

LEGISLATIVE COUNCIL

Tuesday 2 September 2003

The President (The Hon. Dr Meredith Burgmann) took the chair at 2.30 p.m.

The President offered the Prayers.

The PRESIDENT: I acknowledge that we are meeting on Eora land.

ASSENT TO BILLS

Assent to the following bills reported:

Human Tissue and Anatomy Legislation Amendment Bill
 Lotteries and Art Unions Amendment Bill
 Human Cloning and Other Prohibited Practices Bill
 Research Involving Human Embryos (New South Wales) Bill
 Bail Amendment Bill
 Local Government Amendment (Elections) Bill
 National Park Estate (Reservations) Bill
 Crimes Legislation Amendment (Parole) Bill
 Commission for Children and Young People Amendment (Child Death Review Team) Bill
 Crimes Legislation Amendment Bill
 Police Powers (Drug Detection in Border Areas Trial) Bill
 Workers Compensation Legislation Amendment Bill
 Local Government Amendment (Employment Protection) Bill
 Appropriation Bill
 Appropriation (Parliament) Bill
 Appropriation (Special Offices) Bill
 State Revenue Legislation Amendment Bill
 Fair Trading Amendment Bill
 Firearms Amendment (Prohibited Pistols) Bill
 National Parks and Wildlife Amendment (Telecommunications Facilities) Bill
 Occupational Health and Safety Amendment (Dangerous Goods) Bill
 Explosives Bill
 Statute Law (Miscellaneous Provisions) Bill
 Valuation of Land Amendment (Valuer-General) Bill

INDEPENDENT COMMISSION AGAINST CORRUPTION

Reports

The President tabled, pursuant to the Independent Commission Against Corruption Act 1988, the following reports:

Report on an investigation into the conduct of the Hon. Malcolm Jones MLC, dated July 2003
 Report on an investigation into the conduct of certain officers of the New South Wales Grains Board, dated August 2003

BROADCASTING OF PROCEEDINGS

The PRESIDENT: Order! I inform the House that according to the resolution of the House adopted on 11 October 1994, I have authorised the video broadcasting of the proceedings of the House to the Department of Health.

LEGISLATIVE COUNCIL CHAMBER CAMERA SYSTEM

The PRESIDENT: Order! I wish to inform honourable members that a new television camera system has been installed in the Legislative Council Chamber, which will be operating from today. The new system consists of three cameras—one in the centre at the western end of the Chamber above the brass gates and two at the eastern end in each corner on either side of the dais. The cameras will be controlled by an operator, engaged by the Legislative Council, from a control room in the upper gallery from the commencement of proceedings each sitting day until the dinner adjournment. After dinner the system will revert to the single fixed camera at the western end of the Chamber unless there is a requirement by the President or the Clerk for an operator to be

on duty to cover a particular debate. Members will note the significantly improved quality of the picture broadcast on the internal monitors and the webcast on the internet. The new system, which has full digital capability, will also provide a much improved television coverage to the media gallery on level 6.

BUDGET ESTIMATES AND RELATED PAPERS

Financial Year 2003-04

The Hon. John Hatzistergos tabled the following Budget Estimates and related papers for the financial year 2003-04:

Budget Paper No. 1—Budget Speech 2003-04
Budget Paper No. 2—Budget Statement 2003-04
Budget Paper No. 3—Budget Estimates 2003-04 Volumes 1, 2 and 3
Budget Paper No. 4—State Asset Acquisition Program 2003-04

Ordered to be printed.

AUDIT OFFICE

Reports

The Clerk, pursuant to the Public Finance and Audit Act 1983, announced the receipt of the following performance audit reports received out of session:

Sydney Water Corporation: Northside Storage Tunnel Project, dated July 2003

Freedom of Information: Ministry of Transport; Premier's Department; Department of Education and Training, dated August 2003

The Clerk announced further that pursuant to the Act he had authorised that the reports be printed.

ROADS AND TRAFFIC AUTHORITY AND CROSS CITY MOTORWAY CONSORTIUM CONTRACT DOCUMENTS

Return to Order

The Clerk, in accordance with the resolution of the House of Tuesday 24 June 2003, tabled documents relating to the cross-city tunnel received by him on 8 July 2003 from the Director-General of the Premier's Department and referred to in paragraph 1 of the resolution, together with an indexed list of documents.

The Clerk tabled also a list identifying documents for which privilege is claimed and which documents are available only to members of the Legislative Council.

JUNEE CORRECTIONAL CENTRE MANAGEMENT

Return to Order

The Clerk, in accordance with the resolution of the House on Thursday 3 July 2003, tabled documents relating to the Junee Correctional Centre received by him on 8 July 2003 from the Director-General of the Premier's Department and referred to in paragraph 1 of the resolution, together with an indexed list of documents.

The Clerk tabled also a list identifying documents for which privilege is claimed and which documents are available only to members of the Legislative Council.

DEPARTMENT OF EDUCATION AND TRAINING RESTRUCTURE

Return to Order

The Clerk, in accordance with the resolution of the House of Thursday 3 July 2003, tabled documents relating to Education received by him on 17 July and 21 July 2003 from the Director-General of the Premier's Department and referred to in paragraph 1 of the resolution, together with an indexed list of documents.

The Clerk tabled also a list identifying documents for which privilege is claimed and which documents are available only to members of the Legislative Council.

MILLENNIUM TRAINS

The PRESIDENT: Order! As honourable members will recall, on 25 June 2003 the House considered a motion relating to the order for papers concerning Millennium trains, and the documents upon which there had been claims of privilege. The House resolved to require the relevant departments and authorities to reassess their claim of privilege on the documents and, within 14 days, provide a list of those documents which should not be released for publication and their reasons in support of the claim of privilege.

On 9 July 2003, in response to the resolution, the Clerk received advice from the Director-General of the Premier's Department that the complexity of the material previously provided did not allow for a simple list of those documents which could be published but required the separation of files and the reindexing of each document. Accordingly, 36 boxes, which replicated the documents contained in the 99 boxes, were provided, with privilege claimed on documents contained in 19 of the 36 boxes.

MILLENNIUM TRAINS

Return to Order

The Clerk tabled, pursuant to the resolution of the House of Wednesday 25 June 2003, which required departments and authorities to reassess their claim of privilege on documents provided to the House relating to the Millennium trains, documents received by him on 9 July and 14 July 2003 from the Director-General of the Premier's Department and referred to in paragraph 2 of the resolution, together with an indexed list of documents.

The Clerk tabled also a return identifying documents for which privilege is still claimed and which documents are available only to members of the Legislative Council.

Claim of Privilege

The PRESIDENT: Order! I report to the House that on 11 July 2003 the Clerk received from the Hon. Greg Pearce a written dispute as to the validity of a claim of privilege on documents lodged with the Clerk on 27 May 2003 relating to the Millennium trains. In accordance with the resolution of the House, Sir Laurence Street, being a retired Supreme Court judge, was appointed as an independent arbiter to evaluate and report as to the validity of the claims of privilege. The Clerk released the disputed documents to Sir Laurence Street, who has now provided his report to the Clerk. The report is available for inspection by members of the Legislative Council only.

PETITIONS

Berowra Valley Regional Park

Petition praying that Berowra Valley Regional Park be reserved as a national park, received from **Mr Ian Cohen**.

Public Education

Petition praying that the Government abandon the proposed restructure of the Department of Education and Training described in the report "Lifelong Learning—The future of public education in New South Wales", received from **the Hon. Peter Primrose**.

Gay and Lesbian Mardi Gras

Petition requesting cancellation of the Gay and Lesbian Mardi Gras until the danger of terrorist attack ceases and fundamental change occurs in the political, social and religious climate, received from **Reverend the Hon. Fred Nile**.

BUSINESS OF THE HOUSE

Postponement of Business

Business of the House Notice of Motion No. 2 postponed on motion by the Hon. Greg Pearce.

