for which a compulsory referral to a preliminary conference will be completely inappropriate.

Letters from the Senior Children's Magistrate and from the Legal Aid Service have been circulated to crossbenchers supporting their position—in particular, applications for care orders in which an interim order for the removal of a child is sought and which is not consented to by the parents. In such circumstances there will need to be an interim hearing by a magistrate and the hearing should not have to await the outcome of a preliminary conference. The Greens would support a compromise amendment that would address the concerns of both Professor Parkinson and the issues raised with the Government by the Senior Children's Magistrate and the Legal Aid Service. Having said that, the Greens support the bill.

The Hon. Dr P. WONG [2.40 p.m.]: I am pleased to support the Children and Young Persons (Care and Protection) Miscellaneous Amendments Bill and, as I did with the Adoption Bill, I shall support some small but important practical amendments that will be moved to it in Committee. The bill makes a number of important and practical amendments to the Children and Young Persons (Care and Protection) Act 1998 that should be made before that Act is proclaimed and put into practice later this year. Again, I commend the Government and the Minister for introducing this legislation. I also recognise the support of the Council of Social Service of New South Wales and Professor Patrick Parkinson for the bill. Professor Parkinson has made many valuable comments, as mentioned by the Hon. I. Cohen.

As with the Adoption Act, there is considerable community interest in this legislation. The people of New South Wales want Parliament and governments to act with the greatest care and sensitivity to ensure that everything possible is done to protect the safety, wellbeing and interests of children and young people. I believe that this proposed legislation is a significant step towards achieving this by making practical and positive amendments to the 1998 Act. I am interested also in supporting some amendments to the bill which, I believe, would further improve the legislation and are within the policy directions and spirit of the bill. I will support amendments on preliminary conferences, the determining of care and protection, and providing clearer wording in the provision relating to out-of-home care placement. I have also noted two issues raised recently by the Council of Social Service of New South Wales that should be addressed relating to assistance for kinship carers and extending the Act to cover out-of-school-hours children's services.

Reverend the Hon. F. J. NILE [2.42 p.m.]: The Christian Democratic Party supports the Children and Young Persons (Care and Protection) Miscellaneous Amendments Bill. When the Minister introduced the bill in 1998 she indicated that it would not be immediately proclaimed so as to allow time for the new legislation to be considered. Since that time an active review process has been undertaken with a wide range of comments having been received from organisations such as the Community Services Commission, the Association of Children's Welfare Agencies, Burnside, the Foster Care Association, the Senior Children's Magistrate, the Law Society, Legal Aid of New South Wales, as well as from government agencies and members of both Houses of Parliament.

Training and information seminars have been conducted by the Department of Community Services [DOCS]; more than 700 people attended one seminar held in the Sydney central business district. There have been attendances of up to 100 people at seminars held in Wagga Wagga, Dubbo and other country centres. The department received requests for additional seminars, which have been held in a number of places. The bill

clarifies three aspects of protection for children and young people. The first is to make sure that details of a report cannot become publicly available through other non-care court proceedings. A prohibition that simply prevents the use of a report in evidence has been found to be insufficient as courts have allowed such information into an open court room. The bill seeks to impose an absolute prohibition in all except care proceedings.

In the same way increasingly courts and tribunals are asking the department to justify whether a disclosure is in fact a report of abuse and therefore liable to protection. To justify that decision, departmental officers have been required by the courts and tribunals to disclose details of the report, thereby defeating the entire purpose of the provision, which is to protect children. It has been the custom that matters before the Children's Court are confidential. The bill introduces a more efficient way of avoiding some problems without removing the opportunity for someone to challenge a departmental decision in a report. A substantial decision can also be the subject of a complaint to, or an inquiry by, the Community Services Commission.

The print media are always interested in, and willing to exploit, cases that involve children who have been involved in care proceedings. I believe that the Government is right in seeking to provide for their protection. As technology develops, it is possible that some information is released unintentionally—for example, through the Internet. That loophole has been addressed. Another important and controversial aspect of the bill concerns the operation of the Children's Court, about which amendments will be moved in Committee. The amendments will provide more flexibility surrounding the holding of preliminary conferences. They will allow a Children's Magistrate to act in the place of a Children's Registrar and will ensure that the Director-General of the Department of Community Services is consulted prior to being required to supervise access between a child or young person and some other person when the contact involves some degree of risk.

The third group of changes concerns compulsory assistance orders, about which some questions have been raised. Those orders may be made only by the Children's Court on the personal application of the director-general of the department in regard to a child or young person who has suicidal tendencies or who is engaging in self-destructive behaviour. The final group of matters deals with out-of-home care. A number of problems that have arisen relating to the definition of out-of-home care have been clarified in the bill. The legislation will create the office of a Children's Guardian, whose functions will be specified. It will also define a child as a person who is under 16 years, and a young person as a person aged 16 years or above but under 18 years. I would like the Government to assure me that some of these changes will not have an unintended effect on other legislation such as the age of consent legislation.

The Christian Democratic Party agrees with some of the improved terminology. To provide consistency with other legislation such as the Family Law Act 1975 the bill replaces the expression "guardianship" with "parental responsibility", and "foster care" becomes "out-of-home care". We certainly support the use of language such as "parental responsibility". The bill establishes the principle concerning the participation of children and young persons in decision making that applies to all persons who exercise functions under the proposed Act, so their views will be sought. The bill recognises the right of children and young persons as well as their parents to seek assistance from the Department of Community Services [DOCS] and sets out the general nature of the responses that may be made to a request for assistance.

If a child approaches DOCS directly—for which there may be justified reasons, such as abuse—the parental responsibility should be recognised and DOCS should not be involved in any detailed way without advising the parents that the child has made an approach. We do not want to introduce a wedge between the child and the parents or others who have responsibility for the child. As with many bills I believe that the intention of the Government is correct but often it is a matter of the practical operation of the bill. I trust that the Government will ensure that there is mechanism for monitoring the bill and ascertaining what finetuning may be required in due course. We support the bill.

The Hon. Dr A. CHESTERFIELD-EVANS [2.49 p.m.]: I speak on behalf of the Australian Democrats to the Children and Young Persons (Care and Protection) Miscellaneous Amendments Bill. In her second reading speech the Minister conceded that the Children and Young Persons (Care and Protection) Act 1998 was written very hastily and said that amendments would be made prior to its proclamation. This bill introduces those amendments. We support the bill, although we will seek to make further amendments to the legislation in Committee. When the Children and Young Persons (Care and Protection) Act was passed with bipartisan support I spoke about the wide-ranging support for the legislation. The yet-to-be-proclaimed Act introduces a new legislative framework that will move away from the protective adversarial model to a more consensual model.

The guiding principle will be to keep the family together. The Government will be the agent to facilitate this by offering help when needed, rather than being interventionist. I hope that the spirit of the proposed Act will be continued, despite Minister Lo Po's views on permanency planning. The new Act is eagerly awaited, as it operates in the consensual spirit, with the involvement of the birth family and the protection, strengthening and keeping together of the family unit. I highlight the momentum on the ground in support of the proposed new Act, as I believe that the Government's exposure bill on permanency planning does not share the spirit of the new Act.

Honourable members would realise that Minister Lo Po's bill, which was introduced in the other place, signals a change in welfare direction and has been written without consultation with the sector. I see that bill as the biggest threat to the positive momentum in the sector about the new Act. The Australian Democrats support this bill, as we supported the Children and Young Persons (Care and Protection) Act in 1998. We look forward to the proclamation of the bill in the spirit that it was written, that is, in a consultative way that promoted the protection of children and support for birth families. I foreshadow that I intend to move a number of amendments in Committee.

The Hon. HELEN SHAM-HO [2.52 p.m.]: I support the Children and Young Persons (Care and Protection) Miscellaneous Amendments Bill, which proposes various amendments to the Children and Young Persons (Care and Protection) Act 1998. That Act sets out the circumstances under which a child is to be declared "in need of care", proceedings for care applications, and the options available to the Children's Court if it determines that a child is in need of care. The Act, which was the result of three years extensive consultation and a review by the Department of Community Services, passed through this House with bipartisan support in December 1998.

The bill not only seeks to rectify drafting areas and omissions in the 1998 Act, it also makes more significant changes to child protection processes and procedures, including care orders, care proceedings, compulsory assistance orders and out-of-home care. I firmly believe that the health, safety and welfare of our children are matters of paramount importance. That being so, we, as members of Parliament, should take a bipartisan approach to legislation on significant children's issues. In particular, children in need of care and protection of the State are the most vulnerable members of society, and their wellbeing must be our absolute priority.

There has been a fair amount of controversy over the past few months about the package of bills introduced by the Minister for Community Services towards the end of the last parliamentary session. Specifically, criticism was directed at Minister Lo Po' because of her failure to consult with major stakeholders in the community before introducing the Children and Young Persons (Care and Protection) Amendment (Permanency Planning) Bill. At this point it is appropriate for me to say that I have serious concerns about that particular bill. I am pleased that the Minister has, quite properly, deferred the debate, as this has allowed for extensive public debate to take place. More importantly, it has given experts in the child protection field the opportunity to devise alternative amendments to many of the ill-conceived and cumbersome clauses in the draft bill. I refer all honourable members to Professor Patrick Parkinson's thorough clause-by-clause critique of the bill, which is available on the Council of Social Service of New South Wales [NCOSS] web site. I am sure all honourable members are aware that Professor Parkinson lectures in law at the University of Sydney and was the main author of the 1998 Act.

During the winter break the focus of discussion has been on the Children and Young Persons (Care and Protection) Amendment (Permanency Planning) Bill and the Adoption Bill. These bills were the subject of a major forum organised by NCOSS and the Association of Children's Welfare Agencies in late July. I am pleased to report that more than 100 child welfare practitioners and child protection group representatives attended the forum. Although this bill was not discussed at the forum, I do not believe that it is any less important than the other two. If passed, it will result in significant changes to child protection procedures and the operation of the Children's Court in New South Wales. Any legislation that is of major significance to people's lives deserves our careful consideration.

I do not intend to discuss the entire bill today. Instead I will focus my remarks on so-called out-of-home care services. I am pleased that the bill broadens the definition of "out-of-home care". It recognises that once children and young people enter into a formal care situation, they should be regarded as being in out-of-home care. Under section 135 of the Children and Young Persons (Care and Protection) Act, out-of-home care is defined as residential care and control of a child or young person at a place other than the usual home and by a person other than a parent or someone who is not related. To be categorised as out-of-home care, the child must

be in care for more than 14 days under an order of the Children's Court. For other cases, the child must be in care for more than 28 days in any 12-month period. This means that unless a child or young person is in care for a specified number of days the Act does not apply.

The bill will change this section by providing that out-of-home care commences whenever a child or young person is placed with "an authorised carer or by a designated agency". I agree that this provision is more inclusive than the definition of out-of-home services provided under the 1998 Act. However, it still excludes kinship care and out of school hours care from the definition of out of home care. For the benefit of those honourable members who may be unfamiliar with the term, "kinship care" refers to situations where a child or young person is cared for by relatives or friends. Kinship care is now the most prevalent form of substitute care in this State. It accounts for 38.7 per cent of all child placements, or 48.8 per cent when placements with friends, neighbours or godparents are factored in, and 57.3 per cent of placements for indigenous children in care.

As kinship care is excluded from the definition of out-of-home care in the bill, kinship placements are not afforded the services, protections or safeguards provided by the 1998 Act. This is despite the trend in New South Wales for more children to be placed in this type of care than any other. Nor does the definition of children's services under the Children and Young Persons (Care and Protection) Act include out of school hours [OOSH] care or services. I find this omission perplexing. There are approximately 900 OOSH centres in New South Wales, 815 of which are run by non-profit, community-based organisations. These centres include before and after school care and activities and vacation care services for children aged between five and 12 years. It is estimated that in any year more than 100,000 children would use OOSH services on both a regular and casual basis.

I, along with other members of the crossbench, had the benefit of attending a briefing yesterday with Janet Moore and Judy Finlason of the Network of Community Activities. The organisation represents community-based groups that provide out of school hours care services to school-aged children. While I have had no direct contact with OOSH, I was surprised to learn that it is an unregulated service. There is no government monitoring of out of school hours care, nor is there a requirement for OOSH services to take part in accreditation, although parents participate in quality assurance. This is anomalous. Centre-based long day care services for 0- to five-year-olds are subject to regulations, as are children at school. However, the five- to 12-year-old age group in OOSH services are not subject to a consistent regulatory system, nor are they covered by the Children and Young Persons (Care and Protection) Act 1998. OOSH is an invaluable service for working parents, and single working parents in particular.

When I was a single parent in 1975 I was, unfortunately, not aware of OOSH services. This is in spite of the fact that the Network of Community Activities was established as a non-funded, self-help organisation in 1974. As a result, my two daughters became latchkey kids. Thankfully, neither Nicole nor Narelle suffered for this, and both turned out to be stable, well-adjusted women. However, had I known about OOSH at the time, life would have been much easier for me. Because I was unaware of my options I had to make private care arrangements for my daughters—and I do not have a problem with that. On any given afternoon my children could have been at piano lessons, girl guides, gymnastics or home with the cleaners.

With OOSH, parents do not have to rely on activities to occupy their children during out-of-school-hours, and if it is regulated one has more confidence. The Children and Young Persons (Care and Protection) Act 1998 is one of the most innovative and widely acclaimed Acts this State has seen. However, there is a pressing need for kinship care and out-of-school-hours care to be incorporated into the definition of children's services under the Act. In accordance with its pervasive theme, our primary concern today must be to protect the interests and rights of children, and to respect their welfare as the paramount consideration. I commend the bill to the House.

The Hon. A. G. CORBETT [3.01 p.m.]: I welcome the Children and Young Persons (Care and Protection) Miscellaneous Amendments Bill. I have prepared and circulated an amendment, but I am not sure whether I will proceed with it. It relates to a statement in the Minister's second reading speech in relation to an amendment to do with out-of-home care. She said that a number of groups and some carers have expressed concern about the existing provisions for the physical restraint of a child or young person. She said the bill amends section 158 to ensure that restraint can be used only in serious situations when injury to the child or to other people is likely. She further said that any use of restraint must be consistent with any behaviour management requirements in the child's or young person's care plan.

Section 158 of the Children and Young Persons (Care and Protection) Act, headed "Physical restraint of child or young persons", says that the section applies if, in the opinion of a person having parental

responsibility under the Act for a child or young person, or the authorised carer of a child or young person, the child or young person is behaving in such a manner that unless restrained he or she might seriously injure himself or herself or another person, or might cause the loss of or damage to any property. To my mind the relevant part is "or might cause the loss of or damage to any property", because this bill will remove from section 148 any reference to those words.

I understand some of the rationale behind that: if the child is causing loss or damage to any property it may be that the child is also putting himself or herself at risk of injury or putting someone else at risk of injury. However, one must assume that situations will arise when the child, for example, picks up an object and throws it through a television screen or throws a chair through a window. As I read the proposed legislation, the parent or the carer would not be able to use any form of restraint on the child in that situation. The Minister may have very good reasons for taking this approach, and in her reply I would be interested to hear the rationale behind the change. Accordingly I may or may not proceed with my amendment.

Ms LEE RHIANNON [3.04 p.m.]: I support the comments of my Greens colleague, the Hon. I. Cohen. His thorough examination of the proposed legislation clearly outlines our position. However, I would like to add a few comments about before- and after-school care, and holiday care. I have three children, I have many friends who have children and I have community experience in this area, so I have first-hand experience of the need for such care and the need for it to be regulated. I congratulate the Network of Community Activities, which was formed in 1974. Throughout many decades it has worked tirelessly not only to provide services but also to come to grips with this extraordinary problem. It is an extraordinary problem, because in this day and age people assume that the care in which their children are placed is regulated. It is only natural to make assumptions in life, and in this area people are incredibly shocked to learn that there are no regulations covering out-of-school-hours care. I emphasise the importance of introducing regulations to this area. At every level of government it is something to which attention must be paid.

It is estimated that 80,000 children in New South Wales use such services at different times—that is, before school because their parents are working, at the end of the school day or during school holidays. It is important to remember that we must regulate such services to ensure that our children get the best care. We are talking about children's free time. It should be quality time. They are not at school in a learning environment and, therefore, it should be quite a different environment. Many people advocate that the care centre should not be at school but at a separate place, so that children value it in a different way. But wherever it is and however it works, it must be regulated. There is clearly community support for it, and we hope that is an outcome of the proposed legislation.

The Hon. CARMEL TEBBUTT (Minister for Juvenile Justice, Minister Assisting the Premier on Youth, and Minister Assisting the Minister for the Environment) [3.07 p.m.], in reply: I thank all honourable members for their thoughtful and well-intentioned contributions. A number of matters need to be clarified. The Government is concerned about the comment by the Hon. Patricia Forsythe that Professor Parkinson's contribution to the drafting of the new legislation had not been properly acknowledged by the Government or the Minister. That is quite misleading. The Minister in the other place was fulsome in his second reading speech in acknowledging the contribution of Professor Parkinson. Perhaps what is driving the perception of the Hon. Patricia Forsythe is that Professor Parkinson does not agree with some of the amendments put forward to make the care and protection legislation more workable and effective, and that is his right.

Although the professor's concerns have been acknowledged, surely it is the Minister's prerogative to seek to finetune the legislation if that will lead to improvements for child protection in out-of-home care. The Hon. Patricia Forsythe unjustifiably criticised the Government for delays in implementing the legislation. A massive amount of planning and preparation has gone into this exercise since the legislation passed through the Parliament in 1998. Perhaps the scope and complexity of the implementation process is not fully appreciated: it involves not only the Department of Community Services but also the Attorney General's Department, the Police Service, Health and Education, as well as agencies in the non-government sector. Subject to the House passing this bill without further delay, it can be proclaimed before the end of the year.

I now turn to the amendments proposed by a number of honourable members. Of course, there will be an opportunity for further discussion and debate in Committee, but it is worthwhile addressing some of the issues at this point. The Hon. Patricia Forsythe foreshadowed amendments to deal with preliminary conferences. In that regard the provision gives flexibility to the court. If this measure is not amended, as proposed by the Opposition, the court will have the power to hold preliminary conferences, defer them or not hold them. The Government does not want to limit this power to the court having the power to dispense with the holding of a

conference only under certain circumstances. If the Children's Court is to be given the power to manage the cases that come before it, the power to not proceed with a particular course of action is a necessary incidental power. We could all foresee cases where it would be perfectly clear to the court that no amount of mediation will resolve the issue and that it would not be necessary to proceed through a defended hearing to establish that, as the Opposition amendment proposes.

However, as we are referring to the removal of the child from the mother, it could be reasonably expected that total opposition might be likely. There is no point in forcing parties into mediation if there is opposition to the procedure. In some circumstances the power to remove children from the household as quickly as possible will be important. The Opposition proposes to insert additional inflexible, procedural and administrative hurdles. The Opposition amendment would remove the Children Court's discretion that permits it to effectively case manage matters before it. The Family Law Act gives the Family Court discretion to determine whether a matter is suitable for mediation. Again, similar discretion can be found in legislation in other States—for example, in section 42 (1) of South Australia's Children Protection Act 1993.

I shall refer now to issues raised by the Hon. I. Cohen, who flagged amendments dealing with kinship care and out of school hours care, which was raised also by a number of honourable members. Kinship care raises serious issues about State intervention in the lives of children when there are no concerns about the care and protection of those children or young people. It is important to get this balance right. The wording of the Greens amendment will require State intervention in voluntary arrangements when there is no need. For example, children staying with relatives over the long Christmas break would require that the relatives become authorised carers of the department or run the risk of facing a \$22,000 fine. The Government believes that this would be bureaucracy gone mad! Clearly, it is not an easy issue and the Government is prepared to consult further with the sector, acknowledging that some anomalies exist between current and new legislation in relation to sections 135 and 13.

The other amendment of the Hon. I. Cohen deals with out of school hours care. The New South Wales Office of Child Care is currently reviewing out of school hours care services and the Minister is expecting to receive the report by the end of the year. The proposed Greens amendment does not adequately address the issues of out of school hours care. It fails to recognise the national voluntary code. In covering all out of school hours educational services, is there really an intention to include, for example, a teacher helping a student with English or chemistry? The Government believes this proposal is inappropriate. Similarly, do the Greens want to exclude services without any educational content? Again, this is contrary to what most people understand out of school hours care to be. Out of school hours care is not defined as an educational service; it is a major policy issue. As the Minister said in the other place, this miscellaneous amendments bill is not about major policy issues. Therefore, we do not believe it is appropriate to deal with this issue in this debate.

The Hon. A. G. Corbett spoke about the physical restraint of a child or young person. He clearly seeks to understand why all reference to property damage has been removed from section 158, and I offer the following background. This issue was the subject of a significant forum organised by the Community Services Commission and Community Visitors. The result of the forum was that the inclusion of property damage removed the focus from the child, young person or carer. The point of this section is to prevent harm to an individual and not to televisions or furniture. The forum considered that it was not significant to include words like "serious", and the Government does not believe there is justification to reinsert those words.

The bill has other important measures, such as the one dealing with record keeping. The amendment to section 28 will broaden the obligation on the Department of Community Services to keep good records. This is in recognition of a point made in a number of reports by the Community Services Commission about how a lack of record keeping does not assist in understanding why particular decisions were made and whether they were made for proper reasons. The retention of additional information will also assist children and young people to know about their lives and why decisions were made. This will empower them and help improve the level of their participation.

New section 64A, dealing with video evidence, makes similar changes to those already in the criminal law. It stops perpetrators of sexual abuse, in particular, from retaining a video showing the child telling his or her story of how they were abused. The amendment is aimed at avoiding prurient use of material without denying the accused procedural fairness in knowing what case he or she has to answer. Further changes will be made to this bill at a later stage after a significant amount of public consultation, but the Government does not want to delay indefinitely the proclamation of this Act. Again I thank honourable members for their contributions to the debate and I commend the bill to the House.

Motion agreed to.

Bill read a second time.

**COMMUNITY RELATIONS COMMISSION AND PRINCIPLES OF
MULTICULTURALISM BILL**

In Committee

Clause 1 to 27, Schedules 1 to 4, and title

The Hon. J. M. SAMIOS [3.16 p.m.], by leave: I move Opposition amendments 1 to 17 in globo:

- No. 1 Page 2, clause 1, line 12. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 2 Page 4, clause 4, line 2. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 3 Page 5, clause 6, line 4. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 4 Page 21, schedule 3.1, line 14. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 5 Page 21, schedule 3.1, line 15. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 6 Page 22, schedule 3.2, line 7. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 7 Page 22, schedule 3.2, line 8. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 8 Page 22, schedule 3.3, line 15. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 9 Page 23, schedule 3.4, line 6. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 10 Page 23, schedule 3.5, line 12. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 11 Page 23, schedule 3.6, line 16. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 12 Page 23, schedule 3.7, line 20. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 13 Page 24, schedule 3.8, line 4. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 14 Page 24, schedule 3.9, line 10. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 15 Page 25, schedule 4, line 26. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 16 Page 26, schedule 4, lines 3, 8, 15, 21 and 23. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".
- No. 17 Page 1, long title. Omit "*Community Relations Commission*". Insert instead "*Community Relations and Multicultural Affairs Commission*".

These amendments are consistent with the views of the majority of the general community, including ethnic communities, which is particularly concerned about the proposed changes to the commission's name and role. In essence, the word "multicultural" will be included throughout the legislation in the title of the commission. Removing the word "ethnic" from the commission's title is not opposed, but ethnic communities certainly would like it replaced with the word "multiculturalism". If the word "ethnic" is removed from the commission's title, it is appropriate the word "multicultural" be substituted. Reference is made throughout the bill to principles of multiculturalism. The Government waxes lyrical and strong about our multicultural society, but is not happy that the word "multicultural" should appear in the title of the commission.

Amendments 1 to 17 will include the word "multicultural" in the commission's title. By abandoning the term "multiculturalism" in the commission's title we really are turning our backs on the contribution of all

Australians, each and every one of whom has an ethnic background, be it from the United Kingdom, Europe, Asia, the Middle East, Africa or wherever. In this regard I point to the fact that recently, when celebrating the Olympic Games, the Government took pride in making constant reference to "multiculturalism" or "ethnic". The structure of the Ethnic Affairs Commission was set up by the Labor Government in the 1970s. It related to the presence of people of ethnic background. Yet this Government is bent on coming up now with a name that makes no reference to ethnicity or multiculturalism. That is a retrograde step and a matter of concern. It also sends clear messages of moves to policies of assimilation, which will encourage people with racist and intolerant attitudes.

The Hon. Dr B. P. V. Pezzutti: One box fits all.

The Hon. E. M. Obeid: All Australians.

The Hon. J. M. SAMIOS: We are all Australians but we do not need the government of the day to tell us that. But while we are all Australians we are also cognisant of the ethnicity or the culture of those who have come from overseas. And we all came from overseas at some stage or another—even the indigenous population. The policy of assimilation has no place in this society. In moving towards this policy, the Government is turning its back on the bipartisan policy it had with the Coalition for many years, going back to the introduction of the migrant intake in the 1940s heralded by the Chifley Government. It is turning its back on acknowledging the contribution to this country made by migrants to this country—people of ethnic background. It is turning its back on the bipartisan approach which has seen this country move into the new millennium with great achievements, heralded more recently in our success with the Olympic Games. We are the pride of the world in terms of the successful social experiment in multiculturalism that Prince Charles referred to. The Opposition amendments Nos 1 to 17 deserve to be accepted by members of this Chamber. I call on each and every member of the Chamber to support them.

The Hon. Dr P. WONG [3.24 p.m.]: I support Opposition amendments, which will insert the word "multicultural" in the name of the commission. In doing so I will briefly refer to what was said by the Minister for Mineral Resources, and Minister for Fisheries yesterday. As mentioned by the Hon. J. M. Samios, we did not turn away from the bipartisan approach; the Government deliberately turned away from the bipartisan approach and the view of the community at large. My good friend Minister Obeid also said that there should be an end to the destructive approach to this proposal instigated by some honourable members. I do not believe that in his heart he believes that any of us, including himself, has taken a destructive approach. However, it is clear that the bill itself is very destructive. The action taken, probably not intentionally, by the Government has been a consequence of it.

The Opposition amendments are consistent with the view of the great majority of the general community, including the majority—I do not say all—of ethnic communities. Many of them have been very sympathetic to the Labor Party in the past, and perhaps are so even now. They are particularly concerned about the proposed changes to the name and role of the commission. As mentioned by the Hon. J. M. Samios, the deletion of the word "ethnic" is not opposed by the community, but it is clear from the submissions to the Ethnic Affairs Commission on the consultation document "The Way Forward" and the inquiry of General Purpose Standing Committee No. 1 that 85 per cent of those asked disagree with the present name of the Community Relations Commission. The Hon. J. M. Samios agrees with me on that. When asked, not one person at the inquiry objected to the addition of the word "multicultural" in the name.

The Hon. Dr B. P. V. Pezzutti: That is because Jim spoke to them all and consulted them all. He asked them and tried to find a middle way.

The Hon. Dr P. WONG: Yes, but they do not listen. The term "community relations" is too broad. It is not generally understood in this context. It is not adequate to describe the principles of multiculturalism. The principles of multiculturalism included in the bill are virtually identical with the principles of cultural diversity in the existing legislation.

The Hon. Dr B. P. V. Pezzutti: It was introduced by Jim Samios himself.

The Hon. Dr P. WONG: Exactly.

The Hon. Helen Sham-Ho: A bipartisan approach.

The Hon. Dr P. WONG: Yes. It is only logical that the name of the new commission should express the purpose and objectives of the commission; so it should include "multiculturalism". During debate on the bill

in May my colleague the Hon. Helen Sham-Ho explained that the term "community relations" was not adequate. She said she could not accept the name because, as she concluded, the community view is that "Community Relations Commission" is not an acceptable title. The community view has not changed.

The Hon. Dr B. P. V. Pezzutti: It is a fascist Government.

The Hon. Dr P. WONG: To answer the Hon. Dr B. P. V. Pezzutti, the Hon. Helen Sham-Ho tried her best but on two occasions the Government flatly refused a compromise version advocated by her.

The Hon. H. S. Tsang: She came up with a new formula. It works now.

The Hon. Dr P. WONG: The last formula was not in accordance with the original wish, and there was definitely not a consensus view reached between the Hon. J. M. Samios, the other crossbenchers and me. I do not blame the Hon. Helen Sham-Ho. No doubt the Hon. Helen Sham-Ho did that in the spirit of harmony.

The Hon. Helen Sham-Ho: Yes.

The Hon. Dr P. WONG: However, as she knows, a better version would be the addition of the word "multicultural". I have no doubt that she would agree.

The Hon. Helen Sham-Ho: A political compromise.

The Hon. Dr P. WONG: I am not sure about a political compromise. To sell oneself out and to compromise in negotiation are different things. We can all make mistakes, I have no doubt in my mind about that. However, when you sell yourself out there is no way back; you have lost respect in the community.

The Hon. Helen Sham-Ho: Point of order: The Hon. Dr P. Wong has made a personal reflection on me by saying that I sold myself out. I find that offensive.

The Hon. Dr P. WONG: To the point of order: I did not accuse the Hon. Helen Sham-Ho of that at all. I said that she tried to make a compromise. However, I did say that it is one thing to compromise and another to sell out.

The CHAIRMAN: Order! I cannot hear any of the conversation. As more than one member was speaking at once, I did not hear the comments of the Hon. Dr P. Wong.

The Hon. Dr P. WONG: I am pretty sure I said that the Hon. Helen Sham-Ho tried to make a compromise, which is understandable. However, I said that there is a difference between making a compromise and selling oneself out. I am not pointing at her. I am saying that there is a difference and that ought to be important in anyone's mind. I did not mention her. I was referring to a principle in politics. I applied it to myself. I often make compromises during negotiation, but I try not to sell myself out. I did not refer specifically to the Hon. Helen Sham-Ho at all. I said it in a political sense, not in an individual sense.

The Hon. J. H. Jobling: To the point of order: It is understood that a robust exchange may take place between members during debate in the Chamber, and it is quite a common occurrence—otherwise we would be restricted to very simple and juvenile language. A robust exchange often occurs between members. In this case, I do not recall hearing a member specifically referred to. I suggest that the Hon. Dr P. Wong was simply using an example and expressing his own view. A robust debate should be allowed on this issue.

The Hon. Dr B. P. V. Pezzutti: To the point of order: The Hon. Dr P. Wong was clearly talking about the politics of compromise and he made the point that one can go beyond compromise. If the Hon. Helen Sham-Ho wishes to associate herself with that, that is her problem. That is not what the Hon. Dr P. Wong said.

The CHAIRMAN: Order! Does the Hon. Helen Sham-Ho still want to continue with her point of order?

The Hon. Helen Sham-Ho: Yes.

The CHAIRMAN: It is my understanding from what has been said that the Hon. Dr P. Wong did not actually refer to you.

The Hon. Helen Sham-Ho: When the Hon. Dr P. Wong mentioned compromise he used my name, as I am sure will be shown by *Hansard*. He was trying to say that I sold myself out, my name was mentioned. He said, "to sell herself out". The implication that I sold myself out is offensive to me under Standing Order 81.

The CHAIRMAN: Order! Not having heard exactly what was said because of the level of interruption—and perhaps the banter across the table made it difficult also for the Hon. Helen Sham-Ho to hear exactly what was said—I can only assume that the explanation given by the Hon. Dr P. Wong is correct, that he made no personal reflection and that he was talking about himself. I remind honourable members that this bill raises difficult and emotive issues. Members should refrain from making personal slurs otherwise they run the risk of contravening Standing Order 81.

The Hon. Dr P. WONG: My concern is that by abandoning the term "multiculturalism" we would betray the great majority of our community, including ethnic community members who support multiculturalism, simply to appease a small minority who oppose or do not understand multiculturalism. I agree with comments made by Professor Kalantzis to the upper House inquiry into multiculturalism. She said:

... I do not think we need to be scared of the word [multiculturalism] because a minority in our country said they were scared of it. We do a disservice to the majority of Australians, good decent Australians ... It would be wrong if we let the tail wag the dog because a minority of people associated with One Nation and the anxiety about that said that multiculturalism and ethnicity was a problem, so I think my claim to you is that we do a disservice to the Australian people and to future generations.