BUSINESS OF THE HOUSE**Withdrawal of Business**

Private Members' Business item No. 14 outside the Order of Precedence withdrawn by the Hon. Peter Breen.

GENERAL PURPOSE STANDING COMMITTEES**Membership**

The PRESIDENT: I inform the House that that I have received the following nominations for membership of the general purpose standing committees according to the resolution adopted by the House on 3 July 2003:

General Purpose Standing Committee No. 1

Government: Mr Burke, Ms Burnswoods, Mr Primrose
Opposition: Ms Cusack, Mr Harwin
Crossbench: Reverend Mr Nile, Ms Rhiannon

General Purpose Standing Committee No. 2

Government: Mr Catanzariti, Ms Robertson, Mr Tsang
Opposition: Ms Forsythe, Ms Parker
Crossbench: Dr Chesterfield-Evans, Reverend Dr Moyes

General Purpose Standing Committee No. 3

Government: Ms Fazio, Mr Obeid, Mr West
Opposition: Mrs Pavey, Mr Pearce
Crossbench: Mr Breen, Mr Tingle

General Purpose Standing Committee No. 4

Government: Ms Burnswoods, Mr Catanzariti, Ms Griffin
Opposition: Mr Clarke, Miss Gardiner
Crossbench: Ms Hale, Mr Oldfield

General Purpose Standing Committee No. 5

Government: Ms Griffin, Mr Tsang, Mr West
Opposition: Mr Colless, Mr Lynn
Crossbench: Mr Cohen, Ms Hale

Chairs and Deputy-Chairs

The PRESIDENT: I inform the House that at meetings held on 25 August 2003 the following members were elected as Chairs and Deputy Chairs of the general purpose standing committees:

General Purpose Standing Committee No. 1

Chair: Reverend Mr Nile
Deputy Chair: Mr Primrose

General Purpose Standing Committee No. 2

Chair: Reverend Dr Moyes
Deputy Chair: Ms Forsythe

General Purpose Standing Committee No. 3

Chair: Ms Fazio
Deputy Chair: Mr Pearce

General Purpose Standing Committee No. 4

Chair: Ms Gardiner
Deputy Chair: Ms Hale

General Purpose Standing Committee No. 5

Chair: Mr Cohen
Deputy Chair: Mr West

STANDING COMMITTEE ON STATE DEVELOPMENT**Reference**

The Hon. TONY BURKE: According to paragraph 6 of the resolution establishing standing committees dated 21 May 2003, as amended on 25 June 2003, I wish to inform the House that the Standing Committee on State Development received on 3 July 2003 the following reference from the Minister for Energy and Utilities, Minister for Science and Medical Research, Minister Assisting the Minister for Health (Cancer), and Minister Assisting the Premier on the Arts:

That the Committee inquire into and report on science and its commercialisation in New South Wales and in particular review:

- (a) existing scientific efforts and programs in New South Wales public sector organisations,
- (b) the opportunities for commercialising the results of scientific research,
- (c) the opportunities for New South Wales public sector administered programs in meeting policy objectives,
- (d) the BioFirst program and the opportunities it provides for the commercialisation of research discoveries.

STANDING COMMITTEE ON LAW AND JUSTICE**Reference**

The Hon. CHRISTINE ROBERTSON: According to paragraph 6 of the resolution establishing standing committees dated 21 May 2003, as amended on 25 June 2003, I wish to inform the House that the Standing Committee on Law and Justice has received the following reference from the Attorney General, and Minister for the Environment:

That the Committee inquire and report on:

1. The provisions of the Criminal Procedure Amendment (Pre-Trial Disclosure) Act 2001, together with the system of pre-trial disclosure in New South Wales including:
 - (a) the frequency and type of pre-trial disclosure orders made in the Supreme Court and District Court;
 - (b) the rate of compliance with pre-trial disclosure requirements by:
 - (i) legally aided defendants,
 - (ii) privately funded defendants,
 - (iii) police,
 - (iv) the Office of the Director of Public Prosecutions;
 - (c) the impact of pre-trial disclosure requirements on unrepresented defendants;
 - (d) the effect of pre-trial disclosure requirements on court delays and waiting times in the Supreme Court, District Court and the Court of Criminal Appeal;
 - (e) the effect of pre-trial disclosure requirements on the doctrine of the right to silence;
 - (f) the effect of pre-trial disclosure requirements on the doctrine of the presumption of innocence;
 - (g) the effect of pre-trial disclosure requirements on the doctrine of the burden of proof resting with the prosecution; and
 - (h) any other matter arising out of or incidental to these terms of reference.
2. That the Committee inquire and report within three years of the date of commencement of the Act, namely, by 18 November 2004.

GENERAL PURPOSE STANDING COMMITTEE No. 5**Reference**

Mr IAN COHEN: According to paragraph 3 of the resolution establishing general purpose standing committees dated 3 July 2003, I inform the House that General Purpose Standing Committee No. 5 resolved on 1 September 2003 to adopt the following terms of reference:

That General Purpose Standing Committee No. 5 inquire into and report on the social, political and economic impact of amalgamations on local government in New South Wales, and in particular:

- (a) the adequacy of current funding arrangements for local government,
- (b) the effect of unfunded mandates on councils,
- (c) the local community's expectations of service provision by local government,
- (d) the optimum organisational structure to efficiently deliver better local government,
- (e) the criteria by which amalgamations, boundary changes or major reorganisation of council areas should be decided,
- (f) the methods by which any such changes should be implemented,
- (g) the role that State government should play in any changes,
- (h) the views of residents and ratepayers on amalgamation,
- (i) the financial implications of amalgamations for financial assistance grants,
- (j) any other relevant issues.

BUDGET ESTIMATES AND RELATED PAPERS

Financial Year 2003-04

Motion, by leave, by the Hon. Michael Egan agreed to:

That the Budget Estimates and Related Papers for the financial year 2003-04, presenting the amount to be appropriated from the Consolidated Fund, be referred to the general purpose standing committees for inquiry and report.

SESSIONAL ORDERS

Prayers

Ms LEE RHIANNON: I move:

That the sessional order relating to prayers be amended by omitting all words after "read:" and inserting instead:

- 10A. On the President taking the Chair each day, if there is a quorum present as provided by Standing Order No. 10, the President will say:

"I ask all members to stand in silence and pray or reflect on your responsibilities to the people of New South Wales and their environment."

The Legislative Council is Australia's oldest Parliament, and the Greens have great respect for the traditions that come with its long history. Of all the traditions of this place, the most important is that Parliament is a representative body. Those on the Coalition benches who are already starting to laugh, maybe like to reflect on how much they represent the people of New South Wales, because they have real trouble at the moment.

The Hon. Duncan Gay: Even the National Party outvoted you.

Ms LEE RHIANNON: Not for long. Parliament is a place of the people and for the people. Again, it is in this spirit that we bring this motion to the House. It is this tradition and the principles of freedom of expression, freedom of religion and freedom of speech that have prompted the Greens to move this motion. The Greens believe the Parliament must adapt to change in society. If we are to be a representative, inclusive and respected institution we must reflect each character and spirit of the society we serve. Institutions such as Parliament, although old, are not stagnant. This House is a dynamic, continually evolving place. Again, it is in that spirit that we bring forward this motion.

Less than three decades ago, for example, the Legislative Council was an unelected and almost invisible body. I wonder if some of the Coalition members who were around in those days would guffaw at any possibility of having an elected House. Today this House is a vigorous House of review, and it is more representative of the political will of the people of New South Wales than the Legislative Assembly. This is the background to the Greens' motion. Our Parliament has a long tradition, but it has the capacity to evolve. And it must evolve if it is to remain relevant to the people and the society it represents. We no longer live in a Christian-dominated society. By the end of the twentieth century the proportion of people regularly attending church was half of what it was in 1950.

The Hon. John Della Bosca: The golden years.

Ms LEE RHIANNON: I note that the Special Minister of State is saying that they were the golden years. I am not sure what was so golden about them, but perhaps he would like to enlighten me.

Pursuant to resolution business interrupted.

QUESTIONS WITHOUT NOTICE

COUNTRYLINK CONCESSIONAL FARES

The Hon. MICHAEL GALLACHER: My question without notice is to the Minister for Transport Services. Will he guarantee to New South Wales pensioner concession cardholders that, irrespective of any possible recommendation to the contrary by the Parry inquiry, he will retain the four free single rail journeys on Countrylink services for those concession cardholders?

The Hon. MICHAEL COSTA: Once again the Opposition is scratching around for a political headline. I can see it already—"Costa refuses to rule out concession guarantee".

The Hon. Michael Gallacher: It is up to you.

The Hon. MICHAEL COSTA: No. I will make my position very clear. I asked Tom Parry to conduct a ministerial inquiry into sustainable public transport. The interim report should be available next week. I do not intend to make any other comments until that report is issued.

ALCOHOL SUMMIT

The Hon. TONY BURKE: My question without notice is directed to the Special Minister of State. As the Minister responsible for the New South Wales summit on alcohol abuse, will he inform the House of the next steps for the Government as a result of the successful New South Wales summit on alcohol abuse?

The Hon. JOHN DELLA BOSCA: I thank the honourable member for his question. I am sure that honourable members will agree that the New South Wales summit on alcohol abuse was an extremely successful event. It was exceptionally well run, and I congratulate all involved. More importantly, in the broader community it raised awareness of the issue. Over a four-day period, we heard from experts, academics and those who are in the front line of the problem as to causes, consequences and possible solutions to the problem. Just like the Drug Summit four years ago, many new and innovative ideas were brought forward for consideration, debated, and even voted upon. No matter what one's view is, the fact that such a vigorous debate took place was an achievement in itself. There was also an unprecedented level of interest in the summit prior to its commencement. This interest demonstrates how important an issue alcohol abuse is considered to be by organisations and communities throughout New South Wales and Australia.

Approximately 270 submissions were received. An overwhelming number of individuals and organisations self-nominated as participants of the summit. Regrettably, not all could be accommodated, but every effort was made to allow for maximum community input through submissions, public viewing of the summit, web casting of the plenary sessions and the online forum via the web site. The final communiqué of the summit included over 300 recommendations. Over the next three months the Government will consider the summit communiqué and respond to each and every recommendation. The response will be released by the end of this year. This will require input from many government agencies. The Government therefore intends to maintain the Senior Officers Co-ordinating Committee on Alcohol, which will now focus on responding to recommendations and developing a new action plan.

Due to the fact that there were so many recommendations, the Government also decided to establish a three-week period for comment on the summit communiqué. This will allow the community to view the recommendations and make full and further comment, as appropriate. In conclusion, I take this opportunity to thank all members in this Chamber who participated in the summit and its working groups.

RURAL WORKERS OCCUPATIONAL HEALTH AND SAFETY

The Hon. DUNCAN GAY: My question is directed to the Special Minister of State, and Minister for Industrial Relations. Is he aware of the widespread concerns felt by farmers throughout New South Wales in complying with new occupational health and safety [OHS] regulations? Do training programs have consistent content, and is each and every item of farm machinery required to have separate OHS certification? What measures will he take to standardise these requirements so that the skills and experience of farmers are recognised, time and financial costs are minimised, and they reflect the reality of the State's agricultural industry?

The Hon. Melinda Pavey: Good question.

The Hon. JOHN DELLA BOSCA: I thank the Deputy Leader of the Opposition, the Hon. Duncan Gay, for a very good question indeed. It is a very good question, and I did enjoy the tone in which he asked it. It reminded me of a former great Labor Premier about whom I think we all were thinking. The Deputy Leader of the Opposition has asked a very important question. It reflects matters raised with me by a large number of people from the rural community in the agricultural sector. His colleague the honourable member for Barwon, Ian Slack-Smith, has been raising these concerns in the public arena of late. I will deal first with the issue of workers compensation costs and occupational health and safety of rural employees in an attempt to deal with the substance of the last part of the question asked by the Deputy Leader of the Opposition.

The Hon. Duncan Gay: I did not ask you about workers compensation.

The Hon. JOHN DELLA BOSCA: I recognise that, but there is a linkage between the two and I think that it is important for that link be recognised. Reforms implemented by the Carr Government have reduced red tape, improved workplace safety, and substantially reduced litigation and associated legal costs by over \$500 million. Under this Government, disputes in workers compensation have been reduced by 75 per cent, that is, from 8,000 per quarter to 2,000. Fewer disputes mean that injured workers get the assistance they need and that costs to the scheme are reduced.

The new wages definition reduces red tape by bringing workers compensation into line with payroll tax. It also prevents employers, including employers in the rural sector, from structuring their wages to avoid premiums—a practice which forces their honest colleagues to cross-subsidise them. This Government has done everything possible to make sure that these changes are revenue neutral. In fact, every single classification has been reduced by 10.3 per cent to take into account the broader definition of wages. It is true that some industries have had an increase in workers compensation premiums. This is not because of the new wages definition. This is about the safety record of the industry and its workplaces.

Workplace safety and workers compensation costs go hand in hand, as I mentioned to the Deputy Leader of the Opposition in response to his interjection. This Government takes safety seriously and has provided assistance to all rural employers to assist them to make their workplaces safer, not only for themselves but also for their employees. I am making an observation that would be familiar to members throughout this Chamber when I say that the farm itself is an unusual workplace. It is unusual for the reason that, for most people, the farm is also the family home. As well as being the workplace, it is also the family home and it is also a place where visitors come. Therefore the potential hazards of the farm workplace are multiplied.

In addition, as someone who cannot claim to have a rural background and does not have a personal familiarity with farming, it came as somewhat of a surprise to me as the Minister responsible for occupational health and safety when I first took over this portfolio to realise that, along with non-metalliferous mining, agriculture is the most dangerous occupation in this State. The Government and WorkCover in particular have taken a number of important initiatives. WorkCover's rollover protection structure rebates have improved the safety of 7,800 New South Wales tractors at a cost of over \$1.5 million. In accordance with the thrust of the question asked by the Deputy Leader of the Opposition, we have been providing free seminars statewide on farm safety using a farm safety checklist and a simplified tool kit, if one likes, on how to make it easier for farmers to identify and manage risks in the farm workplace.

The Hon. Rick Colless: How did you go shearing all those sheep?

The Hon. JOHN DELLA BOSCA: I did not do all that well. A new ShearSafety grants scheme is improving safety in shearing sheds and is providing safer worm-drive shearing handpieces for shearers. A

premium discount scheme for employers is making workplaces safer and \$67.5 million worth of discounts have been made to June 2003. There are also tough compliance and fraud systems in place to ensure that all employers are paying their fair share, and to stop people from cheating the system. [*Time expired.*]

NORTH LACHLAN-BOGAN REGIONAL VEGETATION PLAN

Mr IAN COHEN: I ask the Minister for Natural Resources (Forests), representing the Minister for Infrastructure and Planning: Is the Minister pushing for the north Lachlan-Bogan regional vegetation plan to be made? If so, why? Was that plan not rejected two years ago by the Department of Land and Water Conservation and all other agencies due to its not conforming to the objectives of the Native Vegetation Conservation Act? Will this plan allow up to 80 per cent of the vegetation to be cleared in the area and facilitate the massive illegal clearing that is currently going on? If the Minister made this plan, would that not mean open slather for clearing, against the Government's election promise of stopping broad-scale clearing?

The Hon. MICHAEL COSTA: That question is obviously a matter for the Minister responsible. I will take it on notice and get the relevant information.