To get support from ethnic communities the Government has come up with the idea of a by-line that refers to multiculturalism. This is a trick by the Government and we should not be fooled by it. The by-line—which incidentally is not a by-line—will not be mentioned in day-to-day use when referring to the commission and members of the Government will not have to use the word "multicultural" in relation to the commission. That is what they really want. By suggesting a so-called by-line the Government has accepted that the word "multicultural" is appropriate when referring to the commission but not in the name. The Government has not been able to give a sensible explanation of why that is so.

The Hon. J. M. Samios: A by-line is a nonsense.

The Hon. Dr P. WONG: I fully agree. My major concern is that by omitting the words "multiculturalism" or "ethnic" the Government is giving a clear signal that multiculturalism is no longer government policy or at least its commitment to multiculturalism is significantly reduced. The alternative to multiculturalism, as mentioned by the Hon. J. M. Samios, is assimilation, a policy of 25 years ago. This name change marks a clear move backwards to assimilation philosophy. It will be a great victory for One Nation and the other parties that may be formed to carry on the Pauline Hanson beliefs. The deliberate removal of the words "ethnic" or "multicultural" from the name of the commission means that ethnic communities and multiculturalism are no longer publicly promoted and recognised by the Government.

Furthermore, I fear that with this name change and under this bill the commission's role in promoting multiculturalism will be greatly reduced. The commission does not have a specific function under this bill to implement the principles of multiculturalism, and so the principles of multiculturalism may never be heard of again unless the commission's name clearly mentions "multiculturalism". Under this name change and the bill the commission will also downgrade its role in monitoring government bodies on how they provide services for ethnic communities. Government authorities will move to self-assessment, so there will be no motive for them to provide services for ethnic communities, interpreters or translated material. Ethnic communities will lose out badly. The Government is restructuring the commission to reduce its assessment role before the bill has even been passed.

By removing the word "multicultural" the Government clearly intends to move towards assimilation and play down our cultural differences. The commission will no longer promote or advocate for those cultures and communities. Ethnic communities will be alienated if there is less public recognition of their culture; less recognition of who they are and their contribution and value to Australia. If ethnic communities are not accepted as being part of a multicultural society they will feel as outsiders in a predominantly Anglo-Australian society. An even greater danger is that this clear message of assimilation will encourage people with racist and intolerant attitudes. A previous chairperson of the Ethnic Communities Council [ECC] expressed this concern to the inquiry into multiculturalism in the following words:

It will take us back to the time of assimilation if we have the words "Community Relations" and if we do not have a government department which clearly gives the public a perception of the Government supporting multicultural affairs ... We have not won the battle and we still need programs in place and we need a government department in place which is clearly identifiable with multicultural affairs.

The policy of assimilation assumes that the established and dominant culture in Australia is in some way superior to, or should receive greater recognition than, all other cultures that co-exist in Australia. Assimilation also assumes that people from ethnic minorities should abandon their cultural heritage in favour of the dominant culture. The policy of assimilation therefore has definite undertones of racism. So why is the Government so keen to remove the word "multicultural" from the commission's name and the public's view? Quite simply, the Premier and the Government want very much to attract the One Nation vote to Labor—particularly to Country Labor. When the name change of the commission was announced last year, the Hon. D. E. Oldfield said that a Labor speech on the commission's name change "was the same as given on many occasions by Pauline Hanson herself". He went on to boast in a press release that this showed that One Nation had been able to influence the Labor Government's policy. He was absolutely right about that. The Hon. D. E. Oldfield has been the Government's most enthusiastic and effective supporter in removing the words "ethnic" and "multicultural" from the name of the commission.

The Hon. Dr B. P. V. Pezzutti: I thought Fred Nile was.

The Hon. Dr P. WONG: I think he was second. I will give him second prize. The Hon. D. E. Oldfield's comments yesterday about ethnic identity hardly deserve comment. He seems unable to distinguish between the positive self-identity of an ethnic community and the denigration of entire communities over the actions of one person. I am comforted that the Premier appears to have stopped making comments about ethnic gangs. The Premier and his Government believe that the ethnic communities will pretty much vote for Labor anyway. The Government has shown contempt for ethnic communities by intimidating their leaders and organisations, hoping to get support for the name change of the commission. Honourable members are all aware that the Ethnic Communities Council has had its funding withheld and it has virtually been made a captive of the Government.

The Hon. Dr B. P. V. Pezzutti: They sent the Stasi to check them out.

The Hon. Dr P. WONG: They sent the Ethnic Affairs Commission. The council's core staff are now employed directly by the commission—a New South Wales government body—and they are going through a review process to effectively have the ECC controlled by the Government. Despite all that, most ethnic community leaders remain opposed to the name change, and I have plenty of letters to back that up. I wish to make it very clear that I do not accuse the Government of racism. I do not believe that is so. However, the Government is playing a very dangerous game of appeasing people with racist and intolerant attitudes. I believe the Government's strategy is to hide multiculturalism so as not to upset the opponents of multiculturalism. This will make the Labor Party more attractive to those people who voted for One Nation and who may now vote for Labor. However, removing the word "multicultural" will actually encourage and embolden racism and intolerance, and make ethnic minorities feel like outsiders. The Government appears willing to accept this high price to win over the votes of One Nation and an intolerant, racist and socially conservative minority. I do not accept this, nor should other members.

The Hon. Dr B. P. V. PEZZUTTI [3.45 p.m.]: I strongly support the amendments moved by the Hon. J. M. Samios as a reasonable compromise. I have been a member of this Chamber for 12 years—

Reverend the Hon. F. J. Nile: It is not a compromise.

The Hon. Dr B. P. V. PEZZUTTI: Reverend the Hon. F. J. Nile will get his turn to speak, and I will speak about him shortly. I remember vividly when One Nation's Pauline Hanson first raised her head in this State. The Hon. Helen Sham-Ho was calling on John Howard to repudiate her absolutely, to do this and do that, to cut her head off, to bury her, to kick her to death—all of that. What happened after the election in 1999? The first issue that the Premier raised with the people of New South Wales was to change the name of the Ethnic Affairs Commission and its focus to community relationships. Bob Carr knew that 75 per cent of One Nation voters were Labor voters.

Reverend the Hon. F. J. Nile: Not 75 per cent, 25 per cent.

The Hon. Dr B. P. V. PEZZUTTI: The current figure is 75 per cent. If Reverend the Hon. F. J. Nile doubts that he should do his homework. Bob Carr knew that, so the first thing he did was assuage those voters, because of the approaching Federal election. He was going to solve this problem of the ethnics. There would be no problem with ethnics. We have had this bill sitting here, rumbling along for almost two years and Bob Carr has appealed to the weakest link in the chain and the crossbench has cracked. The weakest link in the chain, the

one most prominent on this issue, has cracked. If the Hon. Dr P. Wong was concerned about my suggestion that the Hon. Helen Sham-Ho has sold out, I am prepared to say it right now. The Hon. Helen Sham-Ho has sold out in order to do this.

The Hon. Helen Sham-Ho: Point of order: I would like the honourable member to withdraw the comment that I have sold out. I find it most offensive.

The Hon. Dr B. P. V. PEZZUTTI: To the point of order: I am prepared to withdraw my comment about the Hon. Helen Sham-Ho. Under the standing orders I will withdraw it.

The CHAIRMAN: Have you withdrawn it?

The Hon. Dr B. P. V. PEZZUTTI: I have.

The CHAIRMAN: You may proceed.

Reverend the Hon. F. J. Nile: With a little embarrassment.

The Hon. Dr B. P. V. PEZZUTTI: I knew that a point of order would be taken. I wanted to get it on the record. I have now withdrawn the comment and I will get on with my contribution, without interruption.

The CHAIRMAN: Order! The discussion on the point of order is concluded.

The Hon. Dr B. P. V. PEZZUTTI: On the issue of provocation, nothing could have been more provocative to those on this side of the Chamber than the Premier's introduction of this legislation, because we have strongly encouraged multiculturalism in this State under the same terms and conditions as put forward by the very wise former Leader of the Labor Party, Mr Wran, when introducing it. We supported it every time. We strengthened it with legislation. The Hon. J. M. Samios was parliamentary secretary at the time. I remember it vividly. We introduced a charter which encouraged people from different ethnic backgrounds to get into the public sector, to get into public life and to have access to all the jobs that this State has to offer.

The Hon. J. H. Jobling: Mr Photios was the Minister.

The Hon. Dr B. P. V. PEZZUTTI: Mr Photios was the Minister, absolutely. I remember the Hon. J. M. Samios introducing the bill in this House and carrying it through with the support of Nick Greiner and many other people from multicultural backgrounds, which honourable members on all sides of the Chamber share. I note that some are shaking their heads. The Hon. D. E. Oldfield is shaking his head. For Bob Carr, who prides himself on being a historian, not to know and recognise the value of that—

Reverend the Hon. F. J. Nile: He does know it.

The Hon. Dr B. P. V. PEZZUTTI: If he does know it, what game is he playing? Why does he want to introduce a socialist, one-size-fits-all thing like community relations? It sounds like something from the 1918-19 period in Russia. Talk about euphemistic! It is almost as euphemistic as the way in which Hitler ran things to produce national socialism. It smacks of national socialism, absolutely. Reverend the Hon. F. J. Nile has been keen to support this from the beginning. One of the great promoters of the bill from the crossbenches has been Reverend the Hon. F. J. Nile; he supports the Government on anything.

Reverend the Hon. F. J. Nile: I support a rational policy, and this is a rational policy.

The Hon. Dr B. P. V. PEZZUTTI: I see. Here we go. I call it a rationalist policy. If one wants to rationalise one's thought processes, this is it. If one wants to cleanse one's soul, this is it. I find it highly provocative that the Government has changed its mind on one of the Labor Party's better initiatives through Neville Wran. It is a sell-out. The Government has turned its back on the promotion of equality of access in this State and turned its back on encouraging and giving advantage to people from different ethnic backgrounds in recognising the cultural and economic value of those different backgrounds to the State. We are seen to be multicultural because of the encouragement given by the Ethnic Affairs Commissioner and the strong position he holds, without fear or favour, to attack anybody who attacks ethnic communities or multiculturalism. Kerkyasharian and before him Totaro were very strong proponents of this.

Reverend the Hon. F. J. Nile: Point of order: Mr Chairman, will you give a ruling on whether this is a second reading debate or whether we are in the Committee stage. The Hon. Dr B. P. V. Pezzutti seems to be embarking on a second reading debate. He may have missed that debate.

The CHAIRMAN: Order! I remind members that their contributions in Committee must be relevant to the amendments under consideration. Opposition amendments numbers 1 to 17 inclusive relate to the title of the bill and thus far I have allowed reasonably wide-ranging discussion. However, I now ask members to confine their comments to the subject matter of the amendments before the Committee.

The Hon. Dr B. P. V. PEZZUTTI: Thank you, Mr Chairman. In fact, I will be more than happy to take any direction from you at any time on that matter.

Reverend the Hon. F. J. Nile: You don't have any choice.

The Hon. Dr B. P. V. PEZZUTTI: No. If I stray from the text I am asking to be guided back at any time. I do not need the help of Reverend the Hon. F. J. Nile to do that; I am asking the Chairman to do it. I am reminded of the display in the foyer which replaces the wig, gown and booties formerly on display. It is a display of memorabilia collected by the Hon. H. S. Tsang which commemorates his leadership of the SOCOG Multicultural Advisory Committee. Why was that committee not called the community relations committee? It was not called that because it needed to be multicultural. It needed to draw together and encourage each and every community organisation and every ethnic community in the State. It needed the help of those organisations because we were going to be entertaining people from a number of nations. How many nations came here?

The Hon. H. S. Tsang: There were 199.

The Hon. Dr B. P. V. PEZZUTTI: People from 199 nations came to Sydney. Of course, we wanted every single community to help SOCOG in a positive way. We wanted them to do the very best job in welcoming the Games, the Games for the people. That is why it was called the Multicultural Advisory Committee, not the cultural community relations committee. The Hon. H. S. Tsang was advised to head that committee by the Minister for Mineral Resources, and Minister for Fisheries. One would think that Bob Carr would be smarter than that. Bob Carr should have known not even to buy a used car from the Minister for Mineral Resources, and Minister for Fisheries. He would have told him, "Bob, you've got a risk with this lot because of the One Nation vote."

The Hon. Helen Sham-Ho: Point of order: My point of order is relevance. I do not see that there is any relevance in talking about the Premier and the Minister selling cars.

The CHAIRMAN: Order! I ask the Hon. Dr B. P. V. Pezzutti to address his remarks to the amendments under consideration.

The Hon. Dr B. P. V. PEZZUTTI: To the point of order: The relevance of this is: Who initiated the change? Who initiated the advice on the name Community Relations Commission? Who advised the Premier? Why was that advice given?

The CHAIRMAN: Order! There is no point of order. The honourable member may proceed to address the amendments.

The Hon. Dr B. P. V. PEZZUTTI: We would do a lot better without having interruptions from the weakest link in the chain. The Minister for Mineral Resources, and Minister for Fisheries gave this advice because he is a bit of a numbers man in the community. He gave advice because he saw the risk of Labor losing out to One Nation. The Hon. Helen Sham-Ho should know that; she should have recognised it. She is now being complicit in trying to get done what One Nation wanted to get done. She is complicit with the Premier in complying with the wishes of One Nation on this issue—and I am not accusing them of racism! We are trying to say that there is a need to continue to promote the name "multiculturalism", to make someone responsible for promoting it, to make it the function of the Ethnic Affairs Commissioner. I do not think he should change his name; there is no reason for him to. Even if we have a Community Relations and Multicultural Affairs Commission, he could still be the Ethnic Affairs Commissioner. He could keep that name for historical purposes. After all, it was invented by that icon of Labor in New South Wales, Neville Wran.

The Hon. J. R. Johnson: It is his birthday today.

The Hon. Dr B. P. V. PEZZUTTI: Happy birthday to Neville Wran.

The CHAIRMAN: Order! The former Premier's birthday is not relevant to the amendments.

The Hon. Dr B. P. V. PEZZUTTI: On this particular day we remember Neville Wran, who did this wonderful thing. He must be spinning.

The Hon. J. M. Samios: On his birthday.

The Hon. Dr B. P. V. PEZZUTTI: Yes, on his birthday. He must be spinning in anger at this change. I have spoken to Mr Kerkyasharian and I have nothing but the greatest admiration for him. Every time there is a threat to ethnic communities, he is in there punching; he does that most effectively. How can he go out and say, "I am the head of community relations, and I am here to say that I do not like that because it interferes with community relations." He protects the right of each and every individual ethnic community group to retain its identity. I think that is outrageous. The Hon. J. M. Samios has produced a reasonable compromise to get the advice of the Minister for Mineral Resources, and Minister for Fisheries.

The Hon. E. M. Obeid: You got his vote for a reshuffle. Don't worry about it.

The Hon. Dr B. P. V. PEZZUTTI: I voted for him. He got the advice of the Minister about the name change about multiculturalism. But at the Federal level what has the Liberal Party done? It has a Minister for Immigration and Multicultural Affairs.

The Hon. P. J. Breen: As there is in every other State.

The Hon. Dr B. P. V. PEZZUTTI: Yes, every other State, because they followed the lead which was working, which was popular and which was doing what it had to do. John Howard was criticised by the Hon. Helen Sham-Ho and belittled in her tiny brain. However, she now sees the Federal Government, under John Howard, introducing the title not of immigration but of immigration and multicultural affairs. What a shame for her that the Hon. Philip Ruddock, one of the icons of tolerance in this State, also has the portfolio of reconciliation. That really took the wind out of her sails big time, poor thing. However, I repeat that I want these amendments to pass. I want them to be supported, and I will support no other amendments.

The Hon. I. COHEN [3.57 p.m.]: This has been an interesting debate so far and perhaps it is worth mentioning that the Hon. Dr B. P. V. Pezzutti's community background has added some degree of fire to the debate. It is absurd, isn't it!

The Hon. Dr B. P. V. Pezzutti: That is racist.

The Hon. I. COHEN: No, that was not my intention. I am saying how completely irrelevant and silly it is to be putting this community issue up and labelling something that is obvious. Let us talk about where we are really coming from and what Australia and New South Wales can be proud of. We should acknowledge what has been put forward by the Hon. J. M. Samios; the name Community Relations and Multicultural Affairs Commission. It is quite clear that the by-line, as expressed by the Hon. Helen Sham-Ho, will not do the trick and will not represent things adequately.

As previous speakers have said, the word "ethnic" is spat out from time to time, which many people consider to be inappropriate. I have not heard a member of this House argue for the word "ethnic" to be inserted in this legislation. I acknowledge that possibly the Commissioner of the Ethnic Affairs Commission will continue to use that name, and that is within his rights. We have debated this issue before and it has been adequately ventilated. As a member of the Greens in this House and someone from a multicultural background, I believe that the issue of community relations and the watering down of the whole process are assimilation tactics that belong to 25 years ago. I have said it many times before and I will keep saying it: if 85 per cent of people have disagreed with the loss of the multicultural title, then the Government has 15 per cent support.

The Hon. E. M. Obeid: Whose statistics are they?

The Hon. I. COHEN: It does not matter. Many of the groups that approached various members of this House and met for discussion with the crossbenchers have basically said that they will accept it because of pressure from the Government all the way along the line, such as economic pressure that was placed on the Ethnic Affairs Commission.

Pursuant to sessional orders progress reported and leave granted to sit again.

QUESTIONS WITHOUT NOTICE

WORKCOVER AUTHORITY STAFF TRAINING

The Hon. M. J. GALLACHER: My question is to the Minister for Industrial Relations. Is the Minister aware that in the New South Wales Government Gazette No. 127, dated 29 September, tenders were called for:

... the development and conduct of training courses for dealing with violence and aggression in the workplace for managers and staff of WorkCover NSW.

Does the Minister agree that the need for such training for WorkCover personnel may be partially due to the systemic problems occurring in the workers compensation system of this State, resulting in some frustrated employers or injured workers venting their anger on the hapless WorkCover staff?

The Hon. D. J. Gay: That is unbelievable.

The Hon. J. J. DELLA BOSCA: It is unbelievable. We have converted the Leader of the Opposition to take a holistic approach to policy problems. He has taken the humane view that people are provoked into committing violent acts by systemic problems in society rather than because of an evil presence in their own person. The only general reply I can make to the Leader of the Opposition is this: As I disclosed yesterday in answer to a number of excellent questions from various colleagues, including the Leader of the Opposition, I have proposed that WorkCover undertake a series of reform initiatives.

As the Leader of the Opposition and other honourable members are well aware, yesterday I tabled the draft bill, which is the first of a sequence of significant and necessary changes to the relevant legislation and to the WorkCover Authority. As recently as yesterday afternoon I was discussing with senior officers of the WorkCover Authority the next series of steps we might take to change the approach to workers compensation and return-to-work issues. Even this morning I was talking to a senior member of the Workers Compensation Advisory Council, who indicated a good deal of general support for the initiatives.

The Hon. M. J. Gallacher: I sent the council a copy of the draft bill.

The Hon. J. J. DELLA BOSCA: I did too. I explained that under irresistible pressure from the Leader of the Opposition it seemed that the right impulse was to serve the requirement of this Parliament to be fully informed of progress, and I decided to table the bill. I do not think that any of the advisory council members have taken it as a discourtesy and they understand the situation.

The Hon. M. J. Gallacher: We are here to help.

The Hon. J. J. DELLA BOSCA: I appreciate the help that I am getting from the Opposition on this matter. That is as much as I can offer the Opposition. I am sure that training proposals to deal with all situations, including violence in the workplace, can only be taken as an essential part of the training of employees to look after their own occupational health and safety as well as those they seek to advise.

WORKPLACE REFORM

The Hon. P. T. PRIMROSE: Will the Special Minister of State, and Minister for Industrial Relations inform the House how the Department of Industrial Relations is promoting workplace reform in New South Wales?

The Hon. J. J. DELLA BOSCA: The Department of Industrial Relations is responsible for promoting and encouraging workplace reform in New South Wales businesses. Workplace Change New South Wales is a dedicated unit that actively promotes productivity bargaining and workplace reform. Workplace Change New South Wales is responsible for an increasing number of services and publications, all of which are designed to assist enterprises in the workplace reform process. The unit is soon to release industry-specific employment rights designed to assist small size and medium size employer organisations. The first such publication, which will deal with work in restaurants and cafes, will be available shortly. The focus of workplace reform has also been targeted to address the regional and rural needs of New South Wales. The Hunter region has recently benefited from the New South Wales Government-sponsored Hunter Workplace Change Network.

This network has received considerable support from local industry and unions which has enabled the region to develop strategic alliances, as well as more productive and equitable workplaces. The cornerstone of these successful workplace initiatives has been the involvement of employers, industry associations, employees and unions. Industry partnership has ensured that workplace reform is not only equitable but will result in long-term productivity gains. The Government's integrated approach to education and compliance has now received interest from all other States, including the conservative governments of South Australia and Western Australia. Unfortunately, not all conservative governments have embraced the sensible approach of New South Wales. The Commonwealth Government has pursued a very different agenda, stripping away protections for working men and women. My Federal counterpart Mr Reith—

The Hon. M. R. Egan: He's in a bit of bother at the moment, isn't he?

The Hon. J. J. DELLA BOSCA: He seems to be. It might be karma—what goes around comes around. Mr Reith is solely focused on making it easier to sack people without basic just and proper procedures. I am sure he is regretting that at the moment.

MARKET IMPLEMENTATION GROUP ELECTRICITY INDUSTRY PROPOSAL

The Hon. D. J. GAY: My question is to the Treasurer, and Vice-President of the Executive Council. Has the Market Implementation Group [MIG] of State Treasury, headed by Professor Don Anderson, provided the Treasurer with any proposals for the operation of the New South Wales electricity industry following the introduction of full retail contestability? If so, will the Treasurer outline to the House the position that MIG is proposing for the New South Wales industry? Is the Treasurer aware and, if so, will he confirm, that MIG has recently circulated a fresh proposal for the industry in a deregulated environment?

The Hon. M. R. EGAN: I am not sure that I can help the Deputy Leader of the Opposition. My understanding is that a set of proposals has been distributed to the industry, but I would have to take advice on that. I will ascertain whether that is the case and advise the House as soon as I can.

NATIONAL PARKS NATURAL TROUT BREEDING

The Hon. M. I. JONES: My question is to the Minister representing the Minister for the Environment. Will the Minister confirm that the National Parks and Wildlife Service is taking steps to actively prevent natural trout breeding in streams and headwaters within national parks and wilderness areas?

The Hon. CARMEL TEBBUTT: Unfortunately, I did not catch the whole of the question. However, I shall refer it on to the Minister in the other place and undertake to get a response as soon as possible.

TREASURER, AND MINISTER FOR STATE DEVELOPMENT UNITED ARAB EMIRATES VISIT

The Hon. J. R. JOHNSON: My question is to the Treasurer, and Minister for State Development. Will the Minister please advise the House of the outcome of his recent visit to the United Arab Emirates?

The Hon. M. R. EGAN: I am pleased that the Hon. J. R. Johnson has asked me that question.

The Hon. J. H. Jobling: Who did you fly with?

The Hon. M. R. EGAN: I flew over there with Emirates and I flew back with Singapore Airlines, both of which are very good airlines. Last night I returned to Sydney following a six-day visit to the United Arab Emirates [UAE]. I can assure the House that the UAE has many opportunities to offer New South Wales exporters. It is a one hundred billion dollar market. That is the gross domestic product of the UAE, and it imports more than 90 per cent of its goods and services. The economy in the UAE is growing strongly. Growth this year, although at a time of rising oil prices, is expected to be 12 per cent. Duty rates in the UAE are low, and there are fewer restrictions on investment. And with the fabulous success of the Sydney Olympics, the words "Made in Australia" now simply mean the best in the world. When those words appear on any product or service produced or provided by this country, it means best in the world. New South Wales exports a vast array of goods and services to the UAE, including industrial machinery, paper and paperboard products, office and data processing equipment, fruit and vegetables, furniture, textiles, rubber materials, meat, and pharmaceutical goods.

The Hon. Dr B. P. V. Pezzutti: And cars.

The Hon. M. R. EGAN: And cars.

The Hon. Dr B. P. V. Pezzutti: Lots of Holdens.

The Hon. M. R. EGAN: There are lots of Holdens. I understand that we sell more Holden Statesman vehicles to the UAE than are sold in Australia, and almost the entire taxi fleet in the UAE is made up of Toyota Camrys. We export a lot of things to the UAE. During the past three years Australian and New South Wales exports to the UAE increased by more than 30 per cent. My department of State and Regional Development has been working hard to develop trade between New South Wales and the UAE. Most recently it took 13 New South Wales firms to the UAE to develop business opportunities. The delegation was remarkably successful, and 70 per cent of firms secured contracts worth a total of \$8 million following the visit.

I understand that some 70 per cent of the firms have been back to the UAE and some have even made their third visit. The Sydney Olympic Games have put the stamp of quality on everything we produce in Australia. More than three billion people around the world watched the Games on television, and many of them formed their first impressions of Australia. The Games introduced modern Australia to the world as a place of quality, confidence and achievement.

The Hon. Dr B. P. V. Pezzutti: And a multicultural place.

The Hon. M. R. EGAN: A very multicultural country. Judging from the comments made to me in the past six days—and bear mind that I had been in the Emirates for that period—the Games electrified the Emirates and opened their eyes to the scope and scale of the Australian economy and equality of Australian society. Everyone I met during my visit to the Emirates, which included not only Emiratis but Indians, Pakistanis, Americans, British citizens, Germans, and so many people from so many countries, when they learnt I was an Australian wanted to know if I had seen the Games. I was able to tell them that not only had I seen the Games but I was the man who signed all the cheques for the Games! Their praise of the Games was absolutely spontaneous and genuine. If anyone has any doubt about the impact of the Games on the world, let me assure that person that he has only to travel away from Australian shores to realise that the impact on people from different nations around the world has been overwhelming.

The Hon. Dr B. P. V. Pezzutti: Aussie! Aussie! Aussie!

The Hon. M. R. EGAN: Indeed. Oi! Oi! Oi! I never thought I would come to like that slogan, but it has won me. The Games certainly made a huge impact around the world. During my visit I was able to meet with senior government officers, the chambers of commerce and industry in Abu Dhabi, Dubai and Sharjah, business leaders and members of the ruling families. In Abu Dhabi I met with the Governor of the Central Bank of the UAE and senior officers of the National Bank of Abu Dhabi and the Abu Dhabi Investment Authority. I also met with more than a dozen leading Emirati companies and private investors who are eager to expand their supplier base to include Australian providers of a wide range of goods and services. My meetings with the chambers of commerce and industry highlighted a number of areas where New South Wales companies have a good reputation and where good opportunities exist for increased trade.

Health care, education, information technology, communications and environmental technologies all present terrific opportunities for New South Wales and Australian suppliers doing business in the Emirates. A highlight of my visit, as I have mentioned previously, was the opening of the Dubai campus of the University of Wollongong, Australia's University of the Year for two years running. Not only did I open the Dubai campus of the University of Wollongong, but I also gave the occasional address at the graduation of 95 graduands from the university's Dubai campus. The University of Wollongong has been educating students in the Gulf region for the past seven years. It anticipates increasing its current enrolment, which consists of 300 undergraduate and graduate students and some 700 enrolled in English language courses, to 2,000 in the next few years.

I was also privileged to meet His Highness Sheikh Dr Sultan Bin Mohammed Al Qassimi, the Ruler of Sharjah, to discuss the business opportunities that exist in Sharjah for New South Wales companies, and to strengthen ties between New South Wales and Sharjah. I am told that this is the first time an Australian Minister, State or Federal, has met with any one of the rulers of the Emirates. The business leaders and governments of the United Arab Emirates place great value on establishing close personal relationships as the basis for business relationships. I am confident that my recent visit will help to support the efforts of New South Wales businesses to position themselves in this important and growing market in the Middle East.

In February next year another investment and trade delegation from New South Wales will go to the UAE. I would like to add a note of thanks to the officers in the Department of State Development who arranged and managed the visit, particularly Mr Eric Cantwell. I must also acknowledge the marvellous efforts of Australia's ambassador to the UAE, Mr John Hinds, and Austrade's trade commissioner in the UAE, Julie Bayliss, and her staff, all of whom were top class. While I was there I found that I am a distant in-law of Australia's Austrade commissioner, because her husband, Roger Bayliss, is also a descendant of Henry Kable and Susannah Holmes.

M5 EAST SINGLE EXHAUST STACK

The Hon. R. S. L. JONES: I ask the Minister for Mineral Resources, representing the Minister for Transport, and Minister for Roads: Is he aware of research in the United States of America and Europe from which one may extrapolate that over 1,000 people die every year in Sydney from air pollution, mainly from particulate matter? Has the Minister calculated how many lives a year will be saved by the removal of particulate matter from the M5 East stack at Turella, especially as it will have a dramatic effect on the people living close to it? Would electrostatic precipitator devices in this stack save two, five or 10 lives a year? If no calculation has been made, will the Minister ask the Roads and Traffic Authority to make such a calculation? What value does the Carr Government place on the lives saved?

The Hon. E. M. OBEID: In view of the detail in the question I shall pass it on to my colleague in the other House and obtain a detailed answer for him.

KINGS CROSS MEDICALLY SUPERVISED INJECTING ROOM

The Hon. C. J. S. LYNN: My question is to the Special Minister of State. Is the Minister aware of a Roy Morgan poll published in today's *Bulletin* which shows a 52 per cent national disapproval rating for the concept of legalised heroin injecting rooms while in New South Wales the disapproval rating is 54 per cent? Is the Minister also aware that almost half the Australian Labor Party supporters polled by Roy Morgan indicated their disapproval of the plan? In light of the survey results, will the Minister reconsider plans to establish a safe heroin injecting room in Kings Cross?

The Hon. M. J. Gallacher: That's a very good question.

The Hon. J. J. DELLA BOSCA: The Leader of the Opposition is congratulating the Hon. C. J. S. Lynn on a good question. I have not read the results of the poll in question, although now that the Hon. C. J. S. Lynn has drawn it to my attention I will look at it. I am known as someone who, from time to time, has looked at a poll or two in my life.

The Hon. M. R. Egan: And you understand them.

The Hon. J. J. DELLA BOSCA: I would lay claim to having a bit of an understanding of them.

The Hon. M. R. Egan: One of the differences between members on this side of the House and members on that side of the House.

The Hon. J. J. DELLA BOSCA: Yes, it could be one of those things that divides us. Certainly some of us have more experience interpreting polls and some of us take different messages from them. Put simply, as honourable members will be aware, announcements in relation to the issuing of the licence to the Uniting Church to conduct the medically supervised injecting room trial has already been made. So, I suppose the direct answer to the last part of the question is no. In answer to the body of the question, which related to the interpretation of the poll, like statistics there are lies, damn lies, and there are polls! As the Hon. C. J. S. Lynn will remember from the debate and much discussion about the medically supervised injecting room trial, the Government adopted the view and was proceeding cautiously on the basis that one community might tolerate such a facility to trial the idea, such as Kings Cross, which has had a problem with a particular aspect of heroin abuse, and other communities would reject the idea out of hand, which would be appropriate for those communities. Evidence from a poll indicating that across the board the majority of people oppose a particular measure when it is put to them in a question constructed by a researcher is not necessarily a blinding insight into advancing debate in policy terms.

The Hon. M. J. Gallacher: You are confident that the community wants it?

The Hon. J. J. DELLA BOSCA: The Leader of the Opposition has baited me again with a foolish question. I have said before and I will say it again: it is a one-off trial to examine the concept. Second, it is based on the one size does not fit all communities concept that what might be relevant in one community as a method of tackling the drug problem or its particular manifestation of the drug problem may not be relevant in other communities. I thank the honourable member for drawing my attention to the poll. I will read it with interest.