DEPARTMENT OF COMMUNITY SERVICES OUT-OF-HOME CARE SERVICES

The Hon. CATHERINE CUSACK: My question without notice is directed to the Minister for Community Services. Why has the number of children being removed from the care of their parents without consent by the Department of Community Services [DOCS] increased from 397 in March 2002 to 803 in March 2003? Why have these figures increased at such a rapid rate? How many children who are removed from care by DOCS without consent have parents who have a disability? What efforts are being made to help parents with disabilities to care for their children to prevent their children unnecessarily coming into care?

The Hon. CARMEL TEBBUTT: That is a good question. The increase in the number of children entering out-of-home care should be of concern to all of us, because, inevitably, it reflects children who, for one reason or another, cannot live with their own family. That is not always because of abuse or neglect, but primarily it will be; obviously, that is something that we all find both concerning and troubling. I will check the figures stated by the Hon. Catherine Cusack, because I do not believe they are accurate. The figures I have state that at 30 June 2002 the total number of children in care was 9,273. The growth in the figures referred to by the honourable member is far too large for it to have occurred in one year. Perhaps what was compared was the number of children in one type of out-of-home care—maybe those in either voluntary or formal out-of-home care—with the total figure.

Those numbers can be sorted out. Nonetheless, the growth may not be as large as that quoted by the honourable member, but yes, there is a growth in the number of children in out-of-home care. However, we have to balance those numbers against the massive increase in the number of reports of concern to the Department of Community Services [DOCS]. Over the past five years there has been a 432 per cent increase in reports of concern to the department. Perhaps it is not surprising that there has been such an increase in reports of concern. I need to make it very clear that that does not mean that there has been a 432 per cent increase in child abuse. A range of factors has driven that increase in reports. Nonetheless, the figures indicate that there is an increase in child abuse and neglect in our community.

An increase in child abuse and neglect means that there will be an increase in the number of children in out-of-home care. While it is the last possible step that the department will take, and our legislation reflects that the least intrusive intervention be taken, it is certainly the case that should a child or young person be at risk, and the department believes that there is no other way to resolve the problem, it will take action to remove the child. I guess it is not surprising that in those circumstances parents are usually not in agreement. So there has been an increase in the number of children in out-of-home care. One matter we need to confront with out-of-home care is the lack of substantial depth to the system of services available to children. Largely the services tend to be foster care, and foster carers do a fantastic job.

It is not an easy job and foster carers offer their services out of the goodness of their hearts. Foster carers receive an allowance from the Government, and, while it is the highest in Australia, it does not necessarily cover every aspect of the cost of providing care for a child. The reality is that some children and young people coming into care have significant issues including complex challenging behaviour. We need better ways to support those children and young people. We need better supports to wrap around them and their foster carers. Sometimes foster care may not be the appropriate service option, at least for a time. All aspects of the out-of-home care system had been reflected in the Government's additional funding, \$1.2 billion over five years, which was announced at the end of last year.

Substantial extra funding is provided for out-of-home care services of \$400 million over five years. A large portion of that will be allocated in years four and five, and there are very good reasons for that. The Government needs to do some significant work with the non-government sector in developing better service options for children and young people in out-of-home care. Last year one case concerning a young boy received a lot of publicity. Care for that young boy was costing the Government a significant amount. Virtually we were providing 24-hour one-on-one care for a child aged 13 years. [*Time expired.*]

GOODSELL BUILDING LEASE

Ms SYLVIA HALE: My question is directed to the Minister Assisting the Minister for Natural Resources (Lands), representing the Minister for Natural Resources. Will the Minister explain why, as reported in yesterday's *Sydney Morning Herald*, the Government is not willing to reveal the rent it pays for the Goodsell Building on Hunter and Elizabeth streets, Sydney? Is the Minister aware that the 2001 Auditor-General's report clearly lists the building as a government non-current asset? Does the Government own the building? If the Government has sold the building, when did it do so and for how much? If the Government has not sold the building, how much rent does it pay?

The Hon. TONY KELLY: I will refer the question to the appropriate Minister for a response.

The Hon. JOHN DELLA BOSCA: Madam President, I can answer the member's question. There was a media report about a lease arrangement with the GIO for the Goodsell Building. I am advised that Suncorp, which now owns the GIO, does not receive any benefit from the Goodsell lease. In fact, the money is paid from one arm of Treasury to another. By way of background, the Goodsell Building was constructed in 1968. Under a lease-back arrangement, the Government paid an annual sum to the GIO with the ownership of the building reverting to the Crown in 2008. At the time of that arrangement the GIO was a government-owned entity. Subsequently, the Greiner Government privatised the GIO and certain assets were then transferred to the New South Wales Insurance Ministerial Corporation, including leasing rights to the Goodsell Building.

DEPARTMENT OF COMMUNITY SERVICES AND PORT KEMBLA BROTHEL UNDER-AGE WORKERS

The Hon. JOHN RYAN: My question is addressed to the Minister for Community Services. Minister, on 25 February 2003 did a close relative of one of the young girls involved in the Port Kembla brothel incident write to the Department of Community Services [DOCS] seeking assistance for that girl's family because of special circumstances which may have required DOCS to assist the family with an intensive program of support to help them control the difficult behaviour of their daughter? Is it a fact that not only has the assistance he sought not been provided but he has not received a reply to this letter? Has the Minister been briefed on the contacts that both families and the girls have had with DOCS in the past? Does the Minister understand that both families are utterly disillusioned with the assistance they have received from DOCS in helping them control the difficult behaviour of their daughter?

The Hon. Henry Tsang: John, you asked that yesterday. The Minister has answered that question already.

The Hon. CARMEL TEBBUTT: Yes, a question was asked about this matter at the estimates committee last night, but I am happy to provide the House with some information, as I did at the estimates committee last night. I am not aware of the letter that the Hon. John Ryan referred to. I know that the two teenage girls in question and their families have a long history of involvement with the Department of Community Services. The department has worked with the girls and with the family of one of the girls for a significant time.

Nonetheless, as I advised the estimates committee last night, it is simply not correct to suggest that the department did not report the concerns about the girls after the reports were received. I am advised that the Department of Community Services referred this matter to a Joint Investigation Response Team [JIRT] on the same day that a report was received at the DOCS Helpline. The JIRTs comprise both police and DOCS officers. That was an appropriate response to a report of this nature, which clearly involves elements of criminality. I understand that the girls' families are distressed and struggling with what is happening in their lives. We would all have sympathy with the families. However, I point out that this is a difficult area of the department's operations, because the JIRTs were established to increase the opportunity for convictions to apply when elements of criminality involve child sex abuse or child abuse.

From that point the priority of DOCS was to co-operate with police and ensure that nothing was done to compromise the criminal investigation. Sometimes that means that DOCS is unable to provide the level of feedback that a family might want to receive or that DOCS might want to give the family. This is a difficult situation, but the priority must be to ensure the successful progress of criminal investigations. I know the Opposition is seeking to make enormous political mileage out of this issue; I am not surprised, because it is desperate. I remind the members of the Opposition that, first, the Hon. John Ryan has spent about four days trying to parade incorrect information. Once again he tried to claim that DOCS did not respond to a matter, when it did. Second, real people and families—lives—are behind these stories. I have already addressed this issue during the estimates committee. Of course, the Hon. John Ryan wants to take the opportunity now, with a full gallery and an audience, to raise the issues again. I have made it very clear.

The Hon. Melinda Pavey: This is a serious matter.

The Hon. CARMEL TEBBUTT: It is a serious matter; I do not deny that. This Government, not those opposite, put extra funding into community services. Opposition members should not lecture me about serious matters. I know this is a serious matter. Nonetheless, there are processes that must be followed. DOCS must be careful about not compromising police processes or the possibility of a conviction in this case. I am advised that DOCS has now been in contact with both families and is endeavouring to arrange all appropriate support and assistance.

The Hon. JOHN RYAN: I ask a supplementary question. In her answer the Minister for Community Services said that the matter had been reported from the DOCS Helpline to JIRTs. Can the Minister provide precise information as to when the DOCS Helpline received information from the police and when that matter was conveyed to JIRTs?

The Hon. CARMEL TEBBUTT: I am advised that the information was provided to the DOCS Helpline on 21 August and it was referred to the JIRT within 24 hours—I believe on the same day.

TRAIN MOBILE CLEANING CREWS

The Hon. AMANDA FAZIO: My question is directed to the Minister for Transport Services. What is the latest information on CityRail cleanliness standards?

The Hon. Rick Colless: They're nonexistent!

The Hon. MICHAEL COSTA: The honourable member is wrong. I have some good news to report.

The Hon. Rick Colless: Are you resigning?

The Hon. MICHAEL COSTA: The Opposition would love me to resign, because it has no hope while I am in the portfolio that is for sure. What a joke! There is some good news in this area and some room for optimism. Cleanliness is an issue of concern to passengers on the CityRail network. In fact, people who use the system have identified three issues of concern—safety, cleanliness and reliability—which we are seeking to address. That is why we moved to put 40 mobile cleaners in the system. Those cleaners commenced work on 4 July and their aim is to target the busiest lines during peak hour.

A new State Rail cleanliness audit was conducted between March and August and it revealed a reduction of more than 40 per cent in the amount of litter in carriages during afternoon peak services over the past six months. I am advised that spot checks of 350 carriages across the rail network conducted by independent contracted field workers found that cleaning crews had had a positive effect. They have helped to reduce the average number of items of litter from 18 per carriage—

The Hon. Greg Pearce: Who is the independent contracted cleaning auditor?

The Hon. MICHAEL COSTA: Dennis Denuto continues. If the Hon. Greg Pearce would let me finish my answers he might learn something. If he continues to interject he will interrupt the flow of my answer and he will not be enlightened. There has been a reduction in the average number of items of litter from 18 per carriage in March to 10 per carriage in August.

[Interruption]

The PRESIDENT: Order! The level of chatter is such that I am finding it difficult to hear the Minister.

The Hon. MICHAEL COSTA: This is a very encouraging start.

[Interruption]

The PRESIDENT: Order! I call the Hon. Rick Colless to order.

The Hon. MICHAEL COSTA: I take this opportunity to congratulate the cleaning crews involved and also commuters, with whom the ultimate responsibility for litter on our trains lies. It seems that more people are doing the right thing and leaving less rubbish on trains. The audit found that the bulk of the problem occurs during the afternoon peak, compared with the average of 1.6 items per carriage collected during the morning peak. There is much more to be done but this is an encouraging result.

State Rail management tells me that it will now concentrate its efforts on problem areas identified by the audit. Some key results include a 50 per cent improvement in train cleanliness during the afternoon peak on the Bankstown, Inner West, East Hills and South lines since the results of the last survey released in March. There has been a general improvement in train cleanliness—floors, windows and seats—with fewer spills per carriage on afternoon services. An average of 1.6 items of rubbish per carriage is collected during the morning peak, which is a slight increase on the average of 1.2 items in the previous six months due to overnight littering on the Northern and Western lines. Services on the Northern, North Shore and Western lines have the largest amount of litter. The audit also found that the number of graffiti hits in carriages has fallen by 20 per cent compared with the last survey released in March. It is also worth noting the efforts of our 40 mobile cleaners. I had the opportunity of meeting some of those cleaners when they commenced work, and I assure honourable members that they are a very enthusiastic group of people. *[Time expired.]*

The Hon. AMANDA FAZIO: I ask a supplementary question. Will the Minister elucidate his answer?

The Hon. Greg Pearce: Bring us some more garbage.

The Hon. MICHAEL COSTA: It is interesting to see that Opposition members do not take this matter seriously, but that is pretty usual for them.

The Hon. Jennifer Gardiner: Clean up your act!

The Hon. MICHAEL COSTA: That is a really clever statement. The Hon. Jennifer Gardiner must be after the job of the Leader of the Opposition. What wit! It is worth noting the efforts of the 40 mobile cleaners. They have collected on a daily basis an average of 194 bags of litter, weighing approximately 524 kilograms. They have so far collected 16.2 tonnes of rubbish, which is enough to fill five backyard swimming pools. I am advised that mobile cleaners removed four times more litter from carriages during the school term compared with the July school holiday period. Future cleaning audits will be conducted bimonthly. Given Opposition members' obvious thirst for this sort of knowledge, I will inform the House on a bimonthly basis of our results in the cleanliness area. These audits were conducted every six months and bimonthly audits will help to focus the efforts of our cleaners to ensure that we improve cleanliness on our trains. I also note that on-the-spot fines for littering on the rail network increased to \$200 from 1 September. We have also introduced tougher penalties for graffiti, vandalism, fare evasion and antisocial behaviour. In line with my commitment to transparency—I note that the Leader of the Opposition has complained about all the information that he is receiving—this information is available on the CityRail web site.

NON-GOVERNMENT ORGANISATIONS OCCUPATIONAL HEALTH AND SAFETY LEGISLATION COMPLIANCE

Reverend the Hon. Dr GORDON MOYES: My question is directed to the Special Minister of State, and Minister for Industrial Relations. Is it a fact that the Occupational Health and Safety Act 2000 and the Occupational Health and Safety Regulation 2001 have introduced a series of complex, interlocking obligations that have made safety management issues extremely demanding and expensive? Is it also a fact that these new requirements limit any defence for employers, especially in situations where non-government organisations have implemented and minimised control measures but not eliminated the risk? How will the impending new Safety Packs enable non-government organisations to meet these new legislative requirements? Will the Minister please explain what type of assistance WorkCover is considering providing in order to assist non-government organisations in meeting these new legislative requirements?

The Hon. JOHN DELLA BOSCA: I thank Reverend the Hon. Dr Gordon Moyes for that very good question—I am surprised that Opposition members have not been asking similar questions. I take this opportunity to point out that WorkCover has been promoting the new occupational health and safety requirements under both the Act and the new regulations. Only yesterday, without much clamour, the new regulations became obligatory for all employers across the State. We allowed a significantly longer lead time for micro businesses before the occupational health and safety obligations became obligatory for all businesses.

It is important to remember the problems we were trying to solve by having a new Occupational Health and Safety Act and regulations. The first problem was that the old Department of Labour and Industry Act and its associated Acts were not consolidated. The obligations for safety by employers were spread across three or four different Acts. I am advised by my department—I have not done exact calculations—that by the time the old Act ceased to have effect it covered slightly less than one-third of the work force in New South Wales. The vast majority of workers in New South Wales were not covered by the old arrangements.

The second problem we were trying to solve was the opposite of what is suggested by the honourable member's question. The old occupational health and safety requirements and the various pieces of legislation were much more complex and prescriptive. They created a whole set of obligations that limited the flexibility of employers to make appropriate arrangements with employees to make commonsense decisions about occupational health and safety. The new regulations, although they make those obligations very clear to employers, provide by way of suggestion and guidance a whole set of measures to deal with health and safety risks in the workplace in a much more effective and flexible way. For instance, the old laws mandated how long the lunch table had to be and how many coathangers had to be in lockers and were almost useless in the context of the modern workplace. The new arrangements are much more flexible and make those obligations clearer.

In February, the Government launched its small business assistance strategy in line with the recommendations of the 2002 Work Safety Summit to provide additional advice and education for small business owners and operators on their obligations under the new occupational health and safety laws, including risk management. In recognition of their particular needs, small businesses were allowed an extra 12 months time, as I said, in which to implement their risk assessment obligations under the new safety provisions. That transitional period came to an end on 1 September. During the past two years WorkCover has been working tirelessly with industry, employer associations and unions as well as a wide range of small, medium and large business operators and the community to allow them to understand the new occupational health and safety requirements and their obligations under the new Act and regulations. The new regulations reflect the various guidance materials industry uses. For example, builders use the Building Code of Australia as a basis for the occupational health and safety—

The Hon. Melinda Pavey: The builders are not happy about it.