MOTOR ACCIDENTS AUTHORITY PARALYMPIC GAMES SPONSORSHIP

The Hon. R. D. DYER: My question is to the Special Minister of State, Minister for Industrial Relations, and Assistant Treasurer. Can the Minister inform the House of the Motor Accident Authority's [MAA] commitment to the Sydney 2000 Paralympic Games? Can the Minister inform the House also of the athletes the MAA has assisted with sponsorship?

The Hon. J. J. DELLA BOSCA: The Motor Accidents Authority is a major partner of the Sydney 2000 Paralympic Games. The Motor Accidents Authority Paralympian Program was launched on 10 June 1997 by the Premier. Honourable members will recall a unique media event was held on Sydney Harbour with athletes Lisa O'Nion and David Munk abseiling off Sydney Harbour Bridge. The event, of course, received international media coverage underlining the physical skill and also the exceptional courage of the athletes that make up our Paralympic team. The aim of this multimillion dollar sponsorship was to assist the Motor Accidents Authority to deliver an effective public education crash-prevention message. The Motor Accidents Authority Paralympian Program promoted 19 paralympians, known as Team MAA, which commenced in 1997. Of course, all individuals in Team MAA sustained their serious injuries through motor vehicle crashes. All of Team MAA's athletes are outstanding international elite athletes despite their having suffered catastrophic road crash injuries including amputations, paralysis, paraplegia and quadriplegia. I should like to outline to the House the personal stories of a few Team MAA members.

Melissa Wilson is an 18-year-old resident of Tumby Umbi on the Central Coast, which is where I reside and an area for which I have some ministerial responsibility. She suffered a traumatic brain injury after being knocked from her bike by a car. Melissa was 11 at the time. Her story is one of courage and tenacity. From being unable to float in water five years ago, Melissa now swims 25 kilometres a week. This is an achievement in itself. More remarkably, she holds the world record for the 100 metre backstroke. Leisl Tesch is one of our basketballers. Leisl, who also lives on the Central Coast, suffered a fall from her pushbike. She is a full-time teacher and is active also in her surf life saving club.

The Hon. M. R. Egan: I reckon she'd be a pretty good teacher too.

The Hon. J. J. DELLA BOSCA: Yes, she would be an excellent teacher. She has a great personality and great command of the language. Leisl was the highest point scorer for Australia in the 1994 and 1998 World Women's Basketball Wheelchair Championships. These are just two of our 13 magnificent Team MAA paralympians competing for Australia at the Paralympics. These athletes have been invaluable in reaching the target audience of road users aged between 13 and 25 years. The specific objectives of the Motor Accidents Authority sponsorship have been to increase knowledge and understanding of road safety and harm minimisation in young people.

The Motor Accidents Authority Paralympian Program has recognised that any communication message to this audience, that is, people between 13 and 25 years, had to capture the imagination and the heart, and communicate with them on their terms making the risks very clear. This was acknowledged in using the platform of elite sport, which is central to our culture. Since July 1995 Team MAA athletes have spoken face to face to over 500,000 young people. I thank them for their outstanding assistance in delivering the road safety message. Their work has been powerful and effective. I am sure every honourable member of this House joins me in hoping they all achieve their best in the forthcoming Paralympics Games.

FIREFIGHTERS INDUSTRIAL DISPUTE

The Hon. ELAINE NILE: I direct my question without notice to the Minister for Juvenile Justice, representing the Minister for Emergency Services. Is it a fact that New South Wales firefighters have threatened to walk off the job indefinitely after a year of trying to negotiate a compensation package if they are injured or killed on the job? What effect will this action have in New South Wales in regard to life and property as we have just gone through an horrific and historic time with the high number of concurrent bushfires in the past few weeks? What action has the Government taken thus far to meet or reject these seemingly legitimate claims?

The Hon. CARMEL TEBBUTT: It is probably well known that there has been an ongoing process of negotiation between the Government and the fire brigades union on behalf of firefighters about a range of issues, particularly death and disability cover. I am unaware of the latest developments but I will refer the honourable member's question to the Minister for Emergency Services and undertake to get a response as soon as possible.

WORKERS COMPENSATION FRAUD CONVICTIONS

The Hon. J. M. SAMIOS: My question is to the Special Minister of State, Minister for Industrial Relations, Assistant Treasurer, Minister Assisting the Premier on Public Sector Management, and Minister Assisting the Premier for the Central Coast. Yesterday the Minister informed the House that 73 investigations are currently under way for workers compensation fraud. Will he inform the House how many workers compensation fraud convictions have occurred in the last 12 months?

The Hon. J. J. DELLA BOSCA: I do not have the figures at my fingertips.

The Hon. M. J. Gallacher: They should be at your fingertips.

The Hon. J. J. DELLA BOSCA: I have to admit that they are not at my fingertips. The Hon. J. M. Samios has done something that the Leader of the Opposition could not: he has caught me out. I do not have the figures at my fingertips but I will get them for the Hon. J. M. Samios. I think I know the direction in which his question is leading. I undertake to get the Hon. J. M. Samios an account of the nature of the 73 investigations.

RIDGEWAY GOLD AND COPPER MINE

The Hon. A. B. KELLY: My question is to the Minister for Mineral Resources, and Minister for Fisheries. The New South Wales Central West is fast becoming something of a mining industry powerhouse. Will he provide details on the latest project to receive the go-ahead: the Ridgeway gold and copper mine?

The Hon. E. M. OBEID: I thank my colleague the Hon. A. B. Kelly for his undoubted interest in regional New South Wales and for his leadership of Country Labor. Last week the Premier announced that the Government has given development approval for the Ridgeway gold and copper mine. It is great news for the Central West community. Approval of the Ridgeway mine follows an independent commission of inquiry, which imposed 146 strict consent conditions. Last year I visited Orange to hand over a lease for a trial mine and I took the opportunity to see the operations. I am delighted that the mine has advanced to development approval stage and I look forward to returning to Orange when the new lease is approved. Newcrest Mining is investing \$376 million to develop the new mine. I am advised that approximately 300 workers will be employed on the project during construction and up to 200 jobs will be available when it is fully operational. I am advised that up to 1,000 jobs will be created locally as a flow-on to local businesses. The expected average annual production will be some 240,000 ounces of gold and 24,000 tonnes of copper.

The Ridgeway mine will be developed next to the existing Cadia open-cut mine. It is expected that development will be completed early in 2002. This is an exciting project for New South Wales. It is anticipated that the mine will be one of the biggest gold mines in Australia, second only to the Kalgoorlie "super pit" in Western Australia. I am advised that Newcrest mining expects the project to inject some \$50 million into the Orange district economy each year. Combined with the nearby Cadia mine, the project will lift the company's investment in the region to nearly \$1 billion. This is without doubt one of the most important New South Wales mining projects in recent times. On behalf of the Government and all members of the House—

The Hon. D. J. Gay: And the Opposition.

The Hon. E. M. OBEID: I said "all members of the House". I congratulate Newcrest on its confidence in the State of New South Wales. We wish them all the best.

NAMBUCCA VALLEY CHRISTIAN COMMUNITY SCHOOL AND SUTHERLAND SHIRE CHRISTIAN SCHOOL

Reverend the Hon. F. J. NILE: I ask the Special Minister of State, representing the Minister for Education and Training: Is it a fact that Nambucca Valley Christian Community School and Sutherland Shire Christian School face deregistration during October because they have refused to include the required statement

prohibiting corporal discipline in their school discipline policy, despite the fact that the Board of Studies has recently given both schools high marks for quality of education? Is it a fact that these schools have a conscientious objection to the requirement to include such a statement, to which they are strongly opposed on Christian, biblical and philosophical grounds, believing that parents have the right to send their children to a school where corporal discipline is part of the discipline options available, even though that option is seldom used? What assurance will the Minister give to families who have children at the two schools that their right to send their children to this type of disciplined and well-behaved school of their choice is not jeopardised by the deregistration threat currently being made by the Board of Studies? Finally, will the Minister, as an act of grace or an act of mercy, respect the conscientious objections of the administrators, staff and parents of these two schools and give them a special exemption so that they can have their registration renewed?

The Hon. J. J. DELLA BOSCA: The question contains specific detail about two schools and the Board of Studies policy in relation to them. It would not be appropriate for me to comment further. I will communicate to the Minister for Education and Training the substance of the question put to me by Reverend Hon. F. J. Nile and obtain a prompt response from the Minister.

MURRUMBIDGEE ELECTORATE WORKERS COMPENSATION AND INDUSTRIAL RELATIONS

The Hon. R. H. COLLESS: My question is to the Special Minister of State, Minister for Industrial Relations, Assistant Treasurer, Minister Assisting the Premier on Public Sector Management, and Minister Assisting the Premier for the Central Coast. Minister, do you recall receiving an invitation in July from the honourable member for Murrumbidgee to visit his electorate to meet with representatives of large industries regarding workers compensation and other industrial relations issues? Why have you not yet taken up this very genuine invitation?

The Hon. J. J. DELLA BOSCA: I would hate for the new member to get any impression that I was either discourteous—

The Hon. D. J. Gay: He is an Italian too.

The Hon. J. J. DELLA BOSCA: The honourable member for Murrumbidgee is not a paisan of mine, though; he is from much further south. I had the opportunity to travel to Griffith not too long ago. I am sorry that I cannot remember the exact date. It was to brief irrigator farmers about the Snowy River agreement negotiations. I was unable to meet with the honourable member for Murrumbidgee. I have to confess that I did not arrange to meet with him.

The Hon. D. J. Gay: He is a nice bloke and a good member.

The Hon. J. J. DELLA BOSCA: I do know him and I have seen him around. We have introduced ourselves to one another. I can only take the fact that the Hon. R. H. Colless has asked the question of me today as an indication that the honourable member for Murrumbidgee would like me to meet a delegation.

The Hon. D. J. Gay: We sent you two letters.

The Hon. J. J. DELLA BOSCA: I will follow up those letters and find out why they have not been drawn specifically to my attention. I will respond to the honourable member's kind invitation. I am quite happy to talk to the honourable member and anybody from local industry who wants to talk about workers compensation.

DEUTSCHE BANK SYDNEY OPERATIONS

The Hon. AMANDA FAZIO: Will the Treasurer and Minister for State Development please inform the House about the latest financial institution to expand its operations in Sydney?

[Interruption]

The Hon. M. R. EGAN: As the Deputy Leader of the House points out, honourable members who ask questions of me will do well. I wish other members of the House were aware of that, because today I have had a question from the Hon. Amanda Fazio, one from the Hon. J. R. Johnson and one paltry question from the Opposition.

The Hon. D. J. Gay: MIG was a paltry question?

The Hon. M. R. EGAN: Was it a question that you asked?

The Hon. D. J. Gay: Yes, about MIG.

The Hon. M. R. EGAN: You must appreciate that I am jetlagged. I thought I had a silly question from the Hon. C. J. S. Lynn. When he gets up I just turn off, on the assumption that it is going to be a silly question. I am pleased to inform the House that the world's leading foreign exchange bank, Deutsche Bank, is to expand its Sydney operations. Yesterday I hosted a press conference for Mr Thomas Fisher from Deutsche Bank, who was out here for the Olympics when he made the announcement. The expansion will create more than 100 new high-quality finance jobs and graduate positions. It continues our push to become one of the region's leading finance centres.

In a move that recognises the high standard of our educational system in Australia, the bank will appoint a new head of graduate recruitment in Sydney. Deutsche Bank plans to recruit more than 120 graduates throughout the region by the end of 2001. I might point out that this is the first time that Deutsche Bank has undertaken its graduate recruitment program from Australia. Previously that was done from the United States of America. The bank will draw on Sydney's pool of outstanding young financial professionals to help power its Asia-Pacific expansion plans. I am told that the increase in graduate recruits is being driven, in part, by the demand for Australians to work in other Deutsche Bank offices around the world.

The simple fact of the matter is that the world wants Aussies because Australians have the right skills, attributes and approach. They are in demand, particularly by financial institutions around the world, and it is pleasing to visit financial institutions in places such as New York or Frankfurt and to be greeted more often than not by an Aussie who is working there. Deutsche Bank will also establish one of its two new international foreign exchange processing centres in Sydney; the other will be in London. This will see Sydney and London jointly share the role of processing the bank's annual foreign exchange global turnover of some \$US49 trillion—not billion but trillion.

The Hon. Patricia Forsythe: It is beyond your capacity.

The Hon. M. R. EGAN: Now, \$1 trillion is \$1,000 billion which, as the Hon. Patricia Forsythe said, is almost beyond our capacity to understand. I can never work out how many noughts that is.

The Hon. H. S. Tsang: It is at least 12 zeros.

The Hon. M. R. EGAN: I thought the Hon. H. S. Tsang was an authority as he was speaking so confidently, but if it is at least 12 zeros, I think I will go away and work it out for myself. One trillion dollars is \$1,000 billion, and \$US49 trillion is the foreign exchange global turnover of Deutsche Bank. As I say, the responsibility for handling that will be split between Sydney and London. The new jobs will build on the 1,199 people that the bank already employs in Sydney. In Australia, Deutsche Bank turns over around \$100 billion in foreign exchange a month, about 10 per cent of the total market. The increased presence of Deutsche Bank in Sydney is a major stimulus for Sydney's campaign to become an international finance centre. In the past year, 12 major international financial institutions have set up or increased their presence in Sydney, including Merrill Lynch, MasterCard International, Charles Schwab and the HSBC Bank. I applaud Deutsche Bank's decision to increase its presence in Sydney and I wish the company well in the future.

FISHERIES ENVIRONMENTAL IMPACT ASSESSMENTS

Ms LEE RHIANNON: My question is to the Minister for Mineral Resources, and Minister for Fisheries. As the Minister released a document yesterday from 1993 showing that the Minister for Fisheries and his department have known for many years of the potential for a Land and Environment Court decision similar to the sustainable fishing and tourism case decided in January, why has this Government not acted at some stage within the past five years to introduce environmental impact assessments? Will the Minister release the Crown Solicitor's advice referred to in the file note?

The Hon. E. M. OBEID: I thank Ms Lee Rhiannon for reminding the House of the incompetence and the lack of consideration of the previous Coalition Government, under John Fahey and Ian Causley, Minister for Fisheries at the time, in failing to ensure that the Fisheries Management Act, which was introduced by the

Coalition Government in late 1994, complied with part 5 of the Environmental Planning and Assessment Act. Believe it or not, after their failure to comply with part 5, a group of business people from the north who are closely affiliated with the National Party took court action against the Carr Government, which came into office in March 1995, because of the non-compliance with part 5 of the Environmental Planning and Assessment Act. That court matter was resolved some time last year, although I am unsure of the exact date.

The Hon. Jennifer Gardiner: It was in January this year.

The Hon. E. M. OBEID: The decision came out in January this year and this Government acted promptly to correct the mistake and the negligence that was shown by the John Fahey Coalition Government in 1994.

The Hon. Jennifer Gardiner: It did not act promptly.

The Hon. E. M. OBEID: The court case was being addressed in the Land and Environment Court and the decision did not come down until last January, as I am reminded by the Hon. Jennifer Gardiner. This Government promptly took positive action to protect the businesses and the jobs of all commercial fishers. I have been kept closely informed as to what was happening in this area and I announced in this House that we would protect the jobs of every commercial fisher in this State. I was immediately able to negotiate with my colleague Andrew Refshauge to obtain an exemption from compliance with part 5 of the Environmental Planning and Assessment Act. Part 5 requires that before commercial fishers—and we have around 1,800 businesses in this State—can renew their licence, they each, one by one, need an individual environmental assessment. This would have led to chaos for the community and would have meant that those small businesses would have had to put thousands of dollars into obtaining an environmental assessment. At the same time it would have put their licence and livelihood in jeopardy for nothing less than 12 months.

The Government obtained that exemption and complied straight away to formulate, with the Department of Urban Affairs and Planning, an assessment model on a fishery-by-fishery basis. That is what is happening at present. The exemption means that commercial fishers do not need individual environmental assessments. The Government will carry out an assessment on a fishery-by-fishery basis. We have three years to do that because the process is very involved, open and accountable to the public. We acted immediately to salvage and save the commercial fishing industry in this State. We have overcome the negligence of the Fahey Government, which did not have regard to what would happen further down the track. As long as the former Coalition Government was able to cover up at that time, it did not concern itself with what would happen to the industry in three years time.

This Government made a commitment to continue to protect the interests of commercial fishers in this State to ensure a viable and sustainable commercial industry. For the benefit of Ms Lee Rhiannon, hopefully before November I will be able to introduce into this House an environmental assessment model that will be used on a fishery-by-fishery basis to give commercial fishers in this State the status they so deserve. It will provide for 15-year leases after environmental assessment and will give the industry security. This Government is committed to giving the commercial fishing industry in this State long-term viability and job security.

CAMBEWARRA ROAD SAFETY

The Hon. D. T. HARWIN: My question is directed to the Minister for Mineral Resources, representing the Minister for Roads. Is the Minister aware that as recently as one month ago there was another near-fatal accident between a removalist's truck and a four-wheel drive on the Cambewarra Road, which links the Shoalhaven district with the Hume Highway? Is the Minister aware that more than 75 trucks cross this dangerous stretch of road over Cambewarra and Barrengarry mountains every day? Given the Carr Government's persistent refusal to honour its pre-election commitment to join the Federal Government and Shoalhaven City Council in funding Main Road 92, will the Minister give a commitment that the Roads and Traffic Authority will improve safety features on the Cambewarra Road, large sections of which currently have damaged or broken guard rails or no guard rails at all and have been in that state for months?

The Hon. E. M. OBEID: The honourable member has asked an important question. I am aware of Cambewarra Road. I have been through the area many times and it is a beautiful scenic drive. It is probably one of the best parts of Australia, through the Kangaroo Valley and over the mountain. I will convey to my colleague the honourable member's concern and attempt to obtain an answer to his question.

SOUTH COAST JUVENILE JUSTICE HOUSING PROJECT

The Hon. H. S. TSANG: My question is to the Minister for Juvenile Justice. What is the Government doing to address housing problems for juvenile justice clients on the south coast of New South Wales?

The Hon. CARMEL TEBBUTT: I thank the honourable member for his question about accommodation for young people in the south coast area, because Housing and the lack of it are crucial issues that we know can contribute to a young person becoming involved in a cycle of offending behaviour. The lack of suitable accommodation increases the likelihood of a young person dropping out of school, having low self-esteem, and being exposed to the culture of illicit drugs, and makes it extremely difficult to find employment.

I recently had the opportunity to open what I believe is a very exciting new housing project at Bega on the south coast. The project, called "Steppin' Out", provides medium-term supported accommodation for young people aged 15 to 18 years who are homeless or at immediate risk of becoming homeless. This project is exciting because it is a very good example of the model of interagency co-operation. It is a joint initiative between the Department of Juvenile Justice, the Department of Housing and the Bega Valley Shire Council, all of which were represented at the opening. The Department of Housing is providing two, two-bedroom units in Bega. Importantly, the units are within easy walking distance of the school, the TAFE and the shopping centre. Obviously, educational facilities and easy access to services are critical issues in preventing offensive behaviour.

The Department of Juvenile Justice will assess potential clients for their suitability to Steppin' Out. To be suitable for the project young people will have to demonstrate that, with some support, they could live independently. They may be current or past Juvenile Justice clients or young people who are assessed at being at risk of offending because of housing problems. The Department of Juvenile Justice is also funding a housing support worker for the project. Rather than directly employing someone, the department has provided funding to Bega Valley Shire Council for the position. This has the advantage of complementing the council's established youth anti-violence project. It also places the worker within the network of local knowledge and community support that the council enjoys. It is particularly important that this project should involve a housing support worker so that we are not merely placing young people into accommodation without some support to address many of the other issues that may be relevant in their lives as to why they got into the situation of being homeless in the first place. The housing support worker can play that very important role.

The department's south coast manager has also produced a handbook for the project which clearly sets out the rights and responsibilities of clients and staff involved in the project. Anyone who has ever lived in a shared household would know that that is very important, because we know that things can go wrong in shared households if right from the start it is not established who has what responsibilities and how the household is going to work together. Once accepted for the project, clients and the support worker develop an individual case plan covering such key issues as budgeting, job search skills, and training and education support. I am pleased to say that the first client, a young woman, moved into the premises in early September. The accommodation will cater for up to four young people at any one time.

I congratulate everyone who has been involved in developing this project over the last 12 months. It is a project well worthy of congratulations, not only for what it does but also for the fact that it has got off the ground in a regional area like Bega. It is not always easy to make these things work in regional areas but they are particularly needed in those areas, as the Wood royal commission demonstrated. I am confident that it will prove to be a tremendous success, making real improvements to the lives of the young people involved. The benefits to the community are obvious. I think that Steppin' Out may well prove to be a model for interagency co-operation in future housing projects around the State.

HOSPITAL PATIENTS EARLY DISCHARGE

The Hon. HELEN SHAM-HO: My question is directed to the Treasurer, representing the Minister for Health. I refer to a recent report by the Council of Social Services of New South Wales entitled "Earlier Discharge—How Early is Early?" Is it a fact that the time that a person spends in hospital in Australia declined from 4.8 days in 1993-94 to approximately three days in 1997-98? If so, can the Minister advise what policies are in place to prevent inappropriate discharge, and to ensure that patients are properly assessed? Given that the trend towards earlier discharge is placing pressure on already underfunded community care services, will the Minister further advise how much of the \$2 billion of additional funds for the health system allocated in March will be put towards quality community-based health services?

The Hon. M. R. EGAN: The honourable member has asked a number of detailed questions and I will refer them to my colleague the Minister for Health for a considered response. However, I would say that whilst it is always possible that there are inappropriate early discharges, generally speaking it is good for both the patient and the taxpayers to reduce the length of time spent in hospital. Indeed, these days many procedures are undertaken in day-only surgery that once upon a time would have required a stay in hospital of two or three weeks. I remember when I was about 13 having an operation at Concord Repatriation General Hospital and I was there for 2½ weeks. I am told that these days that same operation does not even necessitate hospitalisation.

The Hon. Dr B. P. V. Pezzutti: Anaesthesia has improved.

The Hon. M. R. EGAN: I have no doubt it has. Of course, hospitals are places you only want to be in when it is absolutely necessary. There is what are known as iatrogenic illnesses, which are associated with hospital and medical treatment. So, generally speaking, it is a good thing to keep people out of hospital or to have them in hospital for as short a time as possible. In many cases it is possible that people are discharged before they should be, either on clinical grounds or because of their circumstances when they leave hospital.

The Hon. Dr B. P. V. Pezzutti: I suggest you obtain an answer from the Minister.

The Hon. M. R. EGAN: I do not believe that the Hon. Dr B. P. V. Pezzutti would take issue with what I am saying. I do not know what has been happening in the Liberal Party during my absence. I wonder whether it was the Charlie Lynn faction or the Patricia Forsythe faction that managed to get the numbers for John Hannaford's replacement. I tell honourable members that it is a sad and sorry day for the Liberal Party and for the people of New South Wales if Charlie Lynn and Patricia Forsythe have now joined the same faction. I thought the Hon. Patricia Forsythe was the last thing standing between the Liberal Party and political oblivion, but it seems there is an unholy alliance between the Lynnnites and the Forsythites and I want to say that it will do the Liberal Party no good, no good at all. I note that the new member, the Hon. R. H. Colless, is smiling at the misfortune and problems of the Liberal Party. I should warn him that the National Party has similar problems.

The Hon. Dr B. P. V. Pezzutti: Point of order: The Minister is not being relevant. He was wasting the time of this House before. He is trying to answer a question, yet he cannot even pronounce the words. The Hon. Helen Sham-Ho, who has no interest in the Liberal Party, has asked a question about health services.

The PRESIDENT: Order! There is no point of order.

The Hon. M. R. EGAN: To the point of order: I would like to know which word I mispronounced.

The Hon. Dr B. P. V. Pezzutti: Iatrogenic.

The Hon. M. R. EGAN: I am sorry, I did not study Latin or Greek at school. If I had my time over again I would study both. I would also learn to play the piano and cricket. I did not do any of those things while I was at school. But one thing I did do when I was almost still at school—

The Hon. D. J. Gay: Learnt to milk a cow.

The Hon. M. R. EGAN: No, I spent two weeks in the town of Bundarra, where the Hon. R. H. Colless informed us that he spent the early years of his life. I spent two weeks working behind the bar of the Commercial Hotel, which, in those days, was owned by George and Jean Watt. On New Year's Eve there was a race day in Inverell and George and Jean went to the race day and left their son, Roderick, and me in charge of the bar.

The Hon. Dr B. P. V. Pezzutti: Point of order: We have a limited time in which to ask the Government questions and obtain responses. The Hon. Helen Sham-Ho asked a question about health and the Minister waffled on. He then went on about the Liberal Party and the President ruled against my point of order.

The Hon. M. R. EGAN: To the point of order: Bundarra is a very important part of the State and the wellbeing of its residents and of the patrons of the Commercial Hotel have a big bearing on the length of stay in hospitals. Therefore, I am directly answering the question.

The PRESIDENT: Order! As I have ruled before, it is a tradition that Ministers may answer questions in the way they see fit. I ask the Minister to return to the subject matter of the question, which refers to hospitals.

The Hon. M. R. EGAN: I will, Madam President, because my answer on this point is particularly pertinent to the question.

The Hon. Dr B. P. V. Pezzutti: Madam President—

The Hon. M. R. EGAN: I will extend question time so the Hon. Dr B. P. V. Pezzutti can ask his silly question. There I was with Roderick staffing the bar. He was about the same age as me, 17 or 18, and it was New Year's Eve. George and Jean Watt had gone off to Inverell for a picnic race day and left us in charge. There was a fellow in the bar from the time it opened, at about 8.00 a.m.—

The Hon. D. J. Gay: Blackie?

The Hon. M. R. EGAN: No, I do not think that Blackie was there. That fellow was there until the hotel closed at 8.00 a.m. on New Year's Day. It was my first time behind the bar and that fellow was ordering scotch and water, which I had never poured. I was told to pour scotch out of the scotch bottle and add some water out of the gin bottle. I ran out of water in the gin bottle and got another bottle. Later I realised that I had been pouring this fellow scotch and gin for about six hours. I did not know how he would be the next morning. But at some stage of the night he waddled off. Next morning I got up bright and early and went to nine o'clock mass at Bundarra. There was the fellow for whom I had been pouring scotch and gin—he was the priest handing out the communion. I have never worked in the bar since then but I certainly had a very happy time in Bundarra at the Commercial Hotel, which I gathered from my stay there is a very famous hotel in the region. Certainly the publicans, George and Jean Watt, were institutions. I do not know whether they are still there, if they are I have probably cost them their licence. I hope I have not done that.

WORIMI JUVENILE JUSTICE CENTRE CLOSURE

The Hon. PATRICIA FORSYTHE: My question without notice is to the Minister for Juvenile Justice. Is it a fact that your decision to close Worimi Juvenile Justice Centre resulted, in one six-week period, in the loss of 360 police hours while officers transfer juveniles out of the Hunter to other juvenile detention centres, as claimed by the president of the New South Wales Police Association—that would-be candidate for the Australian Labor Party for Charlestown? Did your department underestimate the likely impact of the closure? Do you still stand by your decision not to construct a juvenile remand centre in the Hunter region?

The Hon. CARMEL TEBBUTT: The impact of transporting juveniles in the Hunter area following the closure of Worimi has been raised previously in this House and in the media. Some police have been critical of the time spent by police escorting juveniles between the Worimi court and detention centres. On a number of occasions I have indicated that the Department of Juvenile Justice has had ongoing discussions with the Police Service about the resolution of this matter and is trying to address some concerns raised by police. The question asked by the Hon. Patricia Forsythe clearly shows, once again, her lack of understanding of juvenile justice issues. It is simply not possible to have a juvenile justice centre in every town and city across New South Wales when there are only 320 young people in detention—and that is a substantial reduction achieved by the Carr Labor Government.

When the Labor Party was elected, some 500 young people were in detention. Clearly there will be areas in which police do not have a juvenile detention facility that they can readily access within a regional town or city. However, that police duty is hardly restricted to Newcastle; it is a duty practiced throughout New South Wales. On previous occasions I have pointed out that police face a similar situation in metropolitan Sydney where the main remand centre is Cobham at St Marys. If police pick up a young person in the Sydney central area or the eastern suburbs they are faced with roughly the same transporting time. The Frank Baxter centre on the Central Coast, which is not far from Newcastle, is available for police to escort young people who need to be remanded into custody.

The recent establishment of new detention centres at Grafton and Dubbo has relieved police of thousands of kilometres of time-consuming travel in escorting juveniles from courts in the north and west to detention centres in the east. The Department of Juvenile Justice already does most of the transport in the metropolitan area. The Central Coast police save time and effort through no longer having to take offenders to and from Worimi detention centre in Newcastle. In a sense this is all swings and roundabouts. Nonetheless, additional undertakings have been given by the department to continue negotiations with the police about issues relating to the transportation of young offenders. I have no regrets about the decision to close Worimi Juvenile Justice Centre. I believe that it is the right decision. The centre was outlined in the Ombudsman's report in 1996 as not meeting the standards; it was inadequate.

When the numbers in juvenile detention were higher, the Government was prepared to build a centre in the Hunter area but it was not possible to locate an area in which the community was willing to have a centre. When I became Minister there had been a decline in the number of young people in detention, a positive outcome of the diversionary strategies pursued by the Government. But there is no way we could justify building another juvenile justice centre. I will always be pleased to defend decisions which allow resources to be freed up and put into both community-based support for young offenders and diversionary strategies. The department spends more than \$1.6 million annually on services in the Hunter region. More money is spent on maintaining young people within their families, on education, post-release support and job skills training. I think that is a far better priority for the juvenile justice system than building juvenile detention centres when they are not needed.

MIGRATION HERITAGE CENTRE

The Hon. Dr P. WONG: My question is to the Treasurer, representing the Premier, and Minister for Citizenship. As the two-year tenure of the current director of the Migration Heritage Centre will run out in October, is the Government taking measures to fill that position? When the Migration Heritage Centre was announced the Government said that the centre would set up office in the western suburbs, but its office is still in the central business district. Does the Government still intend to establish the centre in western Sydney or some other region? When does it intend to do that?

The Hon. M. R. EGAN: I am not conversant with the issue the Hon. Dr P. Wong has raised. I will refer the question to my colleague the Premier and obtain a response.

GENERAL RECREATIONAL FISHING FEE

The Hon. JENNIFER GARDINER: My question is to the Minister for Mineral Resources, and Minister for Fisheries. I am sure the Hon. Dr B. P. V. Pezzutti would love to ask this question as well. With respect to the proposed general recreational fishing fee, of which the Minister spoke in this House yesterday, will he explain why the expressions of interest for the General Recreational Fishing Implementation Committee close on 30 October—that is, before the necessary legislation sanctioning such a fee has even been considered by either House of this Parliament?

The Hon. E. M. OBEID: I do not recall the date. I am not prepared to elaborate until I get the exact date. I will be more than happy to share whatever information is available with the Hon. Jennifer Gardiner.

PACIFIC HIGHWAY FUNDING

The Hon. Dr B. P. V. PEZZUTTI: My question is directed to the Treasurer. I thank the Treasurer for the opportunity to ask him a question. Is the Treasurer aware of the continuing number of head-on collisions on the Pacific Highway and the continuing death toll resulting from those accidents, particularly on the section between Grafton and Woodburn? When will funding for the Pacific Highway be increased to ensure that the highway becomes a dual-divided carriageway through its entire length? In particular, when will the Cowper section of the Pacific Highway between Grafton and Ballina be made a dual carriageway?

The Hon. M. R. EGAN: I am not aware of the point the Hon. Dr B. P. V. Pezzutti makes.

The Hon. Dr B. P. V. Pezzutti: You should travel up there.

The Hon. M. R. EGAN: I have travelled on the Pacific Highway on numerous occasions. I am pleased to remind the House that, I think, \$220 million is being allocated to the Pacific Highway each and every year over a 10-year period.

The Hon. Dr B. P. V. Pezzutti: Not for the section between Grafton and Ballina.

The Hon. M. R. EGAN: I do not know whether the Grafton to Ballina section is in the plans.

The Hon. Dr B. P. V. Pezzutti: That is where the deaths occur. I spoke to Carl on the weekend.

The Hon. M. R. EGAN: I will ascertain that from the Minister for Roads. Certainly a great deal of money is being spent on the Pacific Highway. From not only my own experience travelling on the Pacific

Highway but also from my conversations with people in New South Wales and elsewhere who use the highway, very significant improvements are becoming quite noticeable. As to the Ballina to Grafton section, I am not aware of the situation, but I will raise it with the Minister for Roads and obtain a response which I will then convey to the House.

If honourable members have further questions, I suggest they put them on notice or wait until tomorrow.

WORKERS COMPENSATION FRAUD CONVICTIONS

The Hon. J. J. DELLA BOSCA: I have been provided with information which enables me to give a specific answer to the Hon. J. M. Samios, which will save him from the labour of looking through the notice paper. Since 1 July 1999, 147 notifications of suspected workers compensation fraud have been received from licensed insurers and the public. Following investigation, 14 matters were referred for prosecution. As I said in an answer yesterday, investigations on 72 matters were discontinued because of a lack of adequate prima facie evidence. Currently, the Compliance Improvement Branch is investigating 73 matters. Since 1 July 1999 to date, 12 fraud prosecutions were recommended against 12 defendants. Three matters did not proceed and four prosecutions were finalised with fines and restitution amounting to \$35,306. Penalties ranged from fines of \$200 for each offence to good behaviour bonds of two years and community service orders of 200 hours. One prosecution resulted in a penalty of 12 months imprisonment.

RENEWABLE AND SUSTAINABLE ENERGY INCENTIVES

The Hon. CARMEL TEBBUTT: On 6 September the Hon. A. G. Corbett asked me a question about renewable and sustainable energy. I have obtained the following answer:

As part of the Government's Energy Smart Homes policy, the Sustainable Energy Development Authority [SEDA] has established a suite of incentives and programs that encourage and facilitate the inclusion of sustainable energy initiatives in the design, furnishing and renovation of a home. When a council implements the Energy Smart Homes policy, residents are eligible for a hot water rebate. The Energy Smart hot water discount is a joint initiative between SEDA and solar and heat pump water heater manufacturers. It is available to residents in council areas that have fully implemented the Energy Smart Homes policy, which requires the installation of a solar or heat pump water heater, where that is cost effective.

The availability of the hot water rebate is publicised through local papers in the council areas, at councils' Customer Service Centres and through solar and heat pump retail outlets. Information brochures are also distributed to builders, architects and designers. The \$500 discount is accessed as a point-of-sale discount at the solar-heat pump retailer. The discount has been available since 1997. Since that time 2,900 rebates have been redeemed, reducing greenhouse pollution by over 70,000 tonnes. Councils that are Energy Smart include Botany, Campbelltown, Canterbury, Kempsey, Kiama, Kogarah, Lake Macquarie, Leichhardt, Manly, Marrickville, Newcastle, Penrith, Pittwater, Shellharbour, South Sydney, Tweed, Wagga Wagga, Waverley and Wollongong councils.

Another method for encouraging consumers to consider the benefits of Energy Smart homes is the Greensmart Showcase. SEDA, in association with Wesley Mission and the Housing Industry Association, are installing four energy efficient houses in the new Homeworld Exhibition Centre in Kellyville, thereby showcasing energy efficiency design and products for home buyers to view. The primary incentive to encourage residents to incorporate sustainable energy measures into their homes and renovations is promotion of the cost saving associated with energy-efficient housing. Energy efficiency makes homes more comfortable, reduces the cost of energy and water bills, and reduces the production of energy-related greenhouse gas emissions.

SEDA's Live Energy Smart campaign is the primary New South Wales initiative to promote these cost and energy saving benefits. This campaign was launched by the Premier in February this year to educate and empower consumers to choose energy efficient products. SEDA endorses products that meet certain energy efficiency criteria, allowing the manufacturers of these products to use the red Energy Smart product logo on packaging and with promotional activities. The program is supported by a strategic advertising and media campaign. The campaign includes cinema, press and outdoor advertising and a dedicated website—www.energysmart.com.au—a toll free information service and consumer information packs.

The savings associated with Energy Smart products are promoted through the individual manufacturers, through brochures available in Energy Smart councils and other councils on the SEDA Energy Smart Homes program—59 in total—in Customer Service Centres within council, as well as the Energy Smart Information Centre. The Energy Smart Information Centre [ESIC] is a free energy advisory service accessible to all residents in New South Wales. Located at the Sydney Building Information Centre in Surry Hills, and accessible via a toll free phone number, ESIC provides advice and information on sustainable energy technologies. For the first six months of this year the centre received over 2,760 inquiries. Fifty-three per cent of the New South Wales inquiries came from regional areas.

ESIC is also the primary public information point for Federal and State Government solar power rebates, which are available to New South Wales householders and administered by SEDA. A typical house would require 1.5 kilowatts of solar power and would receive a subsidy of \$7,500, or approximately 45 per cent of the cost. The rebate is available for new and existing properties, either connected to the electricity grid or remote from the grid. The rebates are publicised by SEDA, through the Energy Smart councils and by the Federal Government through newspaper advertising, but primarily through the suppliers and installers of solar equipment. So far this year more than 750 households in New South Wales have applied for the rebate and \$1,270,809.20 worth of rebates have been paid out—representing the installation of 238 kilowatts of photovoltaic cells.

LIDCOMBE LIQUID WASTE PLANT TOXIC EMISSIONS

The Hon. CARMEL TEBBUTT: On 10 October the Hon. I. Cohen asked me a question about the Lidcombe liquid waste plant. I have now been supplied with the following answer:

The premise of the Hon. Ian Cohen's question to me yesterday regarding the operation of the Lidcombe liquid waste plant during the Paralympic Games was wrong. The plant will not be operating as normal during the Paralympic Games. As a consequence, exactly the same treatment will be accorded to the Paralympic Games as the Olympic Games. The fact is that this matter has received careful consideration by the Government and the operator of the plant—Waste Service New South Wales. As a result of that careful consideration, it was decided some time ago that the plant's operations should be suspended for the duration of the Paralympic Games. Only liquid wastes sourced from Homebush Bay—that is, leachate and water and recycling management system sludge—will be processed during the Paralympics. All other wastes will be stored off-site and treated following the Games closure. This is exactly the same as the arrangement that was in place for the Olympic Games.

I should also take this opportunity to inform the House that Waste Service has spent substantial funds in improving the plant's capacity to co-exist with the community, which has drawn nearer to the plant as the Olympic and Paralympic Games periods drew nearer. I am advised that its odour controls have been extensively upgraded and subjected to constant finetuning in the last couple of years. It is also worth noting that the Lidcombe liquid waste plant performs a critical function in handling and processing liquid wastes, particularly the hard to treat variety. If it were not there, those wastes would go untreated. I do not believe that is a desirable situation. The Government will nonetheless closely monitor the plant's operation to ensure that the interests of the community and the industries the plant provides critical services to are suitably addressed.

Questions without notice concluded.

STANDING COMMITTEE ON SOCIAL ISSUES

Report: The Group Homes Proposal—Inquiry into Residential and Support Services for People with Disability—First Report

Debate resumed from 30 August.

The Hon. H. S. TSANG [5.16 p.m.]: I speak on the first report of the inquiry into residential support services for people with disabilities. It has been a great honour for me in the past 18 months to be a member of the Legislative Council Standing Committee on Social Issues. It is with reluctance that I resign from the committee and pass the baton to the Hon. Amanda Fazio. The honourable member will be happy to know that this inquiry was set up to examine the decision by the Government to seek tenders for the operation of Department of Community Services group homes. The committee was also asked to look at the provision of residential care and other support services for people with a disability. Amazingly, 170 submissions were received and evidence was taken from 51 individuals. The committee visited five of the 41 nominated services and met with staff and residents. I thank the staff and residents of those group homes who took a great deal of trouble to arrange for us to visit their group homes, and for providing us with breakfast and lunch, so that we had a chance to understand the difficulties they will have to face if their group homes are taken over by private groups.

The Hon. Amanda Fazio will be pleased to know that this is a bipartisan committee which produces impressive work. I congratulate the committee and its staff for their hard work. I particularly single out the chair, the Hon. Jan Burnswoods, and Tony Davies, the Director of the social issues committee, who has worked very hard to produce such a great report. I also thank my fellow committee members, the Hon. D. F. Moppett, Hon. Dr A. Chesterfield-Evans and the Hon. A. B. Manson, who have supported this committee and worked with me on the report. The subject of the inquiry is a most serious one. It concerns the wellbeing of people who face severe disadvantages in their lives. This hard-working committee was given only 10 weeks to conduct an inquiry and to report back. The work of the committee and particularly the secretary was exemplary.

The detailed report canvasses the views of a wide section of people who are most affected by the problems associated with residential and support services for people with disability. One of the most rewarding parts for me was that the chair and the committee members were all happy to give people with disability given an ample chance to address the committee. It affects one emotionally to listen to and understand the difficulties they face. This forum was very successful in achieving the aim of passing on their concerns to the Government. Hopefully this report will achieve results that will help them. Group home workers, support groups, advocacy groups and the unions were all represented. The committee's work will no doubt address some of the distress caused to residents with the announcement of the proposed changes. I am sure our recommendations will be listened to very carefully by the Government.

The recommendations include: proper and adequate consultation and, obviously, formal participation is very important; genuine choice for residents, proper communication between staff and residents; unconditional

lifetime guarantee of service for those transferring to the non-government sector; needs and requirements of residents and families from rural areas must be considered in the expression of interest process; interpreter services for people with language problems; independent advocacy for those who cannot help themselves; and improved public confidence in the whole process. I will be replaced on this committee by the Hon. Amanda Fazio, and it is with great reluctance that I leave it. I wish everyone the best and I look forward to working with them again in other capacities.

The Hon. JAN BURNSWOODS [5.21 p.m.]: As Chairperson of the Standing Committee on Social Issues I would like to thank all honourable members who have contributed to the debate on our report entitled "The Group Homes Proposal: Inquiry into Residential and Support Services for People with Disabilities—First Report". As honourable members would be aware, the report was tabled in this House at the beginning of December last year before we adjourned for the year. Since that time the committee has been very busy on the second part of the report, which deals with the provision of residential care and support services for people with disability in every possible area of government and services provided by the non-government sector. We are currently working on an interim report in relation to the second part of our inquiry, but that will continue well into next year. I thank the Hon. D. F. Moppett, the deputy chairperson of the committee, the Hon. Dr A. Chesterfield-Evans, the Hon. A. B. Manson and the Hon. H. S. Tsang, all of whom have contributed to the debate.

I particularly thank the Hon. D. F. Moppett for his excellent work as the deputy chair of the committee. He brought to us his special interest and expertise in problems faced by people with disability and their families in regional and rural areas. It is true that the problems faced by people with disability and their families become harder the further away they are from Sydney. The contribution of the Hon. D. F. Moppett has been excellent in that regard. As he said in his contribution, he argued with his colleagues in the Opposition and the crossbenchers that the inquiry into disability should be conducted by the Standing Committee on Social Issues rather than the general purpose committee. He referred, very kindly, to the quality of the report and others that will follow to justify his arguments. I am sure that all honourable members of the committee would agree with the Hon. D. F. Moppett that we are very fortunate to have the staff we have and the ongoing expertise of committee members. Over the years that has helped the committee to produce some excellent reports.

The Hon. H. S. Tsang will leave our committee and will be replaced by the Hon. Amanda Fazio, the newest Labor member of the Legislative Council. I am delighted to welcome her to the committee. Her occupational background gives her a range of knowledge that will be relevant to the work of the committee. She will be a great asset. The Hon. H. S. Tsang has been an excellent member of the committee in the past 18 months or so and, perhaps, even more excellent in the other major inquiry we have conducted into adoption. The Hon. A. B. Manson has announced his resignation not only from the committee but also from the Legislative Council. The Hon. A. B. Manson has been a fine member of the Legislative Council for some 12 years, and he has been a very worthy member of the social issues committee in the past 18 months. I thank those two members who are leaving the committee for their contribution, but I also welcome the members who will take their place. I thank the committee staff members, Tony Davies, Julie, Heather, Bev and the consultant whom we employed to speak with people with disability, Michelle O'Dey. As the chair of the committee I am very conscious that without them the report would not exist.

Report noted.

STANDING COMMITTEE ON LAW AND JUSTICE

Report: Review of the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council—First Report

Debate resumed from 20 June.

The Hon. R. D. DYER [5.27 p.m.]: In contributing to this take note debate regarding the report of the law and justice committee into the Motor Accidents Authority [MAA] and the Motor Accidents Council [MAC], I first take the opportunity to congratulate the Hon. R. H. Colless on his first speech, which he delivered this morning. I listened with great interest and care to what he said, and I sincerely look forward to his future contributions to debate in this House. Turning to the report the House is invited to take note of, I indicate that this is the first report of the Standing Committee on Law and Justice on its role in supervising the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council. Section 210 of the Motor Accidents Compensation Act 1999 provides that a committee of the Legislative Council is to be charged with the responsibility of supervising the exercise of the functions of the MAA and the MAC.

In November 1999 the Legislative Council appointed the Standing Committee on Law and Justice, the committee I chair, to undertake this task. The committee has determined to exercise its responsibilities in relation to the MAA and the MAC initially, at least, by conducting a public hearing with the chair of the MAC and the General Manager of the MAA once every six months. The hearing held on 8 May was the first such hearing. The next such hearing, which will include a particular focus on the MAA's 1999-2000 annual report, will be held in either November or December. Prior to the hearing on 8 May I wrote to a range of organisations and individuals, inviting them to nominate issues or questions they would like the committee to raise at the hearing. A number of detailed responses were received. On behalf of the committee I would like to thank all those individuals and organisations that responded to this request. The information provided to the committee from stakeholders was conveyed to the MAA for a written response.

The information provided by stakeholders and the MAA's responses are included in the committee's report. It is the committee's intention to repeat this process at each of the regular six monthly hearings with the MAC and the general manager of the MAA. In this way key organisations and individuals with an interest in the operations of the MAC and MAA will have an opportunity to provide information to assist the committee to perform its functions in relation to the MAA and MAC. The report consists of the transcript of the hearing held on 8 May together with written answers provided by the MAA to questions on notice. Clearly, the new motor accident compensation scheme is still in its early days. The effectiveness of the scheme will not be known for some time and it would be premature for the committee to express any firm views at this stage about the operation of the new scheme. However, the committee trusts this report will serve a useful role in informing the Legislative Council, members of Parliament generally and other stakeholders with an interest in the motor accident compensation scheme about current issues in relation to the new scheme and the way in which the MAC and the MAA exercise their functions.

Chapter 2 of the report deals with issues arising from the inquiry into the motor accidents scheme conducted by the law and justice committee chaired by our former colleague the Hon. Bryan Vaughan. Reference is made to the issue of structured settlements and the submissions prepared by the MAA which sought changes to the Commonwealth's taxation legislation to facilitate greater use of structured settlements. The report notes that the MAA was awaiting the May 2000 Commonwealth budget to see whether the submissions had been successful in achieving their goal. As honourable members would now be aware, unfortunately the May 2000 Commonwealth budget did not include any such changes to the taxation legislation. It is my understanding that the Commonwealth Government has not yet provided any explanation for its failure to act on this matter in the May 2000 budget. I express my personal regret that the Commonwealth Government did not feel able to make the necessary changes to facilitate a greater use of structured settlements because I believe that would be an appropriate and, indeed, necessary reform in regard to accident victims.

My predecessor as chair of the law and justice committee, the Hon. Bryan Vaughan, was very much wedded to structured settlements, and I agree with him in that regard. I express hope that in a future Commonwealth budget the Federal authorities will find it appropriate to introduce necessary taxation changes to encourage the use of structured settlements. Chapters 3 and 4 of the committee's report deal with the vitally important issues of performance indicators and reporting of insurer profit margins. No doubt these issues will receive considerable attention during future committee hearings with the chair of the MAC and the general manager of the MAA including the next hearing later this year. It should be noted that the MAA has published recently a discussion paper on possible methods of measuring and reporting on insurer profits and has indicated its intention to report to the next committee hearing on its preferred approach. Chapter 5 of the committee's report makes up the bulk of the report and deals with the MAA's impairment assessment guidelines, medical assessment and related issues. The report includes both the MAA's written response to questions posed by stakeholders about the impairment assessment guidelines and a transcript of the committee's questioning of the chair of the MAC and the general manager of the MAA on this issue.

Clearly, the MAA impairment assessment guidelines were the subject of rigorous scrutiny by the committee. This was appropriate as the guidelines will play a central role in the practical operation of the new motor accident compensation scheme. Finally, I thank the chair of the MAC, Mr Richard Grellman, and the General Manager of the MAA, Mr David Bowen, and their staff for their co-operation and assistance with the hearing and provision of detailed written answers to the committee's questions. I thank also my fellow committee members for their participation in the hearing and the committee staff for the preparation of our report. I look forward to the further development of co-operative and constructive relationships between the committee, the Motor Accidents Authority and the Motor Accidents Council.

The Hon. J. F. RYAN [5.36 p.m.]: I wish to make only a few remarks in this take note debate on the first report of the Standing Committee on Law And Justice relating to the review of the functions of the Motor

Accidents Authority and what most people understand to be the new green slip scheme operating in New South Wales. Prior to the committee convening I am sure all honourable members will recall that in this House there was a lengthy and detailed debate about this scheme which continued for some days. Some of those issues that were raised undoubtedly will continue to be debated in the community. Many issues that perhaps would be most politically sensitive and about which the community would be interested to know are not answered because very little of the data generated and kept by the Motor Accidents Authority about the new green slip scheme is able to be interpreted in any meaningful way. Notwithstanding that, a number of questions were asked and honourable members may be interested to hear some of the answers to those questions. I am sure most honourable members would want to know over the period of the new scheme the amount of premium collected by insurers. The answer can be found on page 69 of the report, which also includes a report from the Motor Accidents Authority that states:

For the six month period commencing 1 October 1999 green slip insurers have reported a total of \$649,401,327 gross written premiums. This amount excludes GST and includes four days prior to the commencement of the new scheme.

Additionally, I am sure it will interest honourable members to learn that to that date the total expenditure on finalised claims in the new scheme was \$228,934. The reserve on open claims is \$117,595,308. If there were not significantly more claims to be processed, one might come to the conclusion that there is of the order of a \$500 million profit or at least excess in premiums available to insurers from which they might claim profits. Additionally, obviously substantial amounts of money for insurers are available to invest for a period of time until claims are finalised. It is critical for the credibility of the scheme—given that it is a statutory one and every single person who wishes to register a motor vehicle for use on New South Wales roads is required to have a green slip—and it is important for the Parliament to take note of the profitability of the scheme because the normal market forces that operate to curb excessive profits do not operate in this case.

So it is important for the committee to quickly assess the profitability of the scheme. The committee itself will not make the assessment; we will make the Motor Accidents Authority report to us, with expert advice, in that regard. But those few early figures might indicate that it will be an issue of interest in the near future. I look forward to seeing what the Motor Accidents Authority comes up with. By this month it was going to have some detail about performance indicators by which to measure the scheme. They included the affordability, effectiveness, efficiency and fairness of the scheme. Some of the details are on pages 6 and 7 of the report.

Another thing the committee had the opportunity to examine was the initial setup arrangements for the medical assessments to be conducted to determine whether a claimant has a 10 per cent disability. Notwithstanding the strength of argument which I put on behalf of the Opposition when this matter was being debated in the House, I have to say that I was impressed with how at least some of the new scheme was being implemented. I refer particularly to the ingenuity of officers of the Motor Accidents Authority in determining very difficult issues such as how to assess psychiatric impairment. They were doing groundbreaking work. I suspect that, just as we have imported guidelines from the American Medical Association, other schemes throughout the world will appropriate some of the research, study and methods being used by the Claims Assessment and Resolution Service [CARS] to determine medical assessments in regard to psychiatric illness.

It may well have a beneficial effect. I have an open mind on whether the scheme will ultimately work. The Opposition wants guidelines to ensure that the scheme remains as affordable as the Government said it would be when it was originally promised. The benchmark the Government used was that premiums would be at least \$100 less than when the scheme was introduced. We will look forward with great interest to see whether that promise is delivered. There appears to be early information that the claims being made against the scheme are dramatically fewer than had been made under the old scheme. So there may be additional savings over and above what the Government promised. If that eventuates it will be good, but it will be an important job of the committee to drive that.

Other issues need to be addressed in a review of the scheme. I recall that the committee asked questions about assessing impairment of parents who lose a child in a car accident. Strictly speaking, the parents may not qualify as having 10 per cent impairment. Parents have to get on with the job of raising their surviving children and they do not necessarily exhibit the sorts of things that the psychiatric assessment would require to reach the 10 per cent threshold. I think that most of us would agree that such people ought to be treated fairly and compassionately. There is a case for introducing a statutory threshold so that a parent losing a child may automatically qualify for a statutory benefit without needing a psychiatric assessment. The committee's inquiry dealt only with the initial stages of the new scheme, which had not been running for long. When next we hold hearings into the matter, which I think will be within months—

The Hon. R. D. Dyer: November or December.

The Hon. J. F. RYAN: November or December. Because the House will be sitting, it is likely to be early in December. By that time the figures for a full 12 months of the operation of the scheme will be available for examination and more detail will be available. I am sure that the next report of the committee will be of even greater interest, particularly in relation to the more sensitive issues. If I were to assess the scheme so far, it would be fair to say so far so good. As I said, at the moment it is difficult to say how successful the scheme has been or will be because not much of the data is available and so much of the scheme is still in the process of being designed and trialled. Nevertheless, I look forward to what might happen in future. I commend the report to the House.

The Hon. R. D. DYER [5.46 p.m.], in reply: I sincerely thank the Hon. J. F. Ryan for his constructive contribution to the debate and also for his unfailingly constructive contribution to the work of the Standing Committee on Law and Justice, on this and other references. The next hearing of the committee on the Motor Accidents Authority [MAA] and the Motor Accidents Council [MAC], as the Hon. J. F. Ryan has suggested, will more likely than not be in December, given that the House will be very busy with sittings next month. At that hearing, which will be our second hearing into the MAA and the MAC for the 2000 calendar year, it will be the committee's duty largely to focus on the annual report of the Motor Accidents Authority. The reference to the committee requires it to examine each annual report of the authority and when the report is available we will do exactly that. I commend the committee's report to the House.

Report noted.

STANDING COMMITTEE ON LAW AND JUSTICE

Report: Crime Prevention Through Social Support—Second Report

Debate resumed from 29 August.

The Hon. R. D. DYER [5.48 p.m.]: In resuming the take-note debate on the report of the Standing Committee on Law and Justice entitled "Crime Prevention through Social Support" I first indicate by way of reminder to the House that the terms of reference were received on 20 May 1998 from the then Attorney General, the Hon. Jeff Shaw. At that time the committee was under the chairmanship of my predecessor, the Hon. Bryan Vaughan. When the committee was reconstituted after the State election last year the committee renewed its inquiry into this reference. The terms of reference were:

That the Standing Committee on Law and Justice undertake an inquiry into and report on the relationship between crime and the types and levels of social support afforded to families and communities, with particular reference to:

the impact of changes in the social services support system on criminal participation rates;

support programs that can assist in protecting people from developing delinquent or criminal behaviours; and

the type and level of assistance and support schemes needed to change offending behaviour.

The first report of the committee into this reference was tabled on 20 December 1999. That first report covered early childhood intervention, intellectual disability and the crime prevention role of local government councils. The committee's work on the inquiry ends with this second report that the House is now debating. During the period of this reference the committee held 10 public hearings and received 72 submissions. We visited Merimbula, Ballina, Moree, Claymore near Campbelltown, Newcastle, Lake Macquarie, Kempsey and Dubbo.

I shall proceed now to give an overview of the committee's second report on this reference. Its theme was largely crime prevention in disadvantaged communities. Regrettably, poverty and disadvantage are increasingly localised. In the report crime is addressed as a problem for whole communities, not just for the immediate victims, offenders and police. I must add that the committee was impressed by the vision and enthusiasm of many individuals and organisations from whom and from which it took evidence.

The second report covers crime prevention in public housing and Aboriginal communities, and among young people and prisoners. My comments today, due to time constraints, will be restricted to crime prevention among young people and in Aboriginal communities. It is a justifiable claim that crime fears can be exaggerated. The potential for effective crime prevention among young people is high because of the very low rate of reoffending compared to the reoffending rate of adult offenders. Apart from anything else I know from my experience as Minister responsible for juvenile justice in the past that the majority of young people, in fact some 70 per cent, who offend do so only once.

The committee examined young people and the juvenile justice system in chapter 4 of its report. Only a small proportion of young people are in this category. Chapter 5 examines young people in general and how to minimise the likelihood of involvement in offending. A particular aspect of the report about which I would like to make some mention is the use of public space, which is where conflicts can arise. All citizens, young or old, have the right to use and enjoy public space. They also have a responsibility not to interfere with the enjoyment of that space by others. Shopping centre management, local councils and young people can negotiate, and in a number of cases have successfully negotiated, shared use of public space. Some examples given in the committee's report include the Broadway Centre funding for a youth worker, the Miranda shopping centre working with young people, and the Sutherland Shire Council developing youth programs in its area.

I would contrast those constructive approaches with other approaches aimed at driving away young people from such shopping centres. One strategy sometimes used has been playing classical music—which would attract me, but I am not young, which perhaps proves the point—or alternatively using fluorescent lighting to make the environment unattractive to young people. The committee supports approaches that integrate rather than alienate young people. I note that the Department of Urban Affairs and Planning has developed some very practical guidelines to incorporate young people in developments and planning decisions. In that regard I refer to page 98 of the committee's report. The committee recommends promoting these guidelines to local government councils as a crime prevention strategy.

The next matter to which I would like to make passing reference is youth work and sport. The committee has seen examples of effective youth work contributing to crime prevention, however, youth work overall tends to be ad hoc and underfunded. The committee recommends a government review into how youth work can make a more strategic contribution to crime prevention. Sport and recreation programs can successfully be used with at-risk youth. For example, the work of the police citizens youth clubs [PCYCs] can be expanded to provide programs for community service orders in country areas. I add that PCYCs are very useful facilities and undoubtedly can play an expanded role over and above the admittedly very valuable role that they play already.

Transport, particularly at night, also has an important role in reducing the likelihood of young people offending or being victims of crime. Another issue dealt with by the committee in its report relevant to youth is truancy. Truancy is a risk factor for offending. Its causes include undiagnosed learning difficulties, parental neglect, bullying and a delinquent peer group. I must say that the committee was amazed at the extent of absenteeism from schools in some towns it visited. When we visited one high school in a country town, which I shall not name, that comprised some 800 or so students we were informed that on a day that a particular survey was taken one-third of the school's population was absent. The committee recommends in its report that the Premier's Council on Crime Prevention should examine as a priority the effectiveness of truancy programs.

I turn now refer to Aboriginal communities and to some innovative programs that exist with relevance to those communities. Chapter 3 covers crime prevention in Aboriginal communities. These communities suffer from much greater collective, social and economic disadvantage than any other group in New South Wales. I note that this disadvantage greatly increases the risk of offending. The committee went out of its way to meet with representatives of Aboriginal communities and we did so in Kempsey, Dubbo and Moree. In Dubbo we met with the Aboriginal land council representatives, in Kempsey we met with Aboriginal elders and in both Moree and Kempsey we met with Aboriginal community workers as well. We noted innovative approaches had been adopted in each town. Some instances would be the murals project in west Dubbo, the stock car program at the DJIGAY Centre at Kempsey TAFE and the cotton growers employment program in Moree.

This leads me to deal with Aboriginal employment, which I note is a major problem in Aboriginal communities. In Kempsey the committee was told that almost no Aborigines work in private businesses. I must say that in the towns we visited I never saw Aboriginal people working in shops or in customer service roles. If there are any examples, they are very limited. The committee believes improvements to employment would assist to reduce crime. Employment programs need to consider barriers to employment particular to Aboriginal peoples. The Moree cotton growers program is a model of how to place many locals in private sector jobs.

The committee recommends that the Government establish a task force comprised of industry and Aboriginal representatives to encourage an increase in private sector employment of Aboriginal men and women in rural areas with specific industry focus. Empowering Aborigines regarding crime prevention is also an important issue. The committee gained an appreciation of the practical importance of reconciliation as a starting point for effective crime prevention during its visit to Kempsey. The committee believes that a reconciliation approach can assist the community to begin to work together instead of crime being seen as an "us" and "them" syndrome.

The Committee recommends the encouragement of efforts to get local government councils to sign reconciliation statements with their local Aboriginal communities. I must say that there is little evidence of success of programs imposed—and I stress that word—on Aboriginal communities from outside those communities. It has to be something that is initiated and carried through with the full support of those communities. The Law and Justice Committee believes that the role of authority figures in Aboriginal communities, such as elders, should be strengthened. Our recommendations include involving Aboriginal leaders in police cautioning of young offenders and consultation in decisions about family interventions. The committee made a visit to Dubbo. During such visit the mayor of Dubbo council who is well known to all of us, Gerry Peacocke—

The Hon. A. B. Kelly: The former mayor.

The Hon. R. D. DYER: The former mayor? I did not know that Gerry Peacocke was no longer Mayor of Dubbo and I apologise for that oversight. However, to his credit, the then mayor advised the committee that some previous efforts to involve the Aboriginal community at west Dubbo had failures because there was an undue perception of council intervention without consultation with the local community. For example, in regard to the street beautification program, planting trees and that sort of thing, at one stage the trees would have been ripped out as soon as they were planted. However, when the local Aboriginal people were involved in the program there was, Mr Peacocke told us, a turnaround in that regard, and an improved attitude and appearance of the local community at west Dubbo.

May I say in concluding my contribution to this debate that there is persuasive empirical evidence that spending on social supports, especially early childhood intervention, is an effective and much cheaper approach than law and order approaches to crime prevention. I am not saying that law and order approaches do not have their place when an offence has been committed. What the committee is talking about is investing money at the front end to prevent offending further down the track. I know it is difficult to persuade Treasury and other central agencies of government to do that. However, time and again studies have shown that if you spend money on early childhood intervention and various programs of relevance such as that, kids do not get into trouble in the first place; and the expense of involving the police, the courts and law enforcement authorities generally—and that is a very great expense as any perusal of the budget papers would show—can largely be prevented or at least diminished.

I note that crime prevention is not only the responsibility of public office holders at whatever level or of law enforcement authorities, it is the responsibility of whole communities. The committee hopes the report will assist the Government, this House and the community to develop solutions to crime that are tailored to particular communities and that address social and economic disadvantage.

As I did in respect of the previous report that the House discussed, I thank my fellow committee members without exception for their contribution to the quite lengthy consideration the committee gave to the reference that the Hon. Jeff Shaw made in May 1998. We have, as I noted in passing earlier, produced two lengthy reports arising out of these terms of reference. That meant that the committee members did a lot of travelling and spent quite a lot of time hearing evidence in regard to this particular reference.

I thank also the committee staff once again—David Blunt, Committee Director, Steven Reynolds, Senior Project Adviser, and Phillipa Gately, Committee Officer, for the undoubted diligence they have devoted to the preparation of the committee's two reports related to this particular reference. I express the hope that the Government takes seriously the recommendations made by the committee in these two reports. The committee has not been playing party politics with either report. They are unanimous reports. The committee represents the Government, the official Opposition and the crossbench. We all agree with each other in every respect of every recommendation the committee has made in both reports. I hope the Government will take due account of the recommendations we have made because they are made sincerely. They are well based on the discussions and the consideration that we have had following the visits we made and the evidence we took. With those words I sincerely commend this report to the House.

The Hon. J. F. RYAN [6.06 p.m.]: I do not propose to make a very lengthy contribution to the take-note debate on this report. I believe that this report has been read by many other members of this House, which is somewhat unusual for reports of standing committees. It may interest the House to know that this particular report was also taken into consideration by another committee that I chaired which was inquiring into similar issues, the Select Committee on the Increase in Prisoner Population. Essentially the committee on that occasion, composed differently in terms of its party representation, thoroughly endorsed the effort of the Standing Committee on Law and Justice in producing this report.