The Hon. JOHN DELLA BOSCA: The Hon. Melinda Pavey said that the builders are not happy. I cannot make everybody happy. [*Time expired.*]

COUNTRYLINK STAFFING

The Hon. JENNIFER GARDINER: My question is directed to Minister for Transport Services. Is it correct that the Sydney to Murwillumbah train services had to be cancelled recently on account of on-board staff shortages? Is it also correct that the service was then continued at the expense of the Sydney to Canberra train services, which were replaced by buses? Can the Minister explain how a Government which has had about eight years of running Countrylink has allowed a situation to develop where there is an insufficiency of on-board personnel, resulting in the cancellation of country and coastal trains—clean or dirty? Who is responsible for this staffing crisis? Is it by any chance the Minister?

The Hon. MICHAEL COSTA: All these matters have been canvassed on the public record. As the honourable member knows, the information has already been made available.

STATE EMERGENCY SERVICES STORM DAMAGE RESPONSE

The Hon. KAYEE GRIFFIN: My question without notice is directed to the Minister for Emergency Services. Will the Minister update the House on the activities of State Emergency Service following last month's storms?

The Hon. TONY KELLY: The windstorms that hit the State on Sunday 24 August were the worst since the hail storms of 1999. I thank the thousands of volunteers of the State Emergency Service [SES] who

braved the elements to protect families, homes and businesses across the State. The SES received almost 14,000 calls for assistance. I am proud to announce that their swift response has meant that just 61 jobs remain to be done. That is an incredible 99.56 per cent completion rate. The storms wreaked havoc across New South Wales. The wind caused extensive damage—trees on homes, businesses, cars, streets and major roads. Sydney's east and south were heavily affected, along with Wollongong, the South Coast and the Blue Mountains. Nearly 700 volunteers were out in force almost immediately. Some travelled from as far as the Tweed and the Murrumbidgee to provide assistance to volunteers in Sydney and Wollongong. Forty-one crews were deployed, including those from Lismore, Dubbo, Walgett, Coonamble, Narrabri, Broken Hill, Griffith, Parks, Yass, Kempsey, and other locations across the State. Five teams from the Australian Capital Territory joined them.

Our SES volunteers are highly skilled and they dedicate hours of their personal time to training. Under the leadership of Brigadier Philip McNamara, they have become a crack unit—at the ready to respond to storm and flood damage at the drop of a hat. I am sure that all honourable members will join me in thanking and congratulating the SES on this fantastic effort. They were provided with great support from New South Wales Fire Brigades, the Rural Fire Service that has in excess of 130 units available to help and the Volunteer Rescue Association. With the official storm season soon approaching, I am confident that our emergency services, particularly the SES, are well prepared for any disaster. Congratulations must also go to staff from the energy companies who worked around the clock in difficult circumstances to restore power to tens of thousands of homes. Our volunteers give up time with their families and paid work commitments to protect our homes, families and property. On behalf of the Government, I once again thank them for all their work.

PORT KEMBLA BROTHEL UNDER-AGE WORKERS

Reverend the Hon. FRED NILE: My question is directed to the Minister for Justice, representing the Minister for Police. Were two female children, aged 13 and 14 years, working as prostitutes in the Port Kembla brothel, Southern Belles, for at least 10 days? Does the part-owner of the brothel, Mr Neville Hilton, the President of the Albion Park Branch of the Australian Labor Party, admit that he did not investigate the true age of the girls? What action is NSW Police taking in regard to the sexual abuse of the two girls? What charges will be laid against the part-owner of the brothel, Mr Neville Hilton, for sexually exploiting these two girls? Will the Minister ensure that the Port Kembla brothel, and any other brothel that exploits children in New South Wales, will be permanently closed?

The Hon. JOHN HATZISTERGOS: There are a number of parts to the question. I will refer the matters to the Minister for Police and obtain an answer, and advise the honourable member in due course.

RURAL FIRE SERVICE TANKER LEASE

The Hon. CHARLIE LYNN: My question is directed to the Minister for Emergency Services. What was the purpose and cost of shipping a scarce Rural Fire Service truck to the United States of America as part of an aborted plan, which left volunteers of the Rural Fire Service unemployed and out of pocket when their visas were refused. With whom did the Rural Fire Service enter into this arrangement?

[Interruption]

My question is directed to the Minister, not to the pretender. Is it correct that the Rural Fire Service is attempting to sell the truck that is still in the United States, despite the need for this type of vehicle in New South Wales?

The Hon. TONY KELLY: The majority of the question was answered last night at the estimates meeting. However, the New South Wales Rural Fire Service has negotiated a deal with the American company Pacific Wildfire. Pacific Wildfire has paid for the shipping and leasing of the category one tanker to the United States of America for the current American wildfire season. Pacific Wildfire is testing the second-hand tanker for American conditions. At present, all indications are that the trial is a success. Negotiations have now begun as Pacific Wildfire has indicated that it wishes to purchase the tanker. The New South Wales Rural Fire Service has made a profit on the leasing arrangement, and will make a further profit should the sale of the tanker be finalised and there be any further sales, and it will create jobs in New South Wales as a result.

The Hon. CHARLIE LYNN: I ask a supplementary question. Has the New South Wales Rural Fire Service purchased any items of equipment or vehicles from Pacific Wildfire?

The Hon. TONY KELLY: That is a different question. I am not aware of any such purchases.

BEIJING 2008 OLYMPIC GAMES BUSINESS OPPORTUNITIES

The Hon. HENRY TSANG: My question without notice is addressed to the Treasurer, and Minister for State Development. Can the Minister please report on the involvement of Australian companies in the construction of Beijing Olympic Games facilities?

The Hon. MICHAEL EGAN: I thank the Hon. Henry Tsang for his question. Since the Sydney 2000 Olympic Games many New South Wales companies have gained international reputations for their world-leading expertise in sports venue design, construction and technologies. They have competed successfully for international projects, including the Athens 2004 Olympics, and are now bidding to capture valuable work for the Beijing Olympics. Total planned expenditure in Beijing for venues, new and renewed infrastructure and other related works is estimated to exceed \$US14 billion. The Beijing 2008 Olympic Games will use 37 sports venues, with 32 located in Beijing and 5 in surrounding cities, those cities being Tianjin, Shanghai, Shenyang, Qingdao and Qinhuangdao. Of these 32 venues required in Beijing, 19 new constructions and other facilities will be renovated or extended.

New South Wales companies are well represented in final tenders for six major construction projects embracing seven venues for the Beijing 2008 Olympic Games. These projects include the National Stadium, the Swimming Centre, the Indoor Stadium and the Olympic Village, and are valued at about \$A3.5 billion. There have been some outstanding results so far. For example, the New South Wales architectural company PTW, with technical support from engineering firm Arup, has won an international design competition for the 17,000-seat National Swimming Centre for the Beijing Olympic Games, valued at about \$US100 million. Group GSA won the international design competition for the Beijing Olympic Shooting Centre, with a construction value of some \$US40 million.

The Hon. Patricia Forsythe: Are you claiming credit for all this?

The Hon. MICHAEL EGAN: Of course not. I am giving credit to these Australian companies. BVN is another of those companies, and it has won an initial master planning contract for the Beijing Olympic Green. The Department of State and Regional Development and Premier's Department have established the Sydney-Beijing Olympic Secretariat to promote New South Wales government and business experience and expertise in Beijing. The secretariat is assisted by Mr Sandy Hollway and Mr David Richmond, who previously headed the Sydney Organising Committee for the Olympic Games and the New South Wales Olympic Co-ordination Authority respectively.