As my colleague the Chairman has already explained, there were a number of areas that this report addressed. Included in that was crime prevention in Aboriginal communities. The committee looked at preventing crime so far as prisoners were concerned and in districts which had a considerable amount of public housing. I had the pleasure of visiting again the Claymore public housing area to see a remarkable social experiment. During the length of my political career Claymore has been an area that has been subject to enormous dispute and public controversy in regard to the level of crime, or alleged level of crime, as a representative sample of a large public housing area. There is no doubt that there was some crime in Claymore, peaking at a time when one of the houses in Proctor Road was set alight, with tragic results. There was then a realisation by the community that crime was genuinely out of control.

I recall visiting some of the residents who complained to me that they could not leave their houses for longer than a few hours without returning to find that the house had been ransacked. We returned to Proctor Road and discovered an entirely different atmosphere. It was entirely different because the place was managed in a different way. A new community housing scheme had been commenced and it was largely sponsored by a very respected social worker in the Campbelltown area, Brian Linnane of the St Vincent de Paul Society. A community tenancy program had been established. Essentially they met with the tenants in a number of streets around Proctor Road. They had been given tenancy of all the houses in those streets and managed them in a completely different way.

It is difficult to go into all the details of the scheme but essentially it meant that the residents initiated a number of crime prevention strategies, such as cleaning up junk piles that existed between the houses. They quickly addressed issues such as graffiti and made sure that there was adequate lighting in the streets in the area. On a number of occasions some of the residents even patrolled the streets at night in order to provide a level of safety that people felt confident with. What was common to all of the schemes was that they were discussed by the neighbours in much the same way that they might be discussed at a strata meeting of home unit owners. They developed solutions that everyone was happy with.

I am sure that if members were to visit Proctor Road they would be amazed at the large taro gardens between the houses. The culture of a number of streets there is largely Samoan and Fijian and the management of that area has incorporated many of the features that are common to their culture. In any event, the crime profile of that whole community is different. Once it was a place whose residents were constantly asking the Department of Housing to move them, but now there is a long list of people wanting to move into it. It has such a good reputation for being a safe and happy neighbourhood. That demonstrates how it is possible to manage crime differently, rather than necessarily rely on what might be called law and order enforcement methods.

I was involved in the preparation of the report and I have a vision for the future that one day, in a State election campaign, there will be vigorous debate about the level of crime; but instead of focusing necessarily on increasing the severity of laws, increasing the number of police, lengthening prison sentences, and so on, there will be a robust, sophisticated discussion on ways of preventing crime in the first place. The committee found that a number of things could be constructively implemented to prevent crime and to prevent lives and communities from being ruined. Additionally, the committee considered how to prevent recidivism among prisoners.

One of the most important features noted by the committee was the need to design a proper exit program for prisoners, especially those who had been in gaol for a long time. For instance, when they leave prison they need to be supplied with sufficient documentation to enable them to go to Centrelink to complete forms for welfare benefits, or to rent a house, or to apply for Medicare benefits, et cetera. I was surprised that it is not a standard operating procedure in prisons to make sure that when prisoners leave they have all the necessary documentation to prove their identity to enable them to open bank accounts, and so forth. It seems to me that an enormous amount of crime could occur simply because people do not have access to basic needs.

However, there are more sophisticated things that need to be done to prevent recidivism, which the report details. As my colleague said, there was a remarkable level of multipartisanship among committee members regarding what needs to be done. Many recommendations suggested by the committee are not particularly expensive; in most instances they rely on better co-ordination between State government instrumentalities or between State and Commonwealth instrumentalities. It is surprising how much crime can be prevented when instrumentalities such as the Department of Education and Training, the Department of Health, the Department of Community Services and local councils work together. When departments do not work together there seems to be a similar increase in the level of crime in particular communities. I commend the report to all members of the House, who, I am sure, will find it an interesting read.

Report noted.

**COMMUNITY RELATIONS COMMISSION AND
PRINCIPLES OF MULTICULTURALISM BILL**

In Committee

Consideration resumed from an earlier hour.

Clauses 1 to 27, schedules 1 to 4, and title

The Hon. I. COHEN [6.15 p.m.]: I continue my comments on the reasonable, succinct amendments Nos 1 to 17 moved in globo by the Hon. J. M. Samios. The Hon. J. M. Samios has worked consistently to persuade the Government that this issue of recognition is clearcut. I am concerned that if the Opposition's amendments are not accepted, the commission will not have a title that is clearly recognisable. In recent crossbench meetings the points of view of various interest groups were given. Certainly one of the most telling arguments was put by a young woman from the western suburbs, a member of a multicultural community. She asked, "How does a young person under threat, or in an emergency, work out how to look up the Community Relations Commission in a phone book?" It simply will not work. It is obvious that the word "multicultural" needs to be included in the name.

That type of stand-alone title is necessary. The amendments put forward by the Hon. J. M. Samios would resolve the problem. The amendment proposed by the Hon. Helen Sham-Ho seeking a compromise is not appropriate. The title needs to be one that becomes part of everyday language. I am very concerned that many groups, organisations and individuals have accepted the Government's position—but there has been talk about pressure and harassment. There was strong lobbying by the Government and Government representatives as well as others involved in various ways with the Australian Labor Party, as well as an actual cutting of funds to the Ethnic Communities Council. Certainly there is not unanimity on that. I was concerned to read a letter by the Hon. Helen Sham-Ho to the Premier dated 29 October 1999. The letter states:

... it is clear from my process of consultation that support for the Bill will lack broad consensus unless the word 'multiculturalism' is incorporated into the title of the Commission.

In negotiations with James Samios and Peter Wong as the other Members of Parliament with special expertise and a long history in this field, it seems that the choice has been narrowed to two possible titles which would be acceptable to the majority of the members of the crossbench and the opposition and which, at the same time, represent a genuine effort at compromise in taking into account the Government's views. The proposed alternatives which have been put forward are:

1. Multicultural Affairs and Citizenship Commission
2. Multicultural Affairs and Community Relations Commission

We would appreciate your consideration of these alternatives and should the Government so wish, for the Government to move an amendment in relation to one of the above suggestions. Otherwise, either the opposition or one of the members of the crossbench will move to do so with the expectation that the amendment will gain the necessary support.

The Hon. Helen Sham-Ho has had a change of mind, a radical departure. I do not understand why. The House is owed an explanation by the honourable member as to why she has changed her position from what she clearly said in that letter. I strongly support the amendments moved by the Hon. J. M. Samios. I ask that the Hon. Helen Sham-Ho explain her change of position from that stated in her letter to the Premier. Why do we see a change of position? Why do we see a watering down from the clear-cut position that was put forward to the Premier and represented to crossbench members many times? I would like to know the answer.

The Hon. HELEN SHAM-HO [6.20 p.m.]: I do not support the amendments, although I pay respect to the Hon. J. M. Samios for his work on behalf of ethnic communities. To answer the question put by the Hon. I. Cohen, I have not changed my position. To be in direct opposition means to change position. I have not done that. As the Hon. J. M. Samios said, it was a team approach initially. That part was about the end of last year. With the indulgence of the Committee, I will read from a media release I issued on 24 September 1999. I am sure that many honourable members would not remember it. The media release is headed:

Multiculturalism to be enshrined in law: Should there be a new name for the commission?

At that stage I had not made up my mind about the name of the commission. No doubt, at the stage the Premier announced the name of the new commission—

The Hon. D. T. Harwin: It is only a matter of time.

The Hon. HELEN SHAM-HO: Do you want to listen to me or do you want to take the floor? The community was not expecting the change of name and was shocked, and so was I. They said that the

Government did not have a mandate to do that. That is true, because before the election the name change was not mentioned. The media release validates my statement that I have not changed my position *per se*. The document states:

I welcomed the tabling in Parliament yesterday of proposed new legislation which aims to enshrine multiculturalism in law. I congratulate the Government in making such a strong commitment to multiculturalism.

Prior to that I had discussions with the Australian Labor Party and a briefing session. Honourable members would remember that initially the name was to be the Community Relations Commission, without any mention about multiculturalism. They changed the position and added the charter. That is why I have that in it. The document continues:

Nevertheless, there has been much criticism of the change in the name of the Commission from the Ethnic Affairs Commission to the Community Relations Commission. In my opinion, what is important is the improvement of the work of the Commission for the people of New South Wales.

I still maintain that opinion. The name of the commission is important, but not as important as the actual work that the commission does. The document further states:

This legislation places multiculturalism in law for the first time in Australia.

The new Commission will play an important role in bringing all communities together, from indigenous, non-English-speaking and English-speaking backgrounds.

The name Community Relations Commission did not include "ethnic". I liked that. The document continues:

It is about time that we recognise that the word "ethnic" is no longer appropriate in modern Australia. We should be inclusive. There has been a shift in the Australian psyche that recognises multiculturalism embraces everyone.

That is what the Hon. J. M. Samios said in his speech when he moved his amendment. The word "ethnic" is out of date. The document further states:

This Bill will reflect multicultural New South Wales at the beginning of the new millennium. Some people have been quick to criticise this proposal without having seen the deal. Now that it has been tabled publicly it is time to give this legislation closer consideration.

That is what I did. The document states:

There must be a new, fresh and indisputable commitment to multiculturalism.

This bill should not be a party political exercise. It should be above party politics. We must look at the merits of it, remembering that it should include all Australians.

I emphasise this part, and ask the Hon. I. Cohen to listen. The document states:

I personally have no problem with the new name of the Commission, but I am open minded. I take this opportunity to call on all members of the community to input me with their suggestions regarding the name of the Commission.

I had a consultation period and I talked to the Hon. J. M. Samios and the Hon. Dr P. Wong. Some people came to me and said that they wanted "multiculturalism" in the name. I went to the Premier and asked that it be included. That was agreed between the Hon. J. M. Samios, the Hon. Dr P. Wong and me. Subsequent to that I was told that the Government was not going to change its position. People asked me to make a change—which is reflected in the amendment I will move at a later stage. The inclusion of the words "For a multicultural New South Wales" was supposed to be a byline.

The Hon. I. Cohen: You said it in a letter to Bob Carr. You put it in a fashion that was clearly in agreement with the Hon. J. M. Samios.

The Hon. HELEN SHAM-HO: I did, but, as I said, I was open-minded. As a member of Parliament, the contentious issue is the name, not the content of the bill. We are looking at the word "multicultural" and whether the name should be changed. I have no doubt that a group of people support the word "multiculturalism" being included in the name of the commission.

The Hon. J. M. Samios: The commission deals with multicultural affairs.

The Hon. HELEN SHAM-HO: Yes. My proposed amendment will include that. But I want to talk about multiculturalism. Subsequent to my letters to the Premier, an inquiry was initiated by this Parliament.

The Hon. J. H. Jobling: Point of order: I have sat here very patiently and listened to the matter that has been put before the Committee. It is my view that the Committee is discussing the 17 amendments moved by the Hon. J. M. Samios in globo, which are succinct in seeking to omit three words and insert in lieu six words. I can understand members discussing the reasons for the change, but discussions with Ministers, the Premier and many other people, whilst interesting, are matters that should have been raised in the second reading debate. As such, the Hon. Helen Sham-Ho is not debating the omission and insertion. I ask that the honourable member be directed to speak to the amendments. We are in Committee; we are not debating the second reading.

Reverend the Hon. F. J. Nile: To the point of order: All honourable members heard the specific questions put by the previous speaker. They were not interjections, they were specific questions. The Hon. Helen Sham-Ho was asked to say why she was adopting a certain position. The honourable member has a right to answer those questions, as well as interjections made by the Opposition and other members while she is speaking.

The Hon. HELEN SHAM-HO: To the point of order: It is very relevant. I am talking about the general purpose standing committee looking into the specific name. It was the brief of the committee to look at this particular issue. I am talking about Reverend the Hon. F. J. Nile chairing the committee and the finding of the committee.

The Hon. H. S. Tsang: To the point of order: Earlier the Hon. Helen Sham-Ho was accused of selling out and having no principles. She has been asked why she will move a new amendment. I have been sitting here and noted with great interest that she has made the point that she will move amendments at a later stage as a result of the inquiry by this Chamber. The reply is relevant.

The Hon. J. H. Jobling: Further to the point of order: I cannot let that go. In relation to the points raised by the Hon. H. S. Tsang about selling out, this has absolutely nothing whatsoever to do with the amendments before the Committee. If the Hon. Helen Sham-Ho wishes to deal with it, she certainly may do so by way of personal explanation at the conclusion of the Committee stage. This would be a matter entirely for her. In relation to the matters raised by Reverend the Hon. F. J. Nile I point out that if the Hon. I. Cohen asks questions, they are questions that do not deal with matters before the Committee. Even if nobody took the point of order that they were out of order or did not relate to the amendments, it is irrelevant.

The CHAIRMAN: Order! Amendments 1 to 17 relate to a change of name for the commission and the reasons for the name change. The contribution of the Hon. Helen Sham-Ho, including her responses to questions about whether she supports or does not support a name change, has not digressed from the amendments under consideration. Accordingly, there is no point of order.

The Hon. HELEN SHAM-HO: The name change was a finding of the committee. The committee did not want to change the name completely, but certainly it is different from the amendment moved by the Hon. J. M. Samios. That is why I will not support it. Later, when I move my amendment, I will elaborate further on the change of name.

[The Chairman left the chair at 6.32 p.m. The Committee resumed at 8.15 p.m.]

The Hon. Dr P. WONG [8.15 p.m.]: I have listened to the arguments articulated by the Hon. I. Cohen and the Hon. Helen Sham-Ho. I think the Hon. Helen Sham-Ho has a very short-term memory. I remind her of what she said in her contribution to the second reading debate:

I would like to make it clear from the outset that I support the intent and content of the Community Relations Commission and Principles of Multiculturalism Bill. However, I would like to draw a clear distinction between the bill and the name of the commission—the Community Relations Commission—which I cannot support. I might have no objection to the name on a personal level, but I do have an obligation to listen to my constituents whom I have consulted. I think it has become quite clear from the Multicultural Summit, co-ordinated by the Hon. Dr P. Wong earlier this year, the submissions that I have received in my office, in person and by way of papers, and from people who have briefed the crossbenchers, as well as from submissions received by the inquiry of General Purpose Standing Committee No. 1, that the majority of the ethnic communities, whilst supporting the bill, are opposed to the new name of the commission. They all want "multicultural affairs" or "multiculturalism" to be part of the name of the commission.

I am very certain from reading her speech that that is what she believed in. Unless she has done a 180 degree about-face, which I do not think she has, I am confused. I am sure that other members of this Chamber are also confused. She went on to say:

Honourable members would remember that in April last year, following the election and without prior warning or consultation, the Premier announced that the ethnic affairs portfolio would be changed to the citizenship portfolio and that the name of the commission would be changed to the Community Relations Commission. In view of the fact that the Premier did not mention this before the election he really had no mandate to do so. It should therefore be of no surprise to anyone that a lot of anger and confusion has been associated with that process.

The Hon. J. M. Samios interjected with "Absolutely". The Hon. Helen Sham-Ho continued:

That is true. I was confused too when it was introduced in this House. There has been a lot of anger, which could have been avoided, and anger that has not helped the debate to proceed in a constructive manner, as it could have. Honourable members will remember the motion of condemnation that was moved by the Hon. J. M. Samios last May in response to the Premier's announcement, particularly with regard to his failure to consult prior to making the announcement. The motion was moved because it was evident from the submissions that we, as members of Parliament, received from the community that leaders of ethnic community groups had not been consulted.

I spoke in support of the motion moved by the Hon. J. M. Samios ... I expressed my hope that the word "multicultural" would be incorporated into the title of both the portfolio and the commission. I know that the Hon. J. M. Samios agrees with me because we discussed this at length.

Furthermore, she said:

I sent out a media release seeking the views of the community of the name of the commission. From the large number of people who have given feedback to me and from the submissions to the inquiry it seems to me—

The Hon. R. D. Dyer: Point of order: We are now in the Committee stage of the Community Relations Commission and Principles of Multiculturalism Bill. I understand that 17 amendments are being dealt with in globo. The Hon. Dr P. Wong ought to direct himself to the merits of those particular provisions of the bill. The honourable member is reviewing the voting intentions of a particular member—namely, the Hon. Helen Sham-Ho. I respectfully suggest to you that the voting intentions of the Hon. Helen Sham-Ho or any other member in relation to this bill or any clause of it have nothing to do with the substantive provisions of the bill, which the Committee ought to be considering now.

The Hon. Dr P. WONG: To the point of order: I argue that there is no point of order. Throughout my speech I mentioned that the submission was the community view and not the view of the Hon. Helen Sham-Ho. Perhaps on a few occasions I mentioned her name, but the majority of my statements about the submission were that it was the community view as quoted by the Hon. Helen Sham-Ho and not her view. As you ruled earlier, the submission concerns the name and therefore the community view must be reflected. I would have expected that with his experience the Hon. R. D. Dyer would have realised that. I did not mention challenging the view of the Hon. Helen Sham-Ho. I mentioned how she supported the community view.

The Hon. J. H. Jobling: To the point of order: The question of the Committee stage as opposed to the second reading stage was raised earlier and in dealing with these identical 17 amendments it was considered that the debate had been broad ranging with much discussion. Mr Chairman, you wisely ruled, much to my disappointment, that the matter was in order. Whilst I understand the arguments of the Hon. R. D. Dyer, because the debate has been so wide ranging in Committee, the matters canvassed previously by many honourable members encompassed all of those factors. I respected your previous ruling and ask that you rule in the same way on this occasion.

The CHAIRMAN: Order! The argument of the Hon. R. D. Dyer has considerable merit. Opposition amendments 1 to 17 inclusive relate to a change of name for the commission. Thus far I have allowed wide discussion on the amendments. However, I remind honourable members that they should address their remarks to the merits or otherwise of the amendments under consideration.

The Hon. Dr P. WONG: I reiterate that the view I have mentioned on many occasions is the view of the community supporting the use of the word "multicultural". I said also that such a view was upheld and advocated by the Hon. Helen Sham-Ho. In fact, she gave a similar speech to the National Multicultural Support Group about the community view, and not her view. In fact, most of us supported the community view because, after all, we were elected to represent the community. As the Hon. Helen Sham-Ho said, it must contain the word "multicultural", which I fully endorse.

The Hon. D. J. Gay: She was elected to represent the Liberal Party.

The Hon. Dr P. WONG: I forgot about that! In conclusion, for the time being, I state that that was her view and the community view was contained in many submissions, as she so rightly said. Therefore, the Opposition amendments should be supported.

Reverend the Hon. F. J. NILE [8.25 p.m.]: The Christian Democratic Party does not support the amendments moved by the Hon. J. M. Samios on behalf of the Opposition. It has been disappointing trying to summarise what has been happening in this debate. The bill is called the Community Relations Commission and Principles of Multiculturalism Bill. The Government is not trying to hide the word "multiculturalism" as it is contained within the title of the bill. Will the Opposition, the Hon. Dr P. Wong and the Greens obstruct the bill and prevent it from being passed by this House at the third reading stage over the simple question of whether the word "multicultural" appears in the line of the name of the commission or in the next line as part of the name of the commission? That is what the debate is about.

Is the Opposition prepared, as it has been since last year when the bill could have been passed, to insist on this approach knowing it goes against the policy the Government has adopted? The Government has a right to set its policy as the elected Government. When the Coalition is in government it can amend the bill. The Government has a mandate to govern and I believe it sees this as an important principle. Is the Opposition prepared to assist in this approach to have the word "multiculturalism" in the first or second line? Honourable members know that the inquiry I chaired recommended that the commission may adopt the phrase "for a multicultural New South Wales" for use in conjunction with the name of the commission where appearing in promotional literature, official documents and other material issued by or on behalf of the commission.

My original plan was to move that recommendation as an amendment. The Government was prepared to accept that but concern remained that the amendment contained the word "may" even though we had assurances from the chairman of the commission and the Government that the word "multiculturalism" would be used at all times, in all places and in all literature. The Hon. Helen Sham-Ho and other honourable members of this House worked together to find a way in which it would be obligatory for the words "for a multicultural New South Wales" to be part of the name of the commission. That amendment will be moved when, hopefully, this amendment is defeated. The Hon. Helen Sham-Ho has given notice that she will move an amendment to clause 6 as follows:

The commission is to adopt the phrase "for a multicultural New South Wales" for use in conjunction with the name of the commission.

That is a policy and legislative decision of this House. Those words will appear at all times with the name of the commission. It will become the name of the commission. It seems pointless for the Opposition to argue about on which line the word "multicultural" will appear. The Government has accepted that and I believe that is a sensible approach. I appreciate the Hon. Dr P. Wong has presented to the House what he believes are the views of ethnic communities. During the inquiry we always posed the question that if there were a by-line or motto—it has now become more since it will be part of the name of the commission—would it be accepted.

I did not hear anyone say no. They all said they would accept that, because they had something in their minds that is perhaps clearer than what is in the minds of Opposition members. The Hon. J. M. Samios would know more than anyone else in this Chamber that there is absolute frustration among the ethnic communities because this bill has been stuck in the upper House. Even those who would rather support his position would support what is being proposed by the Government and other members of the Chamber so the bill can be passed and so the commission can get on with its mandate and carry out its work.

The Hon. D. J. Gay: They did not take it to the people.

Reverend the Hon. F. J. NILE: I am saying that the commission can get on with its work. The commission is in limbo because we are not giving it a clear go as we would be bypassing the bill. So you are obstructing the commission from operating and frustrating all the ethnic communities.

The Hon. J. M. Samios: The Government is doing that.

Reverend the Hon. F. J. NILE: It is a question of whether the Government's will prevails or whether the Opposition's will prevails. You are prepared to insist on the Opposition's will prevailing even if it means that the bill is not passed by the Chamber. It is just a question over one line—whether the word "multicultural" is in the first line or the second line. My view is that the bill should be passed and that the amendment foreshadowed by the Hon. Helen Sham-Ho should be passed. Let the bill be put into operation and let the ethnic communities see the opportunities that they have with a bill which will put into legislation all the principles of multiculturalism and which will reinforce their position more than any other piece of legislation. I sometimes wonder—I know that that is not the will of the Hon. J. M. Samios—whether some members of the Opposition do not want the bill to go through. Are there some members who want that? The Opposition, by adopting its position, is delaying the bill, and that may be its motive.

The Hon. J. M. Samios: If we are not entitled to move to change the name, where is democracy?

Reverend the Hon. F. J. NILE: You have tried that now for nearly 12 months. So let the bill be passed and let it be put into operation. It cannot be stated clearer than that. The words "for a multicultural New South Wales" will be part of the commission's name if the amendment to be moved by the Hon. Helen Sham-Ho is passed. I understand that there is enough support for it to pass. Then this matter will be resolved and the Chamber can proceed to deal with other legislation. I have been approached by ethnic communities since the committee inquiry. They have maintained—particularly the Chinese community; I would say all the Chinese groups—that they want the bill passed. They are prepared to accept the amendment proposed by the Hon. Helen Sham-Ho. That is the current position. A whole group of Chinese representatives from all the different societies have said the same thing.

The Hon. Helen Sham-Ho: Their position has certainly changed.

Reverend the Hon. F. J. NILE: Their position has changed from the early days when they made their submissions. That is the point that I was trying to make clear when the Hon. Dr P. Wong kept saying that we had all the evidence that the Chinese communities did not want this. Their positions have changed in the course of the debate. They want the bill to be passed. I was even hoping that the Opposition might withdraw its amendments so that we could move ahead.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [8.33 p.m.]: The Government opposes the amendments. The aim of changing the name of the Ethnic Affairs Commission to the Community Relations Commission is to promote inclusiveness in our community and to curtail an us-and-them perception of multiculturalism. The new name more precisely reflects the objectives and functions of the new commission; that is, to promote community relations in our multicultural society. This is the role of the Ethnic Affairs Commission, which it has played for more than 20 years. It has enhanced community relations and made our society more inclusive. At the same time the bill enshrines the principles of multiculturalism in law for the first time in Australia. It also recognises in law for the first time that people of diverse backgrounds are free to profess, practise and maintain their own linguistic, religious, racial and ethnic heritage.

The amendments would send a message to the community that community relations and multicultural affairs are somehow separate; that is, the commission would do one thing for the community and another for the multicultural sector of the population. The Government does not agree with this approach. The new commission will continue to provide interpreting and translation services to migrants as well as an innovative partnership based on grants programs and a network of regional advisory councils which will give ethnic communities at a local level a greater voice on the direction and work of the Community Relations Commission. If the amendments are supported it will not take long before the term "multicultural affairs" goes the way of ethnic affairs as outdated and divisive. The migrant communities would not want this to happen; neither does the Government. At a time when our country is moving towards unity, inclusiveness and reconciliation between indigenous and non-indigenous Australians, New South Wales is leading the way by embracing the spirit and practical aspects of multiculturalism with an inclusive community relations commission.

The semantics of differing names has taken away from the basic issue of getting rid of the word "ethnic". I am the son of migrants. I was born in another country and I came to Australia as a child. We are all thinking of the future of this country, of what sort of society we will have in the future. One of the most disastrous effects in the schoolyard and the workplace is the separation between those of Anglo-Celtic background, English-speaking background, and those of non-Anglo-Celtic background. It is common in the schoolyard and the workplace to label people with ethnic origins. We talked about Lebanese gangs at Bankstown. I happen to be of Lebanese origin. With all due respect to a lot of members in this Chamber who somehow are champions of ethnicity and multiculturalism, I want to know how many of them have gone out to the western suburbs and talked face-to-face and gone into the homes of working-class people who have children out in the workplace and who have children who are suffering from this stagnation of labelling.

The Hon. D. J. Gay: Point of order: I appreciate that the Minister is making a contribution from the heart but it has gone a long way from the amendments before the Committee. I remind the Minister that we are in Committee. We are dealing specifically with amendments to certain provisions of the bill. Mr Chairman, I would request that you request the Minister to return to the bill so that we can address the matters that are before the Chamber.

The Hon. E. M. OBEID: To the point of order: The Deputy Leader of the Opposition just entered the Chamber to listen to the debate. He has not listened to the contribution of all the other members who have had

tremendous leeway in explaining and putting their points of view as to what the term "multiculturalism" means and whether it should be in the title of the commission and the intent of the bill. With all due respect to the Deputy Leader of the Opposition, his remarks are very selective. Similar to what he thinks is important to the ethnic communities of this country, he is now telling us—

The Hon. D. J. Gay: You cannot make that assumption.

The Hon. E. M. OBEID: I can make the assumption more than you. Mr Chairman, I would suggest that you rule in accordance with your previous rulings and with the latitude you have given other speakers to express their opinion.

Reverend the Hon. F. J. Nile: To the point of order: As this is a Government bill and many people have made points about the amendments, I believe that the Minister has a right as the Minister handling the bill to cover the various points made by other speakers and to put the Government's position on the amendments.

The CHAIRMAN: Order! As I ruled previously, Opposition amendments Nos 1 to 17 relate to the inclusion of the word "multicultural" in the name of the commission. The Minister is expressing a point of view on that contention. There is no point of order.

The Hon. E. M. OBEID: Some members in this House maintain that they represent the Chinese, Lebanese and Italian communities. I caution them about such so-called representation because no-one has been elected to truly represent majority views in the community. Therefore, all this nonsense about one group saying one thing and another group saying something else is not the real issue. The real issue is what is happening out in the community and the message we are sending to our children, who are being labelled with categories of ethnicity. My view is very clear. I am very proud of my origins but I am an Australian and I want my children to be Australians. I do not want them to be given the label of "ethnic"; the Australian fabric is made up of the contributions of migrants from many nations. That is why Australia is unique, different. The real success of the Olympics was that our athletes made us all feel proud of the contribution Australians made to providing the best Olympics ever. It brought us together as a nation.

The Hon. D. J. Gay: That is all true but it has nothing to do with the amendment.

The Hon. E. M. OBEID: Members like the Hon. D. J. Gay want to keep labelling sectors of the community. He would like us to adopt ethnicity and have us walk down Martin Place wearing labels. That is what he would like to see.

The Hon. D. J. Gay: Point of order: I have not made a contribution to this debate, either in the House or publicly, and I ask the Minister not to label me in the way he has. I would have thought that the Minister, particularly in this debate, would have resisted the temptation to label anyone, yet he just labelled me improperly. I ask him to withdraw his comment immediately.

The Hon. E. M. OBEID: I withdraw my comment. That is not a problem, but I would suggest that the honourable member sit down and listen. He should stop interrupting and let us get this issue over with.

The CHAIRMAN: Order! No ruling is required on the point of order. However, I suggest that members refrain from making comments of a personal nature and confine their remarks to the amendments under consideration.

The Hon. E. M. OBEID: There has been considerable talk about what ethnic communities think and want for the future, but all the talk is wrong. No-one can come in and represent the views of a very integrated community whose sole aim, after all is said and done, is to provide a future for their children; that is the reason most migrants come to Australia. The most satisfying achievement of any migrant is for his or her children to succeed within their adopted system, to become part of it and be included in it. That is their desire. The professional lot opposite want to label them. Even if a migrant graduates to become the manager of the Commonwealth Bank of Australia, he or she is still labelled an ethnic.

The Hon. J. H. Jobling: What professional lot?

The Hon. E. M. OBEID: Let me tell the Hon. J. H. Jobling that I have had people come to me when they see my name on a card as a Minister of the Crown and ask, "Is that an ethnic name?" That is insulting to me.

The Hon. J. H. Jobling: This is a personal explanation.

The Hon. E. M. OBEID: No, I am talking about the word "ethnic" and the push to have such people classified as separate Australians.

The Hon. J. H. Jobling: Do you think you are the only member people come to talk to?

The Hon. E. M. OBEID: I am reflecting on the reality of what is happening in the community. Essentially, people migrate to this country in the hope of providing a better future for their children. No-one can take higher moral ground than members of the Australian Labor Party because people like Gough Whitlam and Neville Wran made us all feel proud of our identity, no matter what part of the world we came from. It is about time we stopped trading in our differences. We are all members of one community and the government of the day should spend sufficient funds to look after the whole community. That is what community relations is all about. The Community Relations Commission is a reflection that we are all of one community and all issues belong to us all; they should not be placed into different baskets with the suggestion, "This is an ethnic issue. Give it to Eddie Obeid, Henry Tsang or Helen Sham-Ho." We should be about making young Australians, who are the future of this nation, feel included. They do not want a label; they want to become part of the mainstream.

The Government is not suggesting that their linguistic and cultural origins should be denied; migrants should be proud of their backgrounds. And the Government is seeking to enshrine that feeling in legislation. Let us look to the future, to the children of tomorrow and what we are doing in the schoolyards and workplaces. Take for example the so-called Lebanese gangs of Bankstown and Lakemba. I speak to these people and their families week in week out and listen to their problems. These kids have been isolated in the schoolyard because of their ethnicity. They get picked on, they form into gangs and get up to no good. On the one hand we encourage them to remain Lebanese because of their ethnicity but on the other hand when things go wrong the community is up in arms and groups are labelled as Lebanese gangs. You cannot have your cake and eat it too.

Our children should not be encouraged to adopt the ethnic label. Multiculturalism and all the issues relevant to multiculturalism are embodied in legislation, which is where they should be. I am about building a new society, taking away the labels and respecting the cultures, backgrounds and languages of all migrants in this country to ensure that they feel included.

The Hon. J. M. SAMIOS [8.47 p.m.]: Mr Chairman, I appreciate the latitude you have extended to members in this debate. However, certain points have been made and must be answered briefly and succinctly. My amendments say nothing about the use of the word "ethnic".

The Hon. D. J. Gay: So the Minister's speech wasn't about your amendments?

The Hon. J. M. SAMIOS: Apparently not. The issue is about the inclusion of the word "multiculturalism" because that is basically what the commission is doing; it is dealing with multicultural issues. The Federal Minister for Immigration and Multicultural Affairs, the Hon. Philip Ruddock, deals with those issues and, therefore, the term "multicultural" is included in his portfolio. Similarly, the term is included in the titles of bodies throughout Australia that deal with multicultural affairs. Why, therefore, is it unreasonable to expect that this structure, which deals with multicultural affairs, should have the term included in its title?

People have said, "What is in a name?" Well, I will tell the Committee what is in a name. I remind honourable members of the millions of dollars that were spent to change the name of the Bank of New South Wales to Westpac Banking Corporation. Exxon Oil paid phenomenal amounts of money to have its name changed. To accept the argument that a name is not relevant is to wipe out the whole profession of marketing. It is a nonsense. A structure that is being set up to deal with multicultural affairs should have that fact reflected in its name. To argue that it is reflected in the name of the bill is meaningless because once the legislation is passed, the general marketplace will not be cognisant of the name.

The by-line was an attempt by the Government to have it both ways. We put it to them; we said, "Make it the name." The argument was that it was not acceptable. Clearly, it is an elementary thing in a democracy for a structure to have a name that reflects its worth. Is there something to be ashamed of? I do not think the Minister or anyone else has said that there is anything shameful in our multicultural society. Bob Carr, and I give credit to him, has eulogised throughout the Olympic Games about the contribution of our multicultural society. He is proud of the fact that people from 230 culturally diverse backgrounds have come to Australia and made a contribution. What has given those people from non-English speaking backgrounds and people from migrant backgrounds the great—

The Hon. E. M. Obeid: We are all migrants in this country.

The Hon. J. M. SAMIOS: Yes, indeed. What has given such people the great zest for Australia in recent times is the marketing of the Olympic Games. They felt so very Australian. They are proud to be Australian and equally proud to have come from culturally diverse backgrounds. Why? Because the Olympics have shown us that Australia is a tolerant country, a democracy that truly appreciates who you are no matter where you come from. It does not matter whether you are an indigenous Australian; whether you were born here or overseas; or whether you come from one of 230 culturally diverse backgrounds.

All we are asking for—I cannot think of anything more humble to ask for in this Parliament—is that the name of a structure that deals with a certain issue reflects in its name that particular role. What have we got to be ashamed of in calling this structure the Community Relations and Multicultural Affairs Commission? What is shameful about that? Is there anyone in this House who can say that that is a shameful thing? Where will that cause division within the community? Right around Australia every structure with such a purpose has in its title a reference to multicultural affairs. The Federal Minister's portfolio includes such a reference. That is all we are asking for. We supported the bill yesterday. The bill went through with our support. We are simply carrying on the great tradition that Neville Wran introduced. Honourable members should read in *Hansard* what Neville Wran said at that time.

The Hon. E. M. Obeid: It is past.

The Hon. J. M. SAMIOS: It is not past. Migration will continue to bring people to this country. That is the position.

The Hon. Dr P. WONG [8.53 p.m.]: I think some truth has been spoken, but I believe Reverend the Hon. F. J. Nile has a short-term memory.

The Hon. J. H. Jobling: Selective memory.

The Hon. Dr P. WONG: Selective and short term—or deliberately short term. I have here a submission. I showed every committee member the survey that I conducted. Nobody told me at that time that I had made one single mistake. Honourable members will note that only a few organisations support a by-line. In fact, almost everyone supports the additional word "multicultural" in the name—almost everyone, except the chairman of the Ethnic Affairs Commission [EAC].

The Hon. H. S. Tsang: The Government would have the name.

The Hon. Dr P. WONG: It was not the full name, thank you very much. That was the truth. I am not calling anyone a liar. I do not wish to use such a term, but I believe that somebody who chaired a committee ought to show impartiality. The truth must be spoken, regardless of one's feelings. May I also quote, in case Reverend the Hon. F. J. Nile has forgotten, that he drafted the report of General Purpose Standing Committee No. 1—"Inquiry into Multiculturalism", the interim report dated May 2000. It states, under the heading "Name of the Commission":

The most contentious issue arising from the bill is the proposed change of the name of the Ethnic Affairs Commission to the Community Relations Commission. The great majority of the submissions received by the Committee, and every witness who appeared before the Committee, expressed a view on the name. The great majority of the evidence presented to the Committee supported the view that the name "Community Relations Commission" ought to be enhanced by reference to multiculturalism

I repeat: the name, not the by-line. If the majority of the committee members come up with a recommendation, that is fine. However, one must not twist the truth. I would also like to remind honourable members that the Labor Party federally supports the words "multicultural affairs"—or is that a surprise to the Minister? It is not, is it? What I am saying is that at least the Federal Labor Party has agreed or has a bipartisan view that there is great merit in retaining the word "multicultural".

As far as the word "ethnic" is concerned, I share the view of the Hon. J. M. Samios. Nobody disagrees that we should do away with the word "ethnic". On the other hand, nobody should be ashamed that he or she is a member of an ethnic community. I have no doubt that Minister Obeid is proud of his name, so is Samios, so is Cohen, so is Wong. I am a proud ethnic. I am also a very proud Australian and that is why I am here today to set the record straight. I want the truth to be told. There is no reason in my mind to delay this bill. There is no fear. The Government waited for 12 months to entice the vote of the Hon. Helen Sham-Ho, one way or the other.

The Hon. Helen Sham-Ho: To consult.

The Hon. Dr P. WONG: It is interesting that the Hon. Helen Sham-Ho used the word "consult". When she wrote a letter to the Premier over 12 months ago, he did not even bother to reply for nine months. He did not consult her. Once she changed her mind he wrote her a letter very quickly. He replied within one week. What kind of consultation is that?

The Hon. HELEN SHAM-HO [8.58 p.m.]: I wish again to refer to the title of the commission and the term "multiculturalism". I have said it before but I will say it again. Many, many people wanted "multiculturalism" included in the title of the commission. I am not denying that. I have not resiled from the fact that there are people who want it. But there are also people who did not mind not having the word "multicultural" in the name itself, because they want to be inclusive—that includes the Minister and me. Honourable members know by now about my amendment. If my amendment is supported and this amendment is defeated, the name would be "Community Relations Commission for Multicultural New South Wales". In fact, the word "multicultural" is incorporated, as I said before. But the Government did not have that mandate when it went to the election in 1998. I give the Government credit for laying the bill on the table for many months. That is all a government can do, because the community needs time to consider such matters.

I take up the point raised by the Hon. Dr P. Wong. When I wrote my press release last September I was very neutral on the matter. At one stage I agreed that the word "multicultural" should be included in the title. I agreed with the Hon. J. M. Samios and the Hon. Dr P. Wong and then I wrote to the Premier, but he did not reply for many months. However, the Premier has now replied to support my proposed amendment. I was advised that the Premier had consulted extensively with the community. That is the political process. People have a right to change their minds, and this change is for the better anyway. I cannot understand why people should be subject to personal attacks because they disagree—as I was and Reverend the Hon. F. J. Nile and others were. We are debating this matter tonight because we disagree.

We reflect the wishes of the groups who consult us. I am here to reflect the wishes of the people who told me their preferences. Obviously, in the beginning not many people came to talk to me about the matter but as time went by more and more people came to me. It is my right to change my mind and adopt a new position. It is ludicrous that I should have to suffer such personal attacks as that made by the Hon. Dr P. Wong. I will say more about that when I move my amendment.

The Hon. J. S. TINGLE [9.04 p.m.]: I am not sure that I believe what I am hearing tonight, and I am terribly saddened to have heard it. What a tragic turn this debate has taken. What a tragic turn when people such as the Hon. Helen Sham-Ho, the Hon. Dr P. Wong and the Hon. J. M. Samios are at odds with each other over what is essentially a word. I am unbelievably saddened that an issue as important as Australia's identity should have brought forth such incredible vitriol and such unbelievable bitterness in colleagues who share one marvelous thing together: this country. I do not care about the term "ethnic" or the term "multicultural". I am not sure why we need either term. I am not even sure why we need an Ethnic Affairs Commission, a Community Relations Commission, a Multicultural Affairs Commission, or anything else.

We are, whether we like it or not, and have been for a long time, a multicultural society. We are a society which has evolved since the end of World War II into one of the richest societies in the world. We have inherited the cultures of other countries and no country has what we have got. No country shares the riches we share. I do not know why we have to have any kind of measure that compartmentalises people. Previously in this Parliament I have said that I hate tags which set people into little boxes; I have hated them since I saw Auschwitz. Tonight we are debating an important bill, which I believe in my heart we should not need to have; a bill which should never have been necessary in this tremendous society. I understand what the Hon. J. M. Samios, the Hon. Helen Sham-Ho and the Hon. Dr P. Wong have said, and they are all right and they are all wrong.

None of this is necessary. I heard what the Minister for Mineral Resources said and was very moved by it, because I really believe that he got closer to the question of where this country should be and where this country is going than anything else I heard in debate last night and tonight. People talk about the Olympics. We had the Olympics as one people; we were a happy nation that welcomed people from all over the world regardless of where they came from and regardless of where we originally came from. We welcomed them with open arms and were nice to them. Someone had the brains to put a happy pill in the Sydney water supply and it worked very well!

All I can say is: Please, we are not an ethnic people, we are not a multicultural people, we are a blend of people. We are immensely fortunate in that regard. We could not have organised that if we tried—it happened

to us. As someone who lived through the Second World War and saw all the references to "reffos" and other terms come to nothing when we understood that we were getting something rich, something we had never had before, I am immensely grateful to have lived long enough to have seen what this society has become. For heaven's sake, in this debate tonight can we please forget our little compartmentalised differences about "ethnic" and "multicultural" or where we came from. I come from Irish, Scottish, English, Spanish and Jewish stock. If you must use a word, I am an ethnic Australian. We are all Australians. Forget the rest. Please!

The Hon. ELAINE NILE [9.05 p.m.]: I want to add my tuppence worth. Recently I read an article in a women's magazine written by a lass who migrated to Australia. She related her experience 30 to 40 years ago of going to school. She wrote of the reaction of the Australian kids she used to sit with when she opened her lunchbox because of the smell that emanated from it. She said she longed for her mother to give her a Vegemite or peanut butter sandwich for school. She wrote of her pleasure that today Australian people eat Chinese, Thai and French food—indeed, anything they like. I have never eaten witchetty grubs, although I have been offered them pulled straight from the tree. When my Aboriginal brother said, "Try one, sister," I replied, "Not yet. I am not ready for that yet."

The young lass wrote, "Now I feel that we are all one, because we can all at least understand each other's foods." Those are the words of a grown, mature woman relating her childhood experiences of cultural differences. She now considers that we are all Australians. She wrote, "I consider that we are not many nations, we are one nation. In that sense Australians have matured enough to accept the foods that I grew up with and I can eat them openly and Australians are eating them with me." Some members of this House came from other countries. I recall I went to school with a Jewish girl and I sat alongside an Aboriginal boy. That was pretty strong stuff in those days. But now we have matured.

At the Olympic Games Australia was represented by a Russian-born athlete, and we were proud of her. She participated as an Australian. People want to be part of a community, and we are an Australian community. Of course people want to keep their backgrounds, their origins, their culture and so on, but on the whole we are seen to be, and we are, one community. Like the Hon. J. S. Tingle, I too was disappointed about what I heard said in this debate. We are all one nation, we are Australian, and we should be proud of it. I have Irish-Scottish blood, and sometimes—like tonight—I feel that blood rising in me. But I am Australian and I am proud of it. People have come to Australia because they have seen it as a good country, a fair country. They did not go to the United States of America or to England, they came here and they want to be Australians. Please, in God's name, let us all be Australians.

Ms LEE RHIANNON [9.09 p.m.]: I want to comment on a few aspects of the debate. The Hon. J. S. Tingle said he did not care about the words "multicultural" and "ethnic". I suppose he sticks by that unfortunate terminology. It was not a good start to the debate. He also said that we are not a multicultural people. On that score I would agree with him, but we are a multicultural society, and that should be acknowledged. I would like to expand on the word "multicultural" because that aspect was also taken up by the Minister for Mineral Resources. The Minister used an unfortunate and dishonest turn of phrase when he said that we had to get rid of the word "multicultural" because it has an "us and them" connotation. He is even going against Labor statements.

For years we have taken a bipartisan approach to multicultural celebrations in our society, which many of us have warmly welcomed. Let us remember the meaning of the word "multicultural". It means that we are all included. I hope that the Minister and the Hon. J. S. Tingle listen to what I am saying. Multiculturalism is not about division or a "them and us" mentality. It is about all people being included. For decades it was used in this way and that is how we have celebrated it. It is most definitely not a divisive term. The Government should be educating people about multiculturalism, not stepping away or trying to hide from it. We are seeing a form of ethnic cleansing. That is what it all boils down to. The Minister and the Hon. J. S. Tingle referred to the Olympics. Let us remember the aspects of the Olympics. Firstly, I will provide some anecdotal comments about my experiences and the experiences of my friends.

The Hon. E. M. Obeid: You did not want the Olympics.

Ms LEE RHIANNON: The Minister says we did not want the Olympics. That is not true. As we do in many areas, we were trying to improve the Olympics. That is what we should all be trying to do. Many people from ethnic communities said they felt proud to be Australian during the Olympics. We would all acknowledge that many people would still see themselves as Lebanese, Italians or Greeks first. But because the Olympics were inclusive, particularly the opening ceremony, people felt Australian. There is a balance in what we are

talking about. One can still identify with one's country of origin, be proud of it and speak about it, but also feel Australian. Those two go together. Often during this debate one would think from some of the members' comments, including the Minister, that they were exclusive. There was a positive aspect to the opening ceremony. An important issue from the Olympics which has been buried in this debate is that the bid process—

The Hon. J. H. Jobling: Point of order: With great respect, I do understand what the honourable member is saying and how she is trying to tie it in, but I cannot see in the amendments any specific reference to the Olympics. I would again ask that the honourable member be drawn back to the 17 amendments, which deal with the specific exclusion and insertion of words. I do not wish to stop her, but I wish her to address the 17 amendments.

Ms LEE RHIANNON: To the point of order: All the remarks I have made, including my comment about the Olympics, are tied in to specific aspects of other honourable members' comments in the debate. I have been very clear. I am surprised and disappointed that the Hon. J. H. Jobling has attempted to stop me speaking on these aspects. I am addressing the comments made by previous speakers in this debate.

The Hon. J. H. Jobling: Further to the point of order: The basis of what comments other honourable members made is a matter for debate. I simply ask that the member be drawn back to the amendments. I have every right to do that. We have reasonably canvassed a great many issues. I do not wish the debate to get even broader. Therefore, with respect, I again ask that the honourable member be brought back to the relevant matter we are debating in Committee.

Ms LEE RHIANNON: Further to the point of order: Earlier when points of order were being taken the Hon. J. H. Jobling appealed for a similar ruling to that given previously which recognised the need for latitude. I am addressing comments made by previous speakers. So that honourable members know where I am going, I have only a few more sentences about the Olympics and I will go on to explore other matters that honourable members raised in debate.

The CHAIRMAN: Order! All 17 amendments relate to the inclusion of the term "multiculturalism" in the name of the commission. I take the point made by the Hon. J. H. Jobling that the time of the Committee is being taken up by references to the Olympics rather than by a consideration of the amendments. I ask the honourable member to address her remarks to the amendments before the Committee.

Ms LEE RHIANNON: The relevance of the bid process is that we won the right to host the Olympics because the multicultural aspect of Australian society was presented in the bid. That was emphasised time and again. When talking about the Olympics, that cannot be forgotten. I appeal to members to keep that in mind. In arguing against the amendments, the Minister also talked about categories of ethnicity. He said he did not want this to occur and thought that it was most damaging. I hope that the majority of members in this place would agree with him. Let us remember that it is not long ago that the well-paid police commissioner in this State condemned Lebanese gangs.

The Hon. E. M. Obeid: That is how they labelled themselves. That is what they were calling themselves.

Ms LEE RHIANNON: The police commissioner used that term and knew that it was damaging, and the Premier supported him. It caused an incredible furore. Anglos are not told to take responsibility for somebody like Bryant. It was extremely damaging. Double standards should not be imposed when addressing such issues. Some of the Minister's arguments were shallow and divisive, particularly his attitude of presenting multiculturalism as a "them and us" mentality.

The Hon. E. M. Obeid: When is the last time you spoke to an ethnic family?

Ms LEE RHIANNON: I do it all the time.

The Hon. E. M. Obeid: Do you listen to their problems?

Ms LEE RHIANNON: Yes, I most definitely do. The Minister is becoming insulting in his conduct of this debate. I would like to address some of the comments made by Reverend the Hon. F. J. Nile. He argued in favour of the amendment moved by the Hon. Helen Sham-Ho that the word "multiculturalism" be not hidden in the bill. We are yet to see how it plays out when this legislation is passed and when we are presented with the commission. Hopefully we are wrong and the word "multiculturalism" will be on the letterhead and in the telephone book.

Reverend the Hon. F. J. Nile: That is the amendment.

Ms LEE RHIANNON: The amendment of the Hon. Helen Sham-Ho does not place an obligation on the Government to use that word. That is why the Coalition has been specific and why there are 17 amendments. There is the need to ensure that the word "multiculturalism" is there at every point. Reverend the Hon. F. J. Nile said there was no difference between the two lines. Again I emphasise that there is most definitely a great difference between those amendments and there is no obligation on the commission to use the word "multiculturalism".

Reverend the Hon. F. J. Nile made a most extraordinary statement. I imagine that he made a mistake when he said it. I would be very surprised if even he believed it. He made an appeal to the Greens and the Coalition to go along with this bill because the Government has the right to have it passed. He said that is what the Government wants and that is how legislation is determined.

Reverend the Hon. F. J. Nile: You are blocking the bill.

Ms LEE RHIANNON: We are not blocking the bill, we are debating it. I cannot understand what has happened to Reverend the Hon. F. J. Nile but, as we so often notice in this place, the debate degenerates when we resume after the dinner break. I would not be surprised if that was the reason why the level of debate by Reverend the Hon. F. J. Nile degenerated. All I can presume is that he is mistaken in his statement. Reverend the Hon. F. J. Nile told us that the ethnic groups support the bill. In response to interjections he said that they must have changed their position. Yes, they have changed their position, but let us remember why.

This is where we get down to the really dirty politics that have surrounded the bill. As a number of honourable members said in the second reading debate, the bill captures the socially conservative vote, which is where the Labor Party is absolutely expert at locking up sections of the vote. We must put in context why a number of groups have changed their position. Just after the March 1999 election the Premier stated that we had to change the way that multiculturalism works in New South Wales.

The Hon. E. M. Obeid: That wasn't his statement.

Ms LEE RHIANNON: I have not said it was a direct quote. At that time the Premier stated that government policy on multiculturalism had to change. That was the first we heard that we could expect such a thing. The Ethnic Affairs Commission then began a campaign to explain to ethnic communities what was going on, and many submissions were received. In July 1999 Ethnic Communities Council funding was withheld for six months by the Ethnic Affairs Commission in a crude and blatant attempt to make it change its position. This is part of the scenario of why groups have changed their position. They were put under the most enormous pressure, and all the time the Premier's Office was tracking this closely, with some of his closest staff in this Chamber putting enormous pressure on crossbenchers, and pushing many of the ethnic communities.

Despite that and the ongoing funding crisis that resulted, the Ethnic Communities Council maintained its opposition. In April this year it distributed a fax sheet outlining its concerns. All the time the Government was chipping away at groups and making horrendous changes to funding and placing pressure on individuals. In June this year the Ethnic Communities Council was finally forced to dismiss its core staff because of all the pressure. The Government waged a concerted campaign to coerce ethnic communities and organisations into supporting these changes. The Government has never consulted the community directly, preferring to deal only with the leaders of ethnic organisations, and that is a most important point to remember in this debate when it is said, "We have all these groups supporting us."

Threats have been made and carried out to reduce or withdraw funding, and that is why Reverend the Hon. F. J. Nile is able to say that groups support the bill. Despite this incredible campaign, and with all the resources at its disposal, the Government has not succeeded in winning support from the majority of ethnic organisations, let alone ethnic communities. But it has succeeded in dividing communities, pitting people against each other with the threat of reduced funding and support hanging over their heads. That is the tragedy, and that is where I agree with the Hon. J. S. Tingle: there have been unpleasant aspects of the debate.

There is nothing wrong with a rigorous debate, but we know what the result will be. Not many matters in Australian society have a bipartisan approach. But there was a brief period in our history when, on multiculturalism, the major parties had their act together. Now, for political expediency and to lock up some more votes, we have this terrible situation. We know how it will spin out and what the vote will be, but it will be a sorry time for New South Wales and not a healthy time when division has been wrought to achieve such terrible lengths.

The Hon. Dr P. WONG [9.25 p.m.]: I wish to reply to the comments made by the Hon. J. S. Tingle. I do not think the debate was bitter, but it was vigorous. If we do not argue our points strongly, especially if we think we are right, we are not doing a proper job for the people of New South Wales.

Reverend the Hon. F. J. Nile: We shouldn't get personal.

The Hon. Dr P. WONG: I do not think, when I articulate the fact—

Reverend the Hon. F. J. Nile: You don't abuse people by not telling the truth.

The Hon. Dr P. WONG: I am quoting. I am happy for you to reply to anything I have said. I am showing you the paper, of which you have a copy.

Reverend the Hon. F. J. Nile: You shouldn't have made accusations.

The Hon. J. H. Jobling: Be careful, Fred.

The Hon. Dr P. WONG: Be careful, yes.

Reverend the Hon. F. J. Nile: Don't make the accusation, that is all I am saying.

The Hon. Dr P. WONG: I am also reading out the report drafted by you.

Reverend the Hon. F. J. Nile: That's right.

The Hon. Dr P. WONG: Under the heading "Name of the Commission".

Reverend the Hon. F. J. Nile: But don't suggest that people don't tell the truth.

The Hon. Dr P. WONG: You are the one telling people that members of this House support the by-line. What do you call that, the truth?

Reverend the Hon. F. J. Nile: That is the truth. I am quoting the truth.

The Hon. Dr P. WONG: In that case, I really feel sorry for you.

Reverend the Hon. F. J. Nile: I am quoting the truth. I have met with the ethnic leaders and that is what they have told me. They want it passed—

The Hon. Dr P. WONG: I was reading the report that you drafted, which said the majority—

The CHAIRMAN: Order! Standing orders provide that the member should address the Chair.

The Hon. Dr P. WONG: I apologise. I will wind up. To have a vigorous debate is the duty of parliamentarians, but not the bitterness.

The Hon. J. M. SAMIOS [9.26 p.m.]: I have too much respect for each and every member of this House not to believe that the debate has proceeded in good faith. If at times it appears to be strident or vigorous, that is the nature of the issue. Our concern is the Ethnic Affairs Commission, which is to have a change of name. The Ethnic Affairs Commission was instituted by Australians—and we are all proud Australians—to look after the needs of the newly arrived, as stated by Neville Wran in *Hansard*. He made the point that the Commonwealth had brought this great number of people from overseas to this and to other States, but there was a necessity for somebody to provide for their settlement needs after they arrived.

The Ethnic Affairs Commission continues to provide not only for migrants but also for those who have cultural difficulties. It has done so with style and dedication over the years. We have had bipartisanship in that respect and we hope that continues. The Opposition is concerned that we see fit not to reflect in its title the business of the commission. We want to remove any reference to ethnicity or multiculturalism. That is something that could be seen by many in the community as reflecting a concern about multiculturalism. That in itself is a matter of concern because we are a multicultural society and we are proud about it. We have been a multicultural society virtually since the arrival of the First Fleet.

In conclusion I simply say that we all should reflect on the fact that New South Wales has the highest migrant intake of all the States—it has been approximately 44 per cent over many years; much more than Victoria's—and we will continue to need to look after the newly arrived. We should take pride in the fact that, as Australians from 230 ethnic backgrounds, we are providing taxpayer funds to provide for the needs of the newly arrived. We should say, yes, is it not great that Australian society, which has powerful social cohesion, is concerned to look after the needs of the newly arrived under the name of the Community Relations and Multicultural Affairs Commission?

Question—That the amendments be agreed to—put.

The Committee divided.

Ayes, 16

Mr Breen	Mr Gallacher	Mr Samios
Dr Chesterfield-Evans	Miss Gardiner	Dr Wong
Mr Cohen	Mr Gay	
Mr Colless	Mr R. S. L. Jones	<i>Tellers,</i>
Mr Corbett	Dr Pezzutti	Mr Harwin
Mrs Forsythe	Ms Rhiannon	Mr Jobling

Noes, 18

Ms Burnswoods	Mrs Nile	Mr Tingle
Mr Della Bosca	Revd Nile	Mr Tsang
Mr Dyer	Mr Obeid	
Ms Fazio	Mr Oldfield	<i>Tellers,</i>
Mr Hatzistergos	Ms Saffin	Mr Manson
Mr Johnson	Mrs Sham-Ho	Mr Primrose
Mr M. I. Jones	Ms Tebbutt	

Pairs

Mr Lynn	Dr Burgmann
Mr Moppett	Mr Egan
Mr Ryan	Mr Macdonald

Question resolved in the negative.

Amendments negatived.

The CHAIRMAN: Order! Standing Order 174 provides that when a clause or amendment is under discussion a member speaking shall confine himself or herself to the matter of that clause or amendment. Consideration of Opposition amendments 1 to 17 was fairly wide ranging, but I warn honourable members that I intend to require members to be more concise when debating the remaining amendments.

The Hon. Dr B. P. V. Pezzutti: Why?

The CHAIRMAN: Is the honourable member canvassing my ruling? The word "multiculturalism" has a broad definition and it was appropriate that members were given some latitude when discussing the matter. However, the remaining amendments are more succinct and I expect honourable members to be more precise in their contributions.

The CHAIRMAN: Order! Standing Order 173 provides:

The Title and Preamble shall stand postponed without any Question being put until after the consideration of the clauses. Each clause shall then be read separately by its number being stated, and a Question shall be proposed by the Chairman "that the clause, as read, stand a clause of the Bill."

Accordingly, as consideration of the title and preamble is postponed, Greens amendments Nos 1 and 2 will be dealt with after consideration of the clauses.

The Hon. I. COHEN [9.40 p.m.]: I move Greens amendment No. 3:

No. 3 Page 2, clause 3, lines 18 and 19. Omit all words on those lines. Insert instead:

- (1) Parliament recognises and values the different linguistic, religious, racial and ethnic backgrounds of the people of New South Wales, who,

The cultural diversity of the population must be valued for the positive contribution which it makes to Australian society. Greens amendment No. 3 seeks to incorporate the word "values" after "recognise". I commend the amendment to the Committee.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [9.41 p.m.]: The Government opposes the amendment. It is covered by an amendment moved in the Legislative Assembly. That amendment was worded in liaison with the Jewish Board of Deputies.

Amendment negatived.

The Hon. Dr P. WONG [9.41 p.m.]: I move Unity amendment No. 1:

No. 1 Page 2, clause 3, line 26. Omit "and participate in," Insert instead "participate in and benefit from".

The amendment relates to the first principle of multiculturalism and stipulates that ordinary individuals should have an opportunity not only to participate in and contribute to public life but also to benefit from the process. The amendment is consistent with the policy of access and equity in decision making and distribution of services and resources which are managed by government on behalf of the community. It is important that the public process is organised in a way that opens the greatest opportunities for people to contribute to public life on an equal basis.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [9.43 p.m.]: The Government opposes the amendment. Enshrining in legislation the right to a benefit as proposed by this amendment would be open to misinterpretation in the community and could also be used in the future to selectively bestow patronage. The thrust of this legislative package is in itself for the totality of our community to benefit from the work of the new Community Relations Commission and is underpinned by the principles of multiculturalism.

Amendment negatived.

The Hon. D. E. OLDFIELD [9.43 p.m.]: I move:

Page 2, clause 3, line 27. Insert "in which they may legally participate" after "public life".

Principle 1 would then read:

All individuals in New South Wales should have the greatest possible opportunity to contribute to, and participate in, all aspects of public life in which they may legally participate.

I suggest that the words of principle 1, if not amended, may be interpreted to mean that those who support the statement are in support of anyone in New South Wales, regardless of citizenship status, being allowed to vote or stand for public office. To state that something "should" be is to insinuate that the arrangement is not as you would like it, and would likely lead to the interpretation that those who support such a statement desire a change. It must be understood that this principle as presented is not in any way legally binding. It is philosophical; it is not law as such. If it were law and were legally binding—which it is not—it would not require any overrides or qualifications.

While the statement identified as principle 1 is not law and hence not legally binding, my amendment provides the appropriate qualification to this philosophical statement in so much as those restrictions that are a matter of law and relate to the need for individuals to first be citizens as opposed to simply residents when it comes to the rights and responsibilities related to the various electoral Acts. This amendment is a small technicality, but it is important in the need to be clear and therefore remove the possibility of the misinterpretation that could occur if the existing wording remained unamended. This amendment simply adds to the existing words and removes any prospect of misinterpretation, fairly and without discrimination. I thank the Government for supporting this change and I commend the amendment to the Committee.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [9.45 p.m.]: The Government accepts the amendment.

The CHAIRMAN: Order! The Hon. D. E. Oldfield has moved his amendment number—

The Hon. Dr B. P. V. Pezzutti: Mr Chairman, the Hon. J. M. Samios wishes to speak to the amendment.

The CHAIRMAN: Order! I did not hear the Hon. J. M. Samios seek the call.

The Hon. Dr B. P. V. Pezzutti: You should call for other speakers.

The CHAIRMAN: Order! Members who wish to speak should attract my attention. If they do not, they do not receive the call.

The Hon. J. M. SAMIOS [9.46 p.m.]: The Opposition does not support the amendment.

Amendment agreed to.

The Hon. I. COHEN [9.47 p.m.]: I move Green's amendment No. 4:

No. 4 Page 3, clause 3, lines 2-5. Omit all words on those lines. Insert instead:

All individuals, and public institutions should respect the right of all ethnic communities and cultures to exist with equal standing as integral parts of a multicultural society.

Principle 2 of the principles of multiculturalism is limited in its application. It applies only to public institutions. The Greens amendment proposes that it be extended to private organisations. Additionally, the qualification currently contained within principle 2 is potentially discriminatory. It may be used to justify producing material only in English. It may also be used to deny the provision of interpreter services. The provision of interpreter services to assist people who speak community languages other than English is central to multiculturalism—dare I say that word. It is particularly important in the legal and medical contexts that sufficient interpreting services are available in courts and hospitals. The Greens do not deny that English is the common language of Australia. This is stating the obvious. We are concerned, however, that the wording of the bill could diminish the availability of services to assist people whose first language is not English. I commend Greens amendment No. 4 to the Committee.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [9.48 p.m.]: The Government opposes the amendment. The current wording is about public institutions accepting the cultural diversity of the people within a single institutional framework. The proposed amendment on the other hand would be seen as reinforcing the splintering of society. The amendment would remove the reference to English as being the common language of Australia. This is totally unacceptable to the Government.

The Hon. H. S. TSANG [9.49 p.m.]: I move Government amendment No. 2:

No. 2 Page 3, clause 3, line 2. Omit "public".

This amendment emphasises—

The Hon. Dr B. P. V. Pezzutti: Oh, Henry, for heaven's sake, keep up.

The CHAIRMAN: Order! As Greens amendment No. 4 and Government amendment No. 2 deal with the same issue, I rule that they be moved and considered together. At the conclusion of that consideration I shall put the question on the Greens amendment first and then the question on the Government amendment.

The Hon. H. S. TSANG: This amendment emphasises that respect and provision for cultural diversity should be embraced by the whole community and not limited to individuals and public institutions.

Reverend the Hon. F. J. NILE [9.49 p.m.]: I agree with the Government's position on the amendment moved by the Hon. I. Cohen. It is an obvious fact that English is our common language. I do not see any harm in retaining that; in fact, I think it is very important. I can give many arguments why it should be retained. I refer to

what is happening in the United States of America at the moment. Some schools in California are now teaching children in Spanish because the majority of the children in the classes are Spanish, but many of the children do not understand Spanish. They are the sorts of problems that can arise if the principle is not stated in legislation.

Greens amendment No. 4 negatived.

Government amendment No. 2 agreed to.

The Hon. H. S. TSANG [9.50 p.m.]: I move Government amendment No. 3:

No. 3 Page 3, clause 3, line 12. Omit "public".

This amendment conforms with the previous amendment in emphasising that respect and provision for cultural diversity should be embraced by the whole community and should not be limited to individuals and public institutions.