Strong relations have been established with the mayor and deputy mayor of Beijing, with the Beijing Organising Committee for the Olympic Games and with agencies of the Beijing Municipal Government. Under its Beijing Olympics Business Opportunities Program, the Department of State and Regional Development has hosted seminars, workshops and focused meetings to capitalise on business opportunities following international exposure created by the Sydney Games. The seminars are proving to be valuable in the quest for more business opportunities. It is very encouraging that local companies are showing the rest of the world how to design and produce world-class sporting facilities, and it is no surprise they are the envy of the world.

UNDER-AGE PROSTITUTION

Ms LEE RHIANNON: I ask a question without notice of the Minister for Community Services. Will the Minister recommend to the Attorney General that the Crimes Act be amended so that brothel owners can no longer evade prosecution for using children as prostitutes? What safeguards is the Department of Community Services putting in place to ensure that children are not employed as prostitutes in brothels?

The Hon. CARMEL Tebbutt: On the first part of the question, I will seek advice from the Attorney General. I am not sure what the honourable member is referring to, but if there is some process by which people can evade prosecution for being involved in or supporting under-age prostitution I am sure the Attorney General would want to look at that. But I am not aware of ways that people can evade the law. Under-aged prostitution obviously is illegal. We need to be careful about commenting on the specifics of the Illawarra case with which we are all familiar because that is the subject of police investigation and we would not want to compromise those processes.

The Department of Community Services obviously has responsibility to ensure the safety of children and young people at risk. I think it would be apparent to everyone that the Department of Community Services

can act only once information is made available to it, and will act when that information is made available to it. Perhaps it is not always so, but it is likely, when allegations are made that children and young people are involved in prostitution, that the department would refer those matters to the joint investigation response teams. That is an appropriate way to deal with such issues as those teams have been established to ensure a greater likelihood of conviction on matters involving child abuse or child sexual abuse. We have increased the resources of the joint investigation response teams.

The department is reviewing the relationship between CSCs and joint investigation response teams because the Illawarra case has highlighted some issues about how we can better provide information and feedback to families, children and young people while at the same time being very careful not to compromise the processes of a criminal investigation. Last night I outlined to an estimates committee hearing that the department is reviewing that relationship. I believe the extra resources we provide to the joint investigation response teams will enhance the department's capacity to respond to these issues. But the department is only one part of a range of mechanisms that need to come into play to address under-age prostitution. Clearly, the department can act only when it has been provided with advice.

Ms LEE RHIANNON: I ask a supplementary question. Does the Minister think that the law regarding the brothel owner's claim that he thought the young girls were more than 18 years of age should be changed? That is what I was referring to with regard to the Crimes Act. At the moment, the brothel owner's claim that he thought the girls were more than 18 years of age is sufficient for him not to be charged. That is my understanding.

The Hon. CARMEL TEBBUTT: I do not have that understanding. That is a matter for the police processes, which I understand are still under way. So I certainly will not be commenting on that specific case. We need to let the police processes take their course.

LOCAL GOVERNMENT STRUCTURAL REFORM PROGRAM

The Hon. RICK COLLESS: My question is directed to the Minister for Local Government. When will the Minister release the details of a formal structural reform program for local government in New South Wales? Or is it, as described by the Minister's colleague the honourable member for Bathurst, "a process with no formal plan", or, as was described in an article in the *Sydney Morning Herald* on 2 September by the President of the Local Government and Shires Associations of New South Wales, Phyllis Miller, "an absolute bunfight ... Everyone is trying to steal somebody else's turf"?

The Hon. TONY KELLY: That was a good question, even though some of the insinuations are not correct. I am delighted to advise the House that so far more than 155 councils have responded to the State Government's call for improvements. We asked them to have their submissions in or make their decisions by 31 August. I am pleased with not only the number of responses but, particularly, their quality. Councils now understand that the Government is serious about reform. Many of the submissions suggest boundary changes or voluntary amalgamations. Others have developed innovative ways to improve services for their ratepayers. Some suggestions include boundary changes along catchment management areas, voluntary amalgamations, joint tenders, staff sharing, and merged administrations. A number of those suggestions are designed to get economies of scale without a merger.

Last year, 116 councils in this State out of 172 spent more than they earned. The Department of Local Government has more than 30 councils on its financial watch list, which means that they are considered financially vulnerable. Unfortunately, most of these councils are in rural New South Wales. I hear daily of councils that have decided to protect their financial bottom line by limiting the provision of services to their ratepayers. One council sold the general manager's car to seal the first bit of road that had been sealed for six years. I am aware that not everyone is happy with some of the suggestions. In fact, many of the smaller shire councils that originally opposed the Government's structural reform plans outright have now developed their own proposals.

The Government has three options for the ratepayers of New South Wales. We can sit on our hands and watch unviable councils slowly die, and their ratepayers suffer. We can do what Jeff Kennett did in Victoria—he redrew the boundaries, ignoring the views of the community. Or we can do what we did: encourage councils to develop options for their future, and provide them with leadership and assistance. My department will assess the submissions and then we will work with councils to start to reform local government. Proposals for boundary changes or alterations will be referred to the Local Government Boundaries Commission. Where

changes are for other types of reform my department will assist councils to put it into effect. I congratulate the councils of New South Wales on their constructive and innovative suggestions during this time. I look forward to working with them to improve services to the ratepayers of New South Wales.

The Hon. RICK COLLESS: I ask a supplementary question. In view of the 155 responses is it a fact that the Minister's department has been given only two weeks to review the submissions? If not, how long have they been given?

The Hon. TONY KELLY: They have not been given a timeframe in which to review them.

EXCEPTIONAL CIRCUMSTANCES DROUGHT ASSISTANCE

The Hon. TONY CATANZARITI: My question is addressed to the Minister for Agriculture. Will the Minister inform the House of the status of exceptional circumstances assistance in New South Wales?

The Hon. IAN MACDONALD: I am pleased that the Hon. John Jobling is present. He was certainly the best Coalition whip I saw in this House, but I am sure the Hon. Don Harwin will—

The Hon. Michael Egan: You only saw one!

The Hon. IAN MACDONALD: Actually, I have seen two. At the start of a new parliamentary session I hoped to inform the House that the drought was over. Unfortunately, I cannot do that. I can report that most parts of New South Wales received more good rains during the break between sessions. Widespread rain fell on just about the whole State at the end of August, but it is not enough to break the drought. However, it means a better outlook for some winter crops and pastures growth. It has helped to raise the level of our dams, which are still critically low in many areas. If rain continues, dams in areas such as the Murray and Murrumbidgee could fill by up to 1 per cent each day. Unfortunately, many of the northern dams remain at very low levels.

Overall, a cool spring with some more good falls could finally spell the end of the drought. Until then we will keep working with our farmers to ensure access as much drought assistance as possible. Part of this is the Federal Government's exceptional circumstances assistance program. As honourable members would be aware, exceptional circumstances [EC] are a vital form of drought assistance. It entitles eligible farmers to measures including family income support payments and interest rate subsidies on new and existing loans. I can inform the House that two more reworked applications for exceptional circumstances assistance are due to be lodged with the Federal Government today. These applications are for Gundagai, including Cootamundra, Cabramurra, Adelong and Tumut; and Goulburn-Yass, including Crookwell, Gunning, Burrinjuck and Taralga. I urge the Federal Government to process these applications as soon as possible.

The Hon. Duncan Gay: So would I!

The Hon. IAN MACDONALD: The Deputy Leader of the Opposition is also urging the Federal Government to process them as soon as possible. I would also urge the Federal Government to process pending applications that have been in the pipeline for some time. These include applications from Dubbo, Condobolin divisions A and B, Molong, Central Tablelands, Mudgee-Merriwa and Braidwood. I commend the Federal Government for approving the Hume EC application at the end of last week. About 720 farmers in the east Hume region can now apply for Federal Government drought assistance. A total of 28,200 farmers in New South Wales are now eligible for EC assistance, or 65 per cent of our farmers. Some 83 per cent of the State is now covered by exceptional circumstances. I hope that figure will rise even higher in the future with the inclusion of the submission of these further areas.