Amendment agreed to.

The Hon. I. COHEN [9.51 p.m.]: I will not move Greens amendment No. 5.

The Hon. Dr P. WONG [9.51 p.m.]: I move Unity amendment No. 2:

No. 2 Page 3, clause 3, lines 16-19. Omit all words on those lines. Insert instead:

- (2) Parliament recognises that those principles stand alongside citizenship. The expression *citizenship* refers to the rights and responsibilities of individuals arising from their legal status as Australian citizens or permanent residents and from their membership of Australia's multicultural society, which involves:

I was going to move Unity amendments Nos 2 and 3 in globo but I understand that the Government will accept amendment No. 3, so I have just moved amendment No. 2. This amendment supports and improves the definition of "citizenship" included in the bill so that it better reflects some recommendations of the National Multicultural Advisory Council and the Australian Council for Citizenship with regard to the promotion of the concept of multicultural citizenship. The amendment stipulates that the concept of multiculturalism is closely linked and equal to the concept of citizenship, but that multiculturalism does not arise from citizenship as it is currently stated in the bill. Furthermore, people who are not legal citizens of Australia should not be expected to have an overarching commitment to Australia but they should still have a unifying commitment to Australia. The intention of the amendment is to minimise the possibility for an assimilationist or intolerant attitude towards non-legal citizens to arise out of the citizenship definition in the bill. The amendment has the support of the Ethnic Communities Council of New South Wales.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [9.53 p.m.]: The Government opposes the amendment, which reinforces differences in the rights and responsibilities of citizens and permanent residents who are non-citizens. The broader definition of "citizenship" outlined in the legislation embraces all residents of New South Wales.

Amendment negatived.

The CHAIRMAN: Order! Government amendment No. 4 and Unity amendment No. 3 are the same.

The Hon. H. S. TSANG [9.53 p.m.]: I move Government amendment No. 4:

No. 4 Page 3, clause 3, line 22. Omit "an overarching and". Insert instead "a".

This amendment clarifies the clause so that it is not subject to misinterpretation by retaining the thrust of the existing wording. The commitment is clearly to Australia.

Amendment agreed to.

The Hon. HELEN SHAM-HO [9.54 p.m.]: I move:

Page 5, clause 6. Insert after line 9:

- (4) The Commission is to adopt the phrase "For a multicultural NSW" for use in conjunction with the name of the Commission.

Debate on the amendments of the Hon. J. M. Samios consumed considerable time in this House. It has been a long and winding road for us to reach this point with the bill and many members of the community as well as many members of this Chamber are keen for this bill to pass. It has been a source of divisive and extensive debate within and outside this Parliament. The only contentious aspect of the bill has been the name of the commission, never the content of the bill, which is minor. Although the community is keen to see the bill passed, the name has been a sticking point and a source of conflict. My amendment is important because it will overcome the problem of the name of the commission, although people do not seem to believe that. The amendment will unify the community once more if people do not become personal about it.

Parliamentary Counsel has advised me that the legal effect of my amendment will make it mandatory, obligatory, for the Community Relations Commission to include in its usage "for a multicultural New South Wales". Every time the words "Community Relations Commission" are used, the words "for a multicultural New South Wales" must, by law, appear with it. It is not optional for the commission to adopt it, it is obligatory that "for a multicultural New South Wales" be incorporated as part of the name of the commission. I have received numerous letters in support of this amendment. Many community organisations wrote to me to express their support. Crossbench members and the Coalition were given a copy of these letters of support. The Premier has also supported my amendment.

I am pleased that this can be contrasted with standard letters against my amendment. These letters were written to the crossbench members, including the Hon. Dr P. Wong. They were part of an orchestrated campaign against my amendment. I do not think they represent the majority of the community. There are people who support it and those who do not necessarily support it. I am not trying to push anyone's political barrow with this amendment but I cannot stress the point enough that I am merely attempting to bridge the gap when one side cannot or will not listen to the other, as was demonstrated in the earlier debate. There is a saying in the Chinese classics, "If you don't want to be broken, bend." It seems to me that in adopting a compromise—and it is a good compromise—we can reach the best solution to a very sensitive, emotional and important issue, and this is it. An open mind and a willingness to change are possible in this process.

When this bill was originally tabled I issued a press release, which I have already read, to say that I was open to suggestions by members of the community for any change or improvement to the name of the commission even though I personally had no problem with the name being the Community Relations Commission.

I have said it before and did not want to repeat it, but I will repeat it. I think that the word "ethnic" is long past its used by date and is perceived to be non-inclusive. There is no doubt the word "multicultural" is inclusive. Not only the Chairman of the Ethnic Affairs Commission, Stepan Kerkyasharian, supports my amendment. The very first chairman of the commission, Dr Paolo Totaro, also agrees that my amendment that the Community Relations Commission include the phrase "for multicultural New South Wales" is a very positive change. The inspiration for the positive compromise that I am moving now came from a group of Chinese organisations. Several of them came to Parliament House to brief the crossbenchers on 11 April. They are: China Australia Friendship Society, Australian Chinese Community Association, Chinese Australian Forum, Chinese Youth League, Chinese-Australian Services Society and the Chinese-Australian Union.

They proposed a by-line for the Community Relations Commission. It was supposed to be an optional by line, but my amendment is not optional, it is obligatory. This was also recommended by the General Purpose Standing Committee No. 1 inquiry. Reverend Hon. F. J. Nile has read onto the record the recommendation, but I will read it again. The recommendation from the "Inquiry into Multiculturalism" conducted by General Purpose Standing Committee No. 1 specifically referred to this section of the bill. It reads as follows:

The commission may adopt the phrase "for Multicultural New South Wales" for use in conjunction with the name of the commission where appearing in promotional literature, official documents and the material issued by or on behalf of the commission.

Very often people criticise the Government for not implementing committee recommendations. For a change, the Government has accepted the committee's recommendations. Now the crossbenchers do not want it—in fact, they oppose it. Last night the Hon. Dr A. Chesterfield-Evans referred to the inquiry but he did not seem to realise that the committee had completed that section of the inquiry and that this is the recommendation. My amendment goes further than the proposal: it is not a "may", it is a "must". As I said, the phrase "for Multicultural New South Wales" must by law be used by the commission in conjunction with its name, Community Relations Commission. Therefore, the word "multicultural" is actually in the name of the commission.

It illustrates clearly that the commission's role is inclusive of all people in this State regardless of their ethnic background, whether they are indigenous Australians or non-indigenous Australians; whether they are newcomers or born here. This is a term that includes the majority and minority within our diverse population. I believe this is a step towards a more harmonious and unified New South Wales. I thank the Government for supporting my amendment. I hope that every member of the Legislative Council will also support it because this is what most people want, although some people still do not want it.

Reverend the Hon. F. J. NILE [10.02 p.m.]: The Christian Democratic Party strongly supports the amendment moved by the Hon. Helen Sham-Ho. I am pleased that the Government will also support it even though it is a stronger amendment than that recommended by the committee, which contained the word "may". I congratulate the Hon. Helen Sham-Ho for working so hard to find a solution to the deadlock so that the bill can proceed and become law. We enthusiastically support the amendment.

The Hon. Dr B. P. V. PEZZUTTI [10.03 p.m.]: I may be a bit slow and it may be that I do not understand what the Hon. Helen Sham-Ho is talking about. She has said that the phrase "for a Multicultural New South Wales" is to be used in conjunction with the name of the commission. If her amendment is agreed to, will the commission's name on its letterhead appear as follows, "Community Relations Commission of New South Wales for a Multicultural New South Wales"?

The Hon. Helen Sham-Ho: Yes.

The Hon. Dr B. P. V. PEZZUTTI: Why will she not accept the amendment "Community Relations Commission for a Multicultural New South Wales"? That is exactly what we were talking about earlier. I am asking the honourable member if that is what she envisages—although that is not what the Government will necessarily do. Will the letterhead or the outside of the building say "Community Relations Commission of New South Wales" in big bold gold letters with a tag at the bottom "for a Multicultural New South Wales" in red or green? Is that how she envisages it? When the commissioner is introduced as the Commissioner for Community Relations of New South Wales at formal functions will they then also have to say "for a Multicultural New South Wales"?

The Hon. Helen Sham-Ho: Yes.

The Hon. Dr B. P. V. PEZZUTTI: I have to say that that is extremely clumsy English at its worst. I can understand the sentiment—

Reverend the Hon. F. J. Nile: Let us vote on it and be done with it.

The Hon. Dr B. P. V. PEZZUTTI: Mr Chairman, I ask you to direct Reverend the Hon. F. J. Nile to be quiet while I am making my contribution. I am not inviting his comments during my speech. I did not comment during his speech.

Reverend the Hon. F. J. Nile: Yes, you made comments all the time.

The Hon. Dr B. P. V. PEZZUTTI: The honourable member can appeal to you for silence when he is speaking. I am asking you to direct him to be quiet when I am speaking.

The CHAIRMAN: Order! The Hon. Dr B. P. V. Pezzutti has the call.

The Hon. Dr B. P. V. PEZZUTTI: My question to the Hon. Helen Sham-Ho is as follows: Is that not a very clumsy way of achieving something? What would be different if it were "Community Relations Commission for a Multicultural New South Wales"? Did she attempt that negotiation with the Government?

The Hon. D. J. GAY (Deputy Leader of the Opposition) [10.06 p.m.]: I want to ask the Minister a question because we are now discussing and about to vote on an amendment moved by the Hon. Helen Sham-Ho, which I am sure the Government has found very useful. I remember that in respect of a previous bill the Hon. Helen Sham-Ho moved an amendment that the Government also found useful, but the Government declined to proclaim that particular part of the bill. I am seeking an undertaking from the Minister that if this amendment is carried it will be proclaimed this time.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [10.07 p.m.]: It is quite clear that the Government supports the amendment. The commission is to adopt the phrase "for a Multicultural New South Wales" for use in conjunction with the name of the commission. I am not prepared to pre-empt what the Government will or will not do. I am not prepared to do that.

The Hon. J. H. Jobling: Why not?

The Hon. E. M. OBEID: It is the literal term of the amendment and the Government is supporting it.

The Hon. HELEN SHAM-HO [10.09 p.m.]: In answer to the question asked by the Hon. Dr B. P. V. Pezzutti, I do not think we accept that it is the same merely because the wording is the same. As I said in my introduction to my amendment, this is what the community wants and it is supported by the Government. If it is passed and proclaimed, each time "Community Relations Commission" appears the phrase "for a Multicultural New South Wales" will appear with it. May I suggest that we usually say "Ethnic Affairs Commission" but we also say "EAC"; for "Ethnic Communities Council" we say "ECC". As I see it, no doubt it will be boiled down to "CRC". This is common usage. If people do not understand the full term, so be it. This is usage. There is nothing that the Government or anyone can control if people do not want to say it, if they think it is clumsy. I admit it is clumsy but if the Government proclaims it—I am not saying that the Government will or will not proclaim it—it becomes law those words have to be used. It is not an optional by-line as suggested by Reverend Hon. F. J. Nile or the Chinese community organisations.

I am used to late nights and am quite happy to talk on, if I have to. I am explaining my amendment. If it is passed and proclaimed, those words should and will appear in the bill. I checked with Parliamentary Counsel several times and I was informed that although I could say that they "must" appear, "should" is the better technical term. I advise Ms Lee Rhiannon, who referred to the Opposition's 17 amendments, that mine is the only amendment affecting the structure of the legislation. I am not a constitutional lawyer or a draughtsman, so I may not be explaining this fully. My amendment seeks to add a further subclause to clause 6. I am not amending the clause, just proposing an addition.

The Hon. R. S. L. JONES [10.11 p.m.]: I note the phrase "For a multicultural NSW" begins with a capital "F", therefore it cannot be part of the title. The word "multicultural" begins with a lower case "m", and therefore is not part of the title. So the phrase "For a multicultural NSW" will be separate from "Community Relations Commission" and therefore cannot be a tag after the title because the phrase begins with a capital letter. It could be in any sized type, the words "Community Relations Commission" could be in 24 point type, and the words "For a multicultural NSW" in four point type. It would be quite separate. The Hon. Helen Sham Ho has been fooled and she should not have caved in as she did.

The Hon. Dr B. P. V. PEZZUTTI [10.12 p.m.]: The other question I had for the Hon. Helen Sham-Ho is: In her negotiations with the Government did she suggest that in subclause 6 (1), line 3, the name of the commission be the "Community Relations Commission for a Multicultural New South Wales"? If she suggested that, what was the Government's response?

The Hon. HELEN SHAM-HO [10.13 p.m.]: I have repeatedly said tonight and also in my introduction that initially I was supportive of the amendment moved by the Hon. J. M. Samios. I admit openly that this is a good compromise, because it is accepted by everyone. It also can convey the same message. The amendment moved by the Hon. J. M. Samios and the Government's position are supported. I have already admitted that, and it comes down to a personal choice. My amendment is to add a subclause.

The Hon. H. S. TSANG [10.13 p.m.]: A question was asked by the Opposition as to whether this amendment would be proclaimed. Obviously, the Government can proclaim or not proclaim the whole bill, but this amendment is to the name. This amendment will replace the name proposed by the Government. Therefore, instead of the Community Relations Commission it will be the Community Relations Commission for a Multicultural New South Wales. If the Government does not proclaim this amendment, there will be no name for the commission, therefore it will not have a name. That is the advice I received from a barrister.

The Hon. Dr B. P. V. PEZZUTTI [10.14 p.m.]: The Hon. H. S. Tsang is attempting to do what the Hon. J. M. Samios wanted to do; and that is to include the word "multicultural" in the title. Unfortunately, the same will happen with this bill as happened with the WorkCover bill, in relation to which the Government accepted a strong amendment from the Hon. Helen Sham-Ho but then did not proclaim that part of the bill. The Hon. Helen Sham-Ho is aware of that. It may be that the Government will find this all a bit too tricky. As my colleague the Hon. R. S. L. Jones pointed out, it may be too tricky because words begin with a capital or lower case letter or because the initials "NSW" are suggested rather than the words "New South Wales". It is not as if there will be an option, as suggested by the Hon. Helen Sham-Ho; the title will have to be in that particular form not in a similar form.

The Government could simply say, "We are terribly sorry but it just does not look right, it is not sensible and it will have to be amended." Parliamentary Counsel would have advised her to put that in, but I

think they made a bit of a glitch. The Hon. Helen Sham-Ho may need to consider putting this amendment off until a later time so that the matter can be clarified. It may well be that this is a real problem. I agree with the Hon. R. S. L. Jones. I ask whether the Hon. Helen Sham-Ho has tried to simply insert the phrase "for a multicultural New South Wales" in the middle of clause 6 (1) on line 3.

The Hon. JENNIFER GARDINER [10.16 p.m.]: I endorse what has been said by the Hon. R. S. L. Jones and the Hon. Dr B. P. V. Pezzutti. The Committee debated a similar issue during consideration of the Heritage Act when discussing the title for the Museum of Sydney. A lot of people are proud of their heritage and they wanted the title of the museum to be the Museum of Sydney on the site of the First Government House.

The Hon. J. M. Samios: Nell Sanson put up that suggestion.

The Hon. JENNIFER GARDINER: Yes, that is right, Nell Sanson and the Friends of the First Fleet.

The Hon. J. M. Samios: And they got done.

The Hon. JENNIFER GARDINER: Yes, they got done.

The Hon. J. Hatzistergos: The words are there.

The Hon. JENNIFER GARDINER: The words were meant to be "at the site of the First Government House". The Hon. J. Hatzistergos interjected to say that the words are there. But where are they? They are in the shadow type on all publications, and visitors to the Museum of Sydney will not be able to tell that they were standing on the site of the First Government House in this first city of Australia. The Hon. R. S. L. Jones and the Hon. Dr B. P. V. Pezzutti are quite right: this is a complete and absolute farce. We would not expect to see the proposed words on a letterhead after a little time had passed. We also debated whether the Hospital for Children at Camperdown when it moved to Westmead should retain the words "Royal Alexandra" in its title. Today I heard a discussion about a complete change of the name for that hospital to the Children's Hospital at Westmead. The same principle applies in this case.

The Hon. R. S. L. JONES [10.17 p.m.]: I draw the attention of the Hon. H. S. Tsang to clause 6, which states:

- (1) There is constituted by this Act a corporation with the corporate name of the Community Relations Commission of New South Wales.

The amendment states that the commission is to adopt the phrase, not as part of the name, "For a multicultural NSW" for use in conjunction with the name of the commission. It does not say that that phrase has to be used every single time; it may be used only occasionally or in advertising. It would be very awkward, given the capital "F" and a lower case "m". It will not be able to be used all the time.

Amendment agreed to.

The Hon. Dr P. WONG [10.19 p.m.], by leave: I move Unity Party amendments Nos 4, 5, 6 and 13, in globo:

- No. 4 Page 5, clause 7, line 11. Omit "9 commissioners". Insert instead "15 commissioners".
- No. 5 Page 5, clause 7, lines 12-15. Omit all words on those lines. Insert instead "being a full-time Chairperson and part-time commissioners appointed by the Governor."
- No. 6 Page 5, clause 8, lines 25-28. Omit all words on those lines.
- No. 13 Page 13, schedule 1, lines 10-17. Omit all words on those lines.

The aim of these significant amendments is to preserve the membership of the commission and to enable the commission to carry out its work efficiently. They reverse some of the drastic changes to the membership of the commission which are proposed in the bill. The bill provides that the number of commissioners be reduced from the current 15 full-time and part-time commissioners to nine part-time commissioners. The bill also creates a possibility that a full-time chairperson may or may not be appointed. If appointed at all, the chairperson could be either full-time or part-time, making the commission more vulnerable to funding cuts and changes in the Government's commitment to multiculturalism. No such provisions exist under the Ethnic Affairs Commission Act 1979, which requires that the commission must have a full-time chairperson at all times.

These changes to the membership of the commission have created a great concern in ethnic communities about the future effectiveness of the commission. The changes also raise doubts about the Government's intention in regard to the commission. If the proposed commission has broader functions than the current Ethnic Affairs Commission as is maintained by the Government and the current chair of the Ethnic Affairs Commission, particularly in regard to regional councils and the promotion of Australian citizenship, then it would seem illogical that the number of commissioners is reduced. These amendments require that the number of commissioners be kept at the same number provided in the current Ethnic Affairs Commission Act, that there must be a full-time chairperson appointed at all times and that the full-time tenure of a chairperson cannot become a part-time tenure. All of these amendments are consistent with the present provisions of the Ethnic Affairs Commission Act.

The Hon. J. M. SAMIOS [10.21 p.m.]: The Opposition supports these very important amendments, both in terms of appointing a full-time commissioner, which the commission currently enjoys, and increasing the number of commissioners.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [10.22 p.m.]: The Government opposes Unity Party amendments Nos 4, 5 and 6. However, I would seek to amend amendment No. 7. The Government basically supports the thrust of the amendment; however, we believe that the amendment should refer to the cultural diversity of the local community rather than to individuals. The amendment does not embrace the diversity of community organisations. To make the clause more explicit, the Government proposes the following wording:

Page 6, clause 10, line 19. Insert after "council":

"shall reflect the cultural diversity of the local community."

This amendment reaffirms that ethnic communities are to be represented on the commission's regional advisory councils. The Government agrees with the thrust of amendment No. 7 but we seek to amend it to conform with Government amendment No. 5.

The Hon. Dr P. WONG [10.23 p.m.]: The Minister may be perplexed about the amendments. That is what the argument was about. I tried to help the Government on this issue to bring back the full-time chairmanship and the 15 part-time commissioners. It is illogical. I do not see why the Government would object to the appointment of a full-time chairperson, which provision exists in the Act. The Minister has not addressed the amendments. The comments he made are not a response to my amendments.

The Hon. A. G. CORBETT [10.24 p.m.]: I ask that amendments Nos 4, 5, 6 and 7 be dealt with *seriatim*. Very distinct issues are involved. Amendment No. 7 is very different from amendments Nos 6 and 5, and amendment No. 4 is different from all the others.

The Hon. Dr P. WONG [10.25 p.m.]: There seems to be a misunderstanding that I moved amendments Nos 4, 5, 6 and 7. I moved amendments Nos 4, 5, 6 and 13. I specifically mentioned the need for a full-time Community Relations Commission chairperson and the reversion to 15 part-time commissioners instead of nine.

The Hon. A. G. CORBETT [10.25 p.m.]: I withdraw my request to have the amendments put *seriatim*.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [10.26 p.m.]: The Government opposes amendments Nos 4, 5, 6 and 13. The Government opposes amendment No. 4 because we expect greater involvement from the commissioners in the new commission, rather than the commission simply sitting as an advisory body as it did in the past. The Hon. J. M. Samios and I were commissioners of the Ethnic Affairs Commission. That role is being transferred to communities at a local level which will be given a stronger voice through the setting up of regional advisory councils across New South Wales. The commissioners are expected to work as a cohesive unit, providing them with greater involvement in the work of the commission.

The membership of the management boards of successful Australian and international organisations is between six and nine. The new commission will follow modern management practices. I can attest that part-time commissioners do not make a very involved contribution. The local communities in the regions, through the advisory boards, will be the most effective advisers. The reorganisation of the new commission makes it relevant to communities and community organisations, which will be able to have a say through their advisory boards.

The Hon. J. M. SAMIOS [10.27 p.m.]: The Opposition supports amendments Nos 4, 5, 6 and 13. The commission, since its inception, has had a full-time chairman. The arguments advanced by the Government as to the use of a part-time commissioner do not hold water. The reality is that the jurisdiction of the commission and its commitments around the State are increasing. The commission will require a full-time commissioner and 15 part-time commissioners.

The Hon. Dr P. WONG [10.28 p.m.]: It is illogical that the Government would refuse to appoint a full-time chairperson. The Minister has not made any comments on this issue.

Question—That the amendments be agreed to—put.

The Committee divided.

Ayes, 16

Mr Breen	Mr Gallacher	Mr Samios
Dr Chesterfield-Evans	Miss Gardiner	Dr Wong
Mr Cohen	Mr Gay	
Mr Colless	Mr R. S. L. Jones	<i>Tellers,</i>
Mr Corbett	Dr Pezzutti	Mr Harwin
Mrs Forsythe	Ms Rhiannon	Mr Jobling

Noes, 18

Ms Burnswoods	Mrs Nile	Mr Tingle
Mr Della Bosca	Revd Nile	Mr Tsang
Mr Dyer	Mr Obeid	
Ms Fazio	Mr Oldfield	<i>Tellers,</i>
Mr Hatzistergos	Ms Saffin	Mr Manson
Mr Johnson	Mrs Sham-Ho	Mr Primrose
Mr M. I. Jones	Ms Tebbutt	

Pairs

Dr Burgmann	Mr Lynn
Mr Egan	Mr Mopett
Mr Macdonald	Mr Ryan

Question resolved in the negative.

Amendments negatived.

The Hon. Dr P. WONG [10.35 p.m.]: I move Unity amendment No. 7:

No. 7 Page 6, clause 10, line 20. Insert "(including those representing diverse ethnic communities)" after "individuals".

This amendment stipulates that the membership of the regional advisory councils should reflect the cultural diversity of regional areas in New South Wales. I recognise that this may also be the intention of the bill as it currently stands, as it requests that these councils consist of relevant local or regional agencies, committee organisations, or individuals. However, this amendment intends to avoid the possibility of future changes to the regional advisory councils to the effect that they become less representative of culturally diverse communities. The amendment requires that membership of the councils includes representatives from ethnic communities. This view is consistent with the submissions and evidence received during the general purpose standing committee's inquiry into multiculturalism in relation to multicultural policies in regional areas.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [10.36 p.m.]: The Government agrees with the thrust of the amendment. However, it believes the amendment should refer to the cultural diversity of the local community rather than individuals. The amendment does not embrace the diversity of community organisations. Consequently, the Government opposes the amendment. However, we will move amendment No. 5, which will reflect our intention.

Amendment negatived.

The Hon. H. S. TSANG [10.37 p.m.]: I move Government amendment No. 5:

- No. 5 Page 6, clause 10, line 22. Insert "The composition of a regional advisory council is to reflect the diversity of the local community concerned." after "the council).".

This amendment will affirm that ethnic communities are to be represented on the commission's regional advisory councils.

Amendment agreed to.

The Hon. Dr P. WONG [10.38 p.m.]: I move Unity amendment No. 8:

- No. 8 Page 8, clause 12, lines 6-7. Omit "regardless of their linguistic, religious, racial or ethnic background". Insert instead "according to the principles of multiculturalism".

This amendment clarifies that one of the objectives of the commission is participation of the people of New South Wales in public decision making and life in accordance with the principles of multiculturalism. In effect, it aims to promote the principles of multiculturalism within the objectives of the commission, and also to overcome a possible confusion about what the commission's role might be. The principles of multiculturalism, among other matters, recognise the religious, linguistic, racial and ethnic diversity of the New South Wales society; and aim to promote this diversity as a valuable asset and promote the rights and responsibilities of people in accordance with the cultural diversity. However, as the clause currently stands in the bill it stresses that the commission will encourage participation of people regardless of their culturally diverse background. Multiculturalism stands for the promotion of people's rights and responsibilities, while having regard to the differences and not by obfuscating or covering up these differences. It is a more appropriate amendment, as it is in line with multiculturalism and the role of the commission as maintained in the remainder of the bill.

The CHAIRMAN: Order! As Government amendment No. 6 conflicts with Unity amendment No. 8, I suggest that the amendments be moved concurrently.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [10.39 p.m.]: The Government opposes this amendment. Its object is to lower the barriers placed in front of individuals because of their linguistic, religious, racial or ethnic backgrounds. The Government wants to remove those barriers.

The Hon. H. S. TSANG [10.40 p.m.]: I move Government amendment No. 6,

- No. 6 Page 8, clause 12, lines 6 and 7. Omit "regardless of their linguistic, religious, racial or ethnic background".

The diversity of the people of New South Wales is not limited to linguistic, religious, racial or ethnic backgrounds. This amendment broadens the scope of participation by removing any limitation of involvement in public decision making processes.

The Hon. HELEN SHAM-HO [10.40 p.m.]: Although both amendments omit the same clause, I support the amendment moved by the Hon. Dr P. Wong because it is more clear according to the multiculturalism principle. I will support the amendment moved by the Hon. Dr P. Wong and not the Government amendment, although they are similar.

Government amendment No. 6 agreed to.

Unity amendment No. 8 negated.

The Hon. Dr P. WONG [10.41 p.m.]: I move Unity amendment No. 9:

- No. 9 Page 8, clause 12, lines 8-9. Omit all words on those lines. Insert instead:

- (b) access to government and community services that is equitable and that has regard to the linguistic, religious, racial and ethnic diversity of the people of New South Wales,

This amendment sets the objectives of the commission along the principles of access and equity as prescribed by the principles of multiculturalism. It recognises that in order for the commission to be successful in its work in multiculturalism in New South Wales it must present opportunities for equal and equitable participation in the

decision making process and distribution of resources of all members of the community. In the culturally diverse population of New South Wales it is imperative that these opportunities are presented to the public with regard to the particular needs, interests and values that arise from cultural diversity.

The CHAIRMAN: Order! Again, Unity amendment No. 9 and Government amendment No. 7 conflict. Therefore, I ask the Government to move its amendment.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [10.43 p.m.]: Government amendment No. 7 is consistent with Unity amendment No. 9, which the Government supports. Therefore, we support the Unity amendment, and I will not move Government amendment No. 7.

The Hon. J. M. SAMIOS [10.43 p.m.]: The Opposition also supports Unity amendment No. 9.

Amendment agreed to.

The Hon. H. S. TSANG [10.45 p.m.]: I move Government amendment No. 8:

No. 8 Page 8, clause 12, line 10. Insert "the promotion of" before "a cohesive".

This amendment ensures that the commission has a clear role in promoting harmony in the community and is consistent with the thrust of the bill.

Amendment agreed to.

The Hon. I. COHEN [10.45 p.m.]: I move Greens amendment No. 6:

No. 6 Page 8, clause 12. Insert after line 13,

- (e) the promotion of the principles of multiculturalism and the advantages of a multicultural society,
- (f) the promotion of social justice, community development and community initiatives for ethnic communities in New South Wales.

This amendment has two aspects that add to the new objectives of the commission. The first is the promotion of the principles of multiculturalism and the advantages of a multicultural society. It is essential that the proposed commission have the scope to initiate promotional programs and activities in relation to its responsibilities. It is not clear from the objectives of the bill that there is a mechanism for implementation of the principles of multiculturalism by the commission. Without such a clear direction the bill could be interpreted as lacking any process for implementation of the principles. The second aspect is the promotion of social justice, community development and community initiatives for ethnic communities in New South Wales. Since 1996 these objectives were incorporated in the Government's Ethnic Affairs Action Plan 2000. If the plan is to be implemented, these objectives need to be included in the bill.

The Greens believe that programs intended to produce and improve social justice outcomes need to be the major focus of the new commission's activities. Many of the social justice campaigns supported by the Greens are of direct benefit to ethnic communities—for example, the campaign for improved pay and working conditions of outworkers in the clothing industry. Most of these workers are women of non-English-speaking backgrounds and they are one of the most exploited and poorly paid groups in our society. It is essential that the bill recognise the particular importance of social justice as an objective of the commission. I commend Greens amendment No. 6 to the Committee.

The Hon. HELEN SHAM-HO [10.47 p.m.]: I support Greens amendment No. 6. By this amendment the commission will have to actively promote multiculturalism. As I said during debate on Unity amendment No. 8, I believe that the principle of multiculturalism had to be part of the commission's objective. That is why I supported the amendment. I am surprised the Hon. Dr P. Wong did not divide the Committee and seek to have the amendment passed because the principle of multiculturalism has bipartisan support. The Greens amendment will ensure the promotion of that principle. I believe it is important and I hope honourable members will accept it.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [10.48 p.m.]: The Government opposes this amendment. It is covered by clause 12 (d), which states "the enrichment of all sections of society through the benefits of cultural diversity" and is an objective that encompasses the occasions envisaged by proposed clause 12 (e). Proposed clause 12 (f) is a policy matter and is covered extensively in the Government's Ethnic Affairs Action Plan 2000.

The Hon. J. M. SAMIOS [10.48 p.m.]: The Opposition supports the Greens amendment. In the promotion of the principles of multiculturalism the advantages of a multicultural society is exactly what we are all about, as is the promotion of social justice, community development and community initiatives with ethnic communities in New South Wales.

Question—That the amendment be agreed to—put.

The Committee divided.

Ayes, 19

Mr Breen	Miss Gardiner	Mrs Sham-Ho
Dr Chesterfield-Evans	Mr Gay	Mr Tingle
Mr Cohen	Mr R. S. L. Jones	Dr Wong
Mr Colless	Mr Lynn	
Mr Corbett	Dr Pezzutti	<i>Tellers,</i>
Mrs Forsythe	Ms Rhiannon	Mr Harwin
Mr Gallacher	Mr Samios	Mr Jobling

Noes, 17

Dr Burgmann	Mr Johnson	Ms Saffin
Ms Burnswoods	Mr M. I. Jones	Ms Tebbutt
Mr Della Bosca	Mrs Nile	Mr Tsang
Mr Dyer	Revd Nile	<i>Tellers,</i>
Ms Fazio	Mr Obeid	Mr Manson
Mr Hatzistergos	Mr Oldfield	Mr Primrose

Pairs

Mr Moppett	Mr Egan
Mr Ryan	Mr Macdonald

Question resolved in the affirmative.

Amendment agreed to.

The Hon. H. S. TSANG [10.56 p.m.]: I move Government amendment No. 9:

No. 9 Page 8, clause 13, line 30. Insert "(including, but not limited to, the objective relating to access to government services)" after "Commission".

This amendment will ensure that when the commission enters into agreements with public authorities it does so taking into account the commission's objective of ensuring equity in access to services.

Amendment agreed to.

The Hon. Dr P. WONG [10.57 p.m.]: I move Unity amendment No. 10:

No. 10 Page 9, clause 13. Insert after line 4:

- (h) to assist individuals and communities to gain access to services and programs, including those that target young people, people with disabilities, the aged and disadvantaged groups,

This amendment is also in line with the current objective of the commission in particular with regard to equity of access to government services. The amendment proposes that the functions of the commission should not be limited to advocacy on the grounds of ethnicity and cultural diversity but also on the ground of other identity of specific groups and individuals that have other needs and interests, and to their socioeconomic, age or other status within the community. The amendment would require the commission to represent and assist groups and individuals from culturally diverse backgrounds who have disability or who have specific needs because of their age.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [10.58 p.m.]: The Government opposes the amendment. Clause 12 (b) and clause 13 (g) provide adequate coverage and equitable access to government services. The proposed amendment refers to specific population groups covered by other government agencies.

Amendment negatived.

The Hon. H. S. TSANG [10.59 p.m.]: I move Government amendment No. 10:

No. 10 Page 9, clause 13, line 10. Insert "(including funds for the provision of resources to community groups that promote the objectives of the Commission)" after "objectives".

The Government, through its agencies, provides resources to a large number of community groups. The amendment will ensure that the commission continues to provide resources that focus on promoting its objectives.

The Hon. J. M. SAMIOS [10.59 p.m.]: The Opposition supports the Government amendment.

Amendment agreed to.

The Hon. H. S. TSANG [10.59 p.m.]: I move Government amendment No. 11:

No. 11 Page 9, clause 13. Insert after line 10:

(k) to support community initiatives that promote the objectives of the Commission,

This amendment will ensure the continuation of the commission's activities in supporting community initiatives that actively promote and enhance the objectives of the commission.

The Hon. J. M. SAMIOS [10.59 p.m.]: The Opposition supports the amendment.

The CHAIRMAN: As Greens amendment No. 7 is similar to this amendment, I suggest that the Hon. I. Cohen move his amendment now.

The Hon. I. COHEN [11.00 p.m.]: I move Greens amendment No. 7:

No. 7 Page 9, clause 13. Insert after line 10:

(k) to administer any programs of grants to ethnic community organisations that support the objectives of the Commission from funds appropriated by Parliament for that purpose,

This amendment is designed to give formal recognition to the practice that has existed for many years. The Ethnic Affairs Commission has administered a community grants program but the bill does not include this as a function of the new commission. The Minister referred to this function in his second reading speech in the other place last year. He said:

The new commission's grants program will place greater emphasis on community partnership projects that will bring tangible long-term benefits to migrant communities.

The Minister went on to describe a number of worthwhile projects funded by the Ethnic Affairs Commission, including the equal space project funded under the Community Partnership Scheme. The Greens strongly support these kinds of community-based programs in which community organisations are funded to carry out vital services in ethnic communities. There is no good reason for this function to be left out of the bill. The absence of the function could lead to the conclusion that the Government proposes to remove the responsibility for administering community grants from the commission. This conclusion is reinforced by the failure of the Government to make any announcement of community grants for 1999-2000. If this essential function is to be retained, it should be formally recognised in the legislation. I commend the amendment to the Committee.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [11.01 p.m.]: The Government opposes this amendment. It is fraught with danger and is basically a licence for political patronage and corruption. To suggest that a statutory authority be licensed to provide to organisations that support its objectives is nothing short of encouraging public corruption. The existing function in clause 13 (j) is sufficient for the commission to administer a grants program, as it has been doing for some time. A second

concern with the amendment is that the grants be given to "ethnic" organisations. It is not clear why the word "ethnic" is being used here. There are many non-ethnic organisations that run excellent projects targeting ethnic communities. Under this amendment organisations such as the Salvation Army and even the Ethnic Communities Council would not qualify for grants because they are not ethno-specific. The amendment would promote and legislate for a major division within our society between ethnics and others. This is precisely what the bill is trying to avoid.

The Hon. HELEN SHAM-HO [11.03 p.m.]: I indicate to the Government that its amendments Nos 10 and 11 are similar to Greens amendment No. 7, because both deal with funding to the community. I certainly do not want to associate myself with the Government on this score as I do not think it would necessarily create corruption. A grant or funding are the same. As Government amendment No. 10 has already been agreed to, I do not think that Greens amendment No. 7 is necessary.

Government amendment No. 11 agreed to.

Greens amendment No. 7 negatived.

The Hon. I. COHEN [11.04 p.m.]: I move Greens amendment No. 8:

No. 8 Page 9, clause 13. Insert before line 11:

- (l) to support community initiatives that promote the objectives of the Commission,

This amendment seeks to incorporate an extra function in the bill. Only one function in the bill specifically mentions the community. It allows the commission "to facilitate co-operative arrangements involving governmental, business, educational and community groups". This is not sufficient. The commission needs a function that clarifies its responsibility for supporting the activities of grassroots ethnic community groups. The Greens believe that this should be a major focus of the commission's activities and, therefore, it should be specifically included in the functions of the commission. I commend the amendment to the Committee.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [11.04 p.m.]: The Government opposes the amendment. The amendment is already covered by the functions listed in paragraphs (a), (b), (c), (g), (h) and (j) of clause 13.

The Hon. HELEN SHAM-HO [11.05 p.m.]: The Government cannot oppose this amendment because its amendment No. 11 is the same amendment with exactly the same words to support the initiative that promotes the objective of the commission. Government amendment No. 11, which the Committee has not passed, is the same as Greens amendment No. 8.

The CHAIRMAN: Order! The Committee has passed Government amendment No. 11.

Amendment negatived.

The Hon. Dr P. WONG [11.07 p.m.]: Since the Government is so sensitive about the words "multicultural affairs" I will not move Unity amendment No. 11. I move Unity amendment No. 12:

No. 12 Page 9, clause 14, lines 20-22. Omit "including an assessment of the effectiveness of public authorities in observing the principles of multiculturalism in the conduct of their affairs". Insert instead:

including:

- (a) an assessment of the effectiveness of public authorities in observing the principles of multiculturalism in the conduct of their affairs, and
- (b) an assessment of the achievements of the Government's policy statement on ethnic affairs, and of agreements with public authorities, and
- (c) recommendations for future action in any area of public life with respect to the principles of multiculturalism.

The amendment is commonsense. It is also in line with the current objective of the commission.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [11.08 p.m.]: The Government opposes this amendment. The assessment of the effectiveness of public authorities in observing the principles of multiculturalism in the conduct of their affairs is all inclusive.

Amendment negatived.

The Hon. H. S. TSANG [11.10 p.m.], by leave: I move Government amendments Nos 12 and 13 in globo:

No. 12 Page 21, schedule 3, line 4. Omit "1995". Insert instead "2000".

No. 13 Page 21, schedule 3, line 18. Omit "1995". Insert instead "2000".

Amendment No. 12 relates to a Parliamentary Counsel drafting note to update the citation reference to the annual report regulations amended by schedule 3 to the bill. The bill currently amends the 1995 regulations which are repealed under the staged repeal provisions of the Subordinate Legislation Act and will be replaced on 1 September by regulations in substantially the same form. Amendment No. 13 also relates to a Parliamentary Counsel drafting note to update the citation reference to the annual report regulations amended by schedule 3 to the bill. The bill currently amends the 1995 regulations which are repealed under the staged repeal provisions of the Subordinate Legislation Act and will be replaced on 1 September by regulations in substantially the same form.

The Hon. Dr B. P. V. PEZZUTTI [11.11 p.m.]: This shows how long this bill has been around. We have been through the process of the sunset clause on the 1995 regulations. They are now updated to 2000. The Government has had to amend its legislation because it has become so maggoty sitting around until the wonderful opportunity came along when we were down on our numbers. It shows how long this has been around and how persistent the Government has been trying to push something that is worthless.

Amendments agreed to.

The Hon. Dr P. WONG [11.11 p.m.]: I move Unity amendment No. 14:

No. 14 Page 21, schedule 3.1 [1], line 7. Insert "with respect to the principles of multiculturalism" after "agreement".

This amendment relates to the requirement of the commission to report on its performance. It requires that, together with issues of community relations, the commission include in its formal annual report, and in other reports delivered on an annual basis, an assessment of the state of multicultural affairs in New South Wales. This amendment is consistent with the principles of multiculturalism as prescribed in the bill and with the proposed new name of the commission—that is, Commission for Multicultural Affairs. The amendment is also consistent with recommendations for legislative changes contained in the Ethnic Affairs Action Plan 2000. The action plan was a result of comprehensive Government consultations on ethnic affairs issues in 1996. A key objective of the action plan is for the Ethnic Affairs Commission to report in 2001 on the success of the implementation of all of the recommendations of the action plan. I commend my amendment to the Committee.

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [11.12 p.m.]: The Government opposes the amendment because it is already addressed in the current bill. "Agreement" in this instance refers to the topic heading of schedule 3.1 [1], line 7. The actual definition of "any agreement" is contained in schedule 3.1 [2], lines 13 to 17. That definition specifically states:

... any agreement entered into between the Department and the Community Relations Commission under the *Community Relations Commission and Principles of Multiculturalism Act 2000* and a statement setting out the Department's progress in implementing any such agreement.

Amendment negatived.

The Hon. Dr P. WONG [11.13 p.m.]: Since the Government objected to my amendment No. 14 there is no need to continue. I do not move my amendment No. 15.

The Hon. H. S. TSANG [11.14 p.m.]: I move Government amendment No. 1:

No. 1 Page 2, Preamble, lines 3 and 4. Omit all words on those lines. Insert instead:

- (a) recognises and values the different linguistic, religious, racial and ethnic backgrounds of the people of New South Wales, and

This amendment strengthens the preamble by not only recognising the diversity of our community, but also by actively acknowledging the value which our community attributes to that diversity.

The CHAIRMAN: As Greens amendment No. 1 is the same as Government amendment No. 1 there is no need for the Greens to move their amendment.

The Hon. I. COHEN [11.15 p.m.]: I accept that. Greens amendment No. 1 was put forward independently of the Government's amendment. The preamble and principles of multiculturalism state that the Parliament and the Act recognise the different linguistic, religious, racial and ethnic backgrounds of the people of New South Wales, but recognition is not enough. The cultural diversity of the population must also be valued for the positive contribution it makes to Australian society. Greens amendment No. 1 sought to incorporate that. I support the Government's amendment.

The Hon. J. M. SAMIOS [11.16 p.m.]: The Opposition supports the amendment.

Amendment agreed to.

The Hon. I. COHEN [11.16 p.m.]: I will not move Greens amendment No. 2.

Clauses 1 and 2 agreed to.

Clause 3 as amended agreed to.

Clauses 4 and 5 agreed to.

Clause 6 as amended agreed to.

Clauses 7 to 9 agreed to.

Clause 10 as amended agreed to.

Clause 11 agreed to.

Clauses 12 and 13 as amended agreed to.

Clauses 14 to 27 agreed to.

Schedules 1 and 2 agreed to.

Schedule 3 as amended agreed to.

Schedule 4 agreed to.

Preamble as amended agreed to.

Title agreed to.

Bill reported from Committee with amendments and passed through remaining stages.

ADJOURNMENT

The Hon. E. M. OBEID (Minister for Mineral Resources, and Minister for Fisheries) [11.18 p.m.]: I move:

That this House do now adjourn.

MENTAL HEALTH WEEK

The Hon. I. COHEN [11.18 p.m.]: This week is Mental Health Week. I acknowledge that the Hon. Janelle Saffin raised this issue last night on Mental Health Day. I also understand that tomorrow is Less Stress Day. I think it is commendable that there is acknowledgment of mental health problems in our community. I understand that 20 per cent of adult Australians, or one in five people, will experience a mental illness at some stage during their lives. Many will suffer from more than one mental illness at one time, such as depression and anxiety which commonly occur together. Each year a further 20,000 Australians are diagnosed as suffering from a mental illness and three million Australians will experience major depressive illness.

On that point, I commend the former Premier of Victoria for his wonderful work in highlighting the issues of mental illness and depression. I would not have expected that I would be in a position to commend him, but Jeff Kennett has certainly made some exceptional contributions to this important issue. He is to be commended for that. It is interesting that we have that type of proactive activity by community leaders such as Mr Kennett. We need people to be proactive across the board. There have been significant comments by the Minister for Health, Craig Knowles, on this matter. A media release issued by the Health Department stated:

Mental health does not get attention. It can be as debilitating as any physical ailment and its incidence is at alarming levels ...

In any given 12 month period, one person in five will experience a mental health problem or disorder. Among young people from 18 to 25, the figure is more than one in four. It is predicted that by 2020 depression will be one of the biggest health problems in the world.

It is concerning for many National Party members that the suicide rate of young men in small country communities has increased significantly in one generation. It is likely that many were experiencing depression. About one-third of people admitted to public hospitals with mental illness are less than 30 years old. The greatest number of people with a mental illness are in the 18- to 24-year age group. Depression is one of the most common conditions in young people and increases during adolescence. In 1997 the Australian Bureau of Statistics conducted the adult component of the national survey of mental health and wellbeing. The survey involved 10,600 people. Some key findings were:

Almost one in five Australians met criteria for a mental disorder at some time during the 12 months before the survey.

The prevalence rates of mental disorder generally decrease with age, with 18-24 year olds having highest prevalence at 27 per cent and 65 year olds and over having a prevalence of 6.1 per cent.

Men and women had similar overall prevalence rates of mental disorder, but rates were highest for men and women living alone. Similarly, rates of mental disorder were high among people who were separated or divorced (24 per cent for men and 27 per cent for women).

Women are more likely than men to experience anxiety disorders (12 per cent compared with 7.1 per cent) and affective disorders (7.4 per cent compared with 4.2 per cent).

Men were more than twice as likely as women to have substance use disorders (11 per cent compared with 4.5 per cent) with alcohol use disorders being more common than drug use disorders.

Women were more likely to have anxiety and effective disorders in combination and men were more likely to have substance use disorders in combination with either effective or anxiety disorders.

Rates of mental disorder were highest for people unemployed or not in the work force—a prevalence rate of 26.9 per cent for unemployed men and 26 per cent for unemployed women compared with prevalence rates of 15.1 per cent for men and 14.7 per cent for women in full-time employment.

In a media release issued by Dr Michael Wooldridge, who has also been proactive in this area, he gave details of a new framework for guiding community activities to help reduce the high incidence of suicide and self-harming behaviours in our community. The Minister stated:

More than 2,500 Australians of all ages and from all walks of life die by suicide each year, leaving behind friends, families and whole communities who are scarred by the loss of their loved ones. This is an issue that cannot be ignored.

There are many factors that place people at risk of suicide. Effective action requires the involvement of the whole community to work together to build resilience and resourcefulness for all its members.

The *LIFE* framework was developed by the National Advisory Council on Youth Suicide Prevention for use by the Australian community to help plan and conduct suicide prevention programs and promote positive life options.

As a member of the Greens, I think this is absolutely essential. Mr Johnson of the Community Development Office for Mental Health said:

In America about three years ago 3,000 prescriptions for anti-depressants were made out for children under the age of 12 months.

[Time expired.]

CARNIVALE 2000

The Hon. J. M. SAMIOS [11.23 p.m.]: The Carnivale 2000 Multicultural Arts Festival commenced with the performance of the play *The Promised Woman* on Friday 6 October 2000 at The Studio at the Sydney Opera House. Written by Theo Patrikareas, this play is centred around the life experiences of a migrant living in

a boarding house in Newtown in the 1960s, where he awaits the arrival of his bride-to-be—the promised woman, whom he is to recognise through a photograph that was forwarded to him. *The Promised Woman* had its original preview in 1963 and was staged again earlier this year as part of the eighteenth Greek Festival of Sydney. This production by the Sidetrack Theatre is a realistic reflection of the migrant resettlement experience. Theo Patrikareas, playwright, poet and journalist, whose works have been published in Greece and Australia, is a Greek migrant who arrived in Australia in 1958.

The play's director, Don Mamouny, had co-founded the Sidetrack Theatre with writer Graham Pitts in 1979. The production manager, Ian Bowie, is a production engineer with 30 years experience on and off stage. The cast gave brilliant performances, and especially delightful were Stavros Economides as the main character Nick, Adam Hatizimanolis as Manolis, and Rebecca Kypri as the promised woman, Antigone. Carnivale was opened on the Friday and on the Saturday there was the launch in Chinatown. The Chinese Youth League [CYL] played a pivotal role in that opening the CYL is a successfully run organisation established in 1939 with the aim to serve the community's needs. Fundraising is one of the activities of the youth league. It has successfully raised funds for the needy, for nursing homes and child care, and organisations such as the Fred Hollows Foundation in their eyesight restoration projects in China.

The Chinese Youth League organises indoor and outdoor activities for the elderly in their community. The CYL also works towards the promotion of cultural awareness and is proud to have been given the opportunity to participate in the opening ceremony of the Sydney Olympics. The Chinese Youth League's most able President, Mr Jeffery Ng, proudly states that three of their members are Olympic and Paralympic torch bearers. The Chinatown Carnivale is an annual success, thanks to the efforts of Mr Jeffery Ng and the members of the Chinese Youth League. The Chinese Dragonboat Festival is a colourful and exciting boat race with a carnival atmosphere which the CYL organises. Participants including our own Australian Navy, local boat clubs and businesses compete against each other as well as overseas teams in friendly sporting competition.

The CYL fosters cultural exchange between Australians and the people in China. The CYL also actively canvasses a positive approach to issues relating to community welfare and harmony, and acts as an information dissemination centre for government agencies. With regard to social issues, the CYL provides counselling services to assist problem gamblers and solve family disputes. The CYL also provides leadership training and educational and recreational activities for youth. I have been advised by Jeffery Ng that the CYL has recently set up a sports fund to promote sports in the community and to encourage co-operation among community groups. This year's theme in the Chinatown Carnivale was appropriately named "Global Celebrating" in keeping with the mood of the Sydney Olympics, the Paralympics and, as well, our Carnivale. It attracted people from all corners of the globe to celebrate with Australians, in our city of Sydney, our truly colourful, unique and successful Australian multiculturalism.

I wish Mr Jeffery Ng and the members of the Chinese Youth League success in their efforts to raise the quality of life for our society and to promote an awareness of the Chinese culture to all Australians. In so doing, they are contributing to the social stability of our society and to the development of multiculturalism in our nation. On both occasions I had the pleasure of representing the Leader of the Opposition, who was delighted to hear of the events and conveyed his best wishes.

ANIMAL ABUSE AND SOCIOPATHY LINK

The Hon. A. G. CORBETT [11.28 p.m.]: In the 1970s research into prisoner profiles found a strong link between serial killers and a history of cruelty to animals. More recent studies into current and past cases have confirmed the link. Retrospective studies of the life of convicted sadistic murderers and serial murderers showed a startling proportion of those murderers had a history of animal abuse, often starting in childhood. The roll call of internationally infamous killers includes Jeffrey Dahmer, Milwaukee's cannibal killer of 16 young men; Albert deSalvo, the Boston Strangler, who murdered 13 women; David Berkowitz, the Son of Sam; David Harker, Britain's cannibal killer; and even the two 10-year-olds, Robert Thompson and John Venables, who killed toddler Jamie Bulger. They all had a history of animal torture or violence in their youth. Australia has not escaped the profile: Paul Denyer, the Frankston serial killer of three women in 1993, and John Travis, one of the Cobby killers, both have a history of animal abuse, starting in childhood.

Since the prisoner profiles studies, there has been a growing body of literature—both anecdotal and scientifically derived—showing that the level of abuse to family pets is a strong indicator of the level of violence within the family, be it wife bashing, harsh corporal punishment or child abuse of a sexual or other form. Most scientific literature concentrates on prison populations and could be accused of population bias, but

more recent work has studied victims of domestic violence or child abuse. The links can be examined in two ways: first, abuse of animals as an indicator of violence within the family, usually perpetrated by the animal abuser; and, second, abuse of animals by a child as an early indicator of social or psychological dysfunction which may lead to later problems in society.

In the first case, children are often another victim of the person who abuses the pet or pets. The identification of the animal cruelty can serve as a red flag for social workers, doctors or law enforcers to investigate the family situation. This can be a life-saving warning. In the second case, the animal victim may be the first sign that the child is in need of medical or psychological assistance, that the child is abused and is mimicking behaviour within a violent family or releasing frustration by attacking a lower member of the dysfunctional family's so-called pecking order. Animal cruelty by a child is a strong indicator of serious developmental problems or potential psychopathology. It has been commonly associated with empathy distortions, conduct disorders and later antisocial behaviour.

In both the United Kingdom and the United States of America programs have been established to help communities confront violence in society by sharing information to allow more rapid identification of families in need of help. The Humane Society of the United States has developed the First Strike campaign to help co-ordinate professionals and the general public with networking between animal care and control agencies, law enforcement officials, family and domestic violence personnel, educators, medical professionals, veterinarians and many others. Australia does not have such a program. We should investigate the overseas outcomes and, if the results warrant, look at the ways of setting one up.

Not all children who abuse animals go on to be sociopathic or delinquent. In an interesting adjunct, a publication last year—called "Exploring the link between corporal punishment and children's cruelty to animals", by Flynn in the *Journal of Marriage and the Family*, No. 61, pages 971-981, November 1999—examined all university students enrolled in one course at the university without knowing any individual's background of family or animal violence at the entry to the study. The study itemised spanking, slapping or hitting and ruled out any punishment which used hitting with objects, biting and other potentially injurious methods, which might classify as harsh or abusive. It found that males who committed cruelty to animals in childhood or adolescence were physically punished more frequently by their fathers than males who did not. The same did not hold true for those fathers' daughters.

Nearly 60 per cent of males spanked by their father as a teenager perpetrated animal abuse. Also, the greater the frequency of punishment to pre-teen males by their father, the greater the incidence of animal abuse by the sons. There was no way of ascertaining whether these children were violent with animals because of the punishment or whether punishment was caused initially by the violent behaviour of the child. This study separated so-called acceptable corporal punishment, such as spanking, from harsher forms of physical punishment and child abuse in the analysis of results, yet still showed a correlation between corporal punishment and animal abuse. In summary, there is a strong link between family violence and the abuse of family pets, between later antisocial or sociopathic behaviour by a child and the child's history of animal abuse, and between the use of mild corporal punishment by fathers upon their sons and animal abuse by the sons. This is an issue that requires and deserves further attention.

JOY MANUFACTURING INDUSTRIAL DISPUTE

The Hon. P. T. PRIMROSE [11.33 p.m.]: I have previously spoken in this place about the industrial dispute at Joy Manufacturing at Moss Vale, where workers have been in dispute since March. For most of that time 63 members of the Australian Manufacturing Workers Union, the CEPU, Electrical Division, and the Australian Workers Union, Port Kembla branch, have been locked out by their employer. These workers were locked out because they claimed the right to be represented by their unions. They refused to accept the bullyboy standover tactics of American lawyers who were sent in by the bankrupt American parent company to crush the unions at their Australian site.

As a proud member of the Australian Manufacturing Workers Union, I am here to tell this House that the dirty tricks did not work. Sixty-three unionists and their families, together with members of other unions, students and community activists, refused to be intimidated. They have remained at their peaceful protest 24 hours a day, seven days a week, since March. Through freezing snow during the winter nights in Moss Vale and despite the threats of security guards and private investigators with security cameras, these workers stood their ground as proud Australian trade unionists. The unions have spent the last week in the Australian Industrial Relations Commission where Justice Munroe spoke of the difficulties faced by the commission because of its loss of resources. He also spoke of the company's actions as having provoked and prolonged this dispute.

Thankfully for everyone concerned—except the American lawyers employed by the company, who will miss their regular income—we are hopeful that this dispute is nearly at an end. In a dispute that includes many stories of extraordinary heroism on behalf of the unionists, I raise an issue of such appalling, amoral behaviour that I believe it must have as much public exposure as possible. When it finally became obvious to Joy Manufacturing management that the workers would not be stood over and that they were not going back to work, the company resorted to bringing in scabs. Despicable as that, the situation gets much worse. The scabs of choice employed by Joy Manufacturing management were the same group of thugs used by Chris Corrigan at Web Dock during the infamous Patrick's dispute. They are the same scabs used by management at Dollar Sweets, Burnie Paper Mills and Queensland Meats.

The leader of this group of reprobates, Bruce Townsend, calls himself Super Scab. He drives a black car with blacked out windows and personalised plates. He describes himself to the media as a professional strikebreaker. This man is a vicious thug who proudly announces that he actively seeks out employers who are in dispute and offers his services for a fee. Bruce Townsend and his thugs have been threatening violence against the workers and their families who are at the peaceful protest outside Joy Manufacturing. When Kim Beazley visited the Joy Manufacturing site on the weekend to show his solidarity with the workers, Mr Townsend could not resist driving in and out of the site while the media was interviewing Kim Beazley. He took every opportunity to seek media attention and to intimidate the people listening to the Leader of the Federal Opposition.

Kim Beazley said that the workers at Joy Manufacturing are fighting a battle for all Australian workers. He said that their struggles are the struggles of all workers who refuse to hang up their dignity when they go to work. Kim Beazley also spoke about the appalling and sadistic behaviour of Mr Townsend and his thugs who taunted workers, challenging them to fight. Bruce Townsend and his group of misfits must be recognised for what they are—mercenaries in the service of Peter Reith's ideological war against Australian workers and their trade unions. I cannot believe that in the year 2000, where we have so much to be proud of and so much to celebrate, this sort of scum is still slithering around. I give notice that I intend to monitor Mr Townsend and his little band. I intend to make certain that wherever he rears his head I will notify this House so that all Australians will know exactly who and what he is and who and what he serves.

DEATH OF Mr KEVIN BLACKLOW

The Hon. R. H. COLLESS [11.37 p.m.]: It is with great sadness that I report to the House a tragedy that occurred a few kilometres south of Armidale last Saturday, 7 October. One of the Olympic Games bus drivers, Kevin Blacklow, was killed in a dreadful accident as the bus he was driving home from the Olympic Games ran off the road, hit a power pole and was engulfed in flames. The accident occurred at about 10 o'clock on Saturday morning about seven kilometres south of Armidale on the New England Highway. Passing motorists attempted to rescue Kevin, but the bus caught fire. The rescuers were unable to reach him and he was incinerated.

Kevin was a long-time resident of Inverell, having performed the duties of sheriff at the Inverell courthouse for many years. He recently retired and was actively involved in many community activities. Kevin worked very hard to re-establish and improve the blood bank facilities in Inverell. He was also heavily involved in the Inverell Transport Museum as a volunteer worker. It is a dreadful shame that all the wonderful stories about the Olympics that have been told in this House and the other place during this week are now tempered by this tragedy. I knew Kevin very well. I heard about the accident while in Armidale on Saturday, but I did not discover the identity of the driver until early this week. I had many meetings with Kevin on blood bank issues and his promotional ideas for the Inverell Transport Museum. It came as a great shock to me when I heard that he had been killed in such tragic circumstances.

Kevin Blacklow was one of life's quiet achievers. He was very good at his job when he was in the work force and he was somebody who did just that little bit extra for his community. He was devoting his retirement to attempting to improve the quality of life for many different sections of the community. I am sure the community of Inverell is saddened and devastated by Kevin's untimely passing. I was speaking to Kevin not long before he left for Sydney to do his community duty at the Olympics. He was truly excited and he was looking forward to the two weeks of the Games. I am sure this House will join with me in extending its appreciation to Kevin's family for his contribution to the wider community, and its sincere condolence for the tragic manner in which Kevin departed from this life. Thank you, Kevin, for the tremendous contribution you made to the community of Inverell over many years, and for your contribution to the Olympic Games over the past couple of weeks.

The DEPUTY-PRESIDENT (The Hon. Janelle Saffin): I express my sympathy to the family of Kevin Blacklow, as I am sure do all members of this House.

DAIRY INDUSTRY DEREGULATION

The Hon. Dr A. CHESTERFIELD-EVANS [11.40 p.m.]: I wish to refer to the effects of dairy deregulation on New South Wales dairy farmers. Yesterday was a national day of action by the Australian Milk Producers Association [AMPA]. Dairy farmers in New South Wales and Queensland picketed Woolworths stores in regional areas of New South Wales, Victoria, South Australia and Queensland in protest against the cut in price offered to milk producers. The Australian Democrats support and acknowledge AMPA's action and support its demand for a fairer and reasonable price for its produce. Three months ago processors offered New South Wales dairy producers 37¢ per litre for market milk. Last week Dairy Farmers cut the price offered to producers to as low as 32¢ per litre. It is a disgrace!

The Democrats opposed dairy deregulation because the only stakeholders to benefit from it would be the processors and retailers, not the dairy farmers and the local communities. Unfortunately, our suspicions have been confirmed. I find it ironic that some members of the National Party, a party that claims to represent the interests of primary producers and rural communities, have been urging their constituents in the local media to buy milk from local co-operatives, instead of major retail chain stores, when it was the National Party and its Coalition partner, the Liberals, who went along with deregulation in New South Wales. The Coalition demanded an additional \$80 million from the State Government to assist dairy farmers in the structural adjustment of their industry. We said that that was not necessarily enough.

When they received a letter from the Minister for Agriculture assuring them that a committee would be established to look into the financial effects of deregulation, they eventually backed down from their demand for an additional \$80 million. If the crossbenchers did that, we would be laughed at and regarded as naive and stupid. I hope that voters of regional New South Wales at the next election will realise who best represents the bush. We believe that we do a better job than the Coalition. I note from a report on ABC news of Tuesday 10 October that the New South Wales Government will make \$500,000 available to the State's dairy committees to help them adjust to deregulation of the industry. The Minister for Regional Development, Harry Woods, said that the Government recognised the difficult times dairy farmers are going through since the July deregulation. He said that funds from the regional economic transition scheme would help them adapt to the major changes. I ask you: \$500,000 in a crisis like this? It is a joke!

GLOBAL WARMING

Ms LEE RHIANNON [11.42 p.m.]: Global warming is accelerating faster than the experts predicted. In 1995 the Intergovernmental Panel on Climate Change predicted that global temperatures would rise between 1 and 3.5 degrees Celsius during the twenty-first century. In fact, this rate of change is already thought to be conservative. Members may have seen the recent news that, as a result of global warming, it is now possible to sail across the North Pole, which is something we would all find extraordinary. We would have grown up with the idea that it was solid ice. The potential ramifications—like damage to the environment, the economy and the lives of literally billions of people—are mind boggling.

However, the situation is not entirely negative. Practical solutions do exist and they can be put in place. One such potential solution is ethanol, which could be used as a fuel in place of existing fuels. Ethanol can be manufactured from waste, such as sawdust, cotton, sugar or wheat. There is enough woody waste or other cellulose material available to supply all of Australia's liquid fuel needs. When mixed with petrol, ethanol cuts emissions of sulphur dioxide, carbon monoxide and carbon dioxide. Diesel blends can also cut emissions by up to half. Economic studies have found that commercial-scale plans could produce ethanol for 38¢ to 40¢ per litre, which is about a quarter more than the cost of refining petrol from crude oil. With further research experts believe that costs could be cut even more.

For some years a plant in Nowra has been producing ethanol from wheat, processing waste starch. The ethanol is blended with petrol and sold at service stations as regular fuel. It is not some abstract theory, but a practical solution that is already working, and working to help us lower the impact of global warming. Apart from reduced global warming and cleaner air, ethanol also offers the chance for clean, green economic development in regional areas, which is something we are very much in need of. The cost of transporting biomass makes local processing a far more attractive option. The production of ethanol at sites close to the widely distributed biomass resource will result in widespread regional and rural development. When the Greens refer to biomass, it is quite different from what the Government calls biomass for the purposes of electric power generation.

The Government proposes burning forest materials and logging byproducts or even whole trees to generate electricity or charcoal. The Greens are talking about genuine waste, waste from cotton, wheat or sugar.

Ethanol is a fantastic alternative fuel that has extraordinary potential to deliver environmental and social benefits. It is really worth supporting and worth the Government looking into. Tragically, however, as we see happen so often, governments are doing little or nothing to promote it. So much could be done by way of funding or tax breaks for research, incentives for production, or differential pricing to promote the use of ethanol. This is one of those rare examples where a solution exists to a complex problem. What is more, the solution is not theoretical data; it is already in practice. It deserves more investigation by and support from the Government. The Greens hope that will be forthcoming.

Motion agreed to.

House adjourned at 11.45 p.m.