REMAND CENTRE READING MATERIAL

Mr IAN COHEN: My question is directed to the Minister for Justice. Is it correct that people on remand are unable to get books to read? A claim has been made that no personnel or staff are able to check the books that may be available to read. Why are libraries not contacted to give the go-ahead for appropriate reading material? Will he act to resolve this enforced inactivity and intellectual deprivation to allow reading material and books to be supplied to people on remand?

The Hon. JOHN HATZISTERGOS: I am not aware of the specific allegation. All the remand centres, including Silverwater, have libraries. If there is a specific instance of someone on remand being denied

access to materials I would be interested to know about it and I will investigate it. I am certainly aware that Silverwater has a library, and just about every prison I have visited has a library. If there is a specific case, I will investigate it.

MILLENNIUM TRAINS

The Hon. PATRICIA FORSYTHE: My question without notice is directed to the Treasurer. As a member of the Cabinet Budget Subcommittee will he inform the House of the level of expenditure that must be approved by the Cabinet Budget Subcommittee? Did the Cabinet Budget Subcommittee approve a payout of \$110 million to EDI for the Millennium trains? If this was the case, was the Premier in attendance at that meeting?

The Hon. MICHAEL EGAN: I am sure the Hon. Patricia Forsythe has been here long enough to know that no Minister reveals what takes place in Cabinet.

DOMESTIC VIOLENCE INITIATIVES

The Hon. CHRISTINE ROBERTSON: My question is directed to the Minister for Community Services. Will she outline to the House any new initiatives to deal with domestic violence?

The Hon. CARMEL TEBBUTT: I am pleased to tell the House that victims of domestic violence in Canterbury and Bankstown will now have more support, thanks to a new \$794,000 community solutions and crime prevention strategy from the New South Wales Government that commenced last week. The strategy is the result of partnerships between government and non-government organisations in the Canterbury and Bankstown areas, and will help women, children, young people and families affected by domestic violence. I know that members in this Chamber agree on the need for a collaborative response in helping these families, the importance of which cannot be underestimated.

Over two years the \$794,000 will be provided to develop a co-ordinated response team for victims of domestic violence in the Canterbury and Bankstown local government areas. The commitment from the agencies working together within the framework of the interagency guidelines will enable quality services to be provided to women, children and families, and, ultimately improve outcomes for them. The strategy, which commenced last week, will provide an early intervention model for victims of domestic violence. It will also provide and coordinate effective case management to women, children and families who are affected by domestic violence and will work in partnership within the local government areas of Canterbury and Bankstown to increase accessibility and service provision to women, children and families who are affected by domestic violence.

Domestic violence has an enormous impact on the community in New South Wales. The Government understands the importance of creating programs to curb this abuse. This strategy and these funds will ensure that services to women and children are enhanced with bilingual caseworkers and counsellors. The commitment of the Campsie and Bankstown police will also ensure the safety of, and support for, victims of domestic violence. The Department of Community Services [DOCS] is particularly vigilant in encouraging women with children in domestic violence situations to seek help because of the many studies that show how great the impact of domestic violence is on the development of a child. Some of the effects can include learning difficulties at preschool and school, and reduced social competence, which can have an impact on their relationships with their peers and adults. There is also an increased risk of depression and/or aggressive behaviour in adolescence. It is for this reason that I am very pleased to support this program, which will make a difference to women, children and families suffering from domestic violence in the Canterbury-Bankstown area.

The Hon. MICHAEL EGAN: If honourable members have any further questions, they may place them on notice.

DEFERRED ANSWERS

The following answers to questions without notice were received by the Clerk during the adjournment of the House:

TRAINS DISCHARGE OF EFFLUENT

On 1 July the Hon. Charlie Lynn asked the Minister for Transport Services a question without notice regarding the discharge of effluent from trains. The following responses were provided:

StateRail has worked with RIC to identify the causes and frequencies of effluent spills from trains operated by StateRail.

I am further advised, the number of incidents of effluent discharges from storage tanks on StateRail's intercity trains has reduced significantly in recent years.

The decrease in incidents has occurred due to a number of measures undertaken by StateRail over the past 12 months, including:

- Increased monitoring and reporting;
- Changes to decanting rosters to ensure trains are regularly scheduled for decanting;
- Improving the coordination of the tanking and decanting processes so cars do not overflow because of excess flush water;
- A program to replace storage tanks to prevent wastewater spillage from other sources, (e.g. sinks);
- Cars being inspected to ensure the toilet flushing systems are flushing correctly; and
- Training of decant operators to ensure correct understanding of decant processes.

In emergency situations where an overflow has been identified, trains in revenue service are rostered to the nearest decant depot. If trains are in maintenance yards at the time, contractors are called to provide the decanting service.

GAN GAN ARMY CAMP SITE SALE

On 24 June the Hon. Robyn Parker asked the Minister for the Hunter a question without notice relating to the Gan Gan Army Camp site sale. The Minister for the Environment provided the following responses:

1. The Honourable Member is wrong. The NSW Government did advise the Federal Government, in the clearest of terms, of its interest in acquiring this land. In fact, the Department of Defence was advised in writing as early as 17 November 1999 that the NSW Government, through the National Parks and Wildlife Service (NPWS), had an interest in its acquisition as a potential addition to Tomaree National Park.

The Assistant Secretary of the Property Management section replied on 10 December 1999 saying that, and I quote, "NSW NPWS interest in the Gan Gan Army Camp is acknowledged."

2. Rather than proceed to sell this high conservation value land to the highest bidder, the Federal Government should have listened to the views of the NSW Government, and those of the local community, and ensured this land was able to be incorporated within the NSW national parks system.

CITYRAIL SERVICES

On 24 June the Hon. Catherine Cusack asked the Minister for Transport Services a question without notice relating to CityRail services. The following response was provided:

During times of service disruption, Train Controllers endeavour to provide customers with the best possible train service that the prevailing operational situation will allow. Train Controllers are required to carefully consider factors such as the nature of the disruption, its location, time of day, and possible flow-on effects to the network when deciding on the future of a particular service.

Cancellation of disrupted services is aimed at limiting possible "snow-ball" effects across the network, which would inconvenience many more customers.

Any train that is timetabled to run and is cancelled irrespective of the reason, is counted as late for the purpose of on time running.

With regard to the 7.21 a.m. weekend service from Sydney to Newcastle, a review of records indicates that this train was cancelled once over the last 2 months. On another five occasions the track was closed due to advertised, scheduled track work, with alternate transport provided.

NATIVE VEGETATION CLEARING

On 2 July Mr Ian Cohen asked the Minister for Transport Services, representing the Minister for Infrastructure and Planning, a question without notice regarding native vegetation clearing. The Minister for Infrastructure and Planning provided the following response:

Please refer to my answer to a Question Without Notice asked by the Honourable Member for Murray Darling on 2nd July 2003 on the same matter.

QANTAS REGIONAL SERVICES

On 2 July the Hon. Catherine Cusack asked the Special Minister of State a question without notice regarding Qantas regional services. The Special Minister of State provided the following response:

I am advised by the Department of Commerce that the information sought by the Honourable Member is of a commercial-in-confidence nature and cannot be released.

I emphasise that under the terms of the contract, users of the contract are free to choose whichever commercial airline best suits their needs. If more than one airline can meet those needs, then the airline offering the 'best fare of the day' will get the booking.

AMBULANCE RESCUE SERVICE

On 25 June Reverend the Hon. Dr Gordon Moyes asked the Special Minister of State, representing the Minister for Health, a question without notice regarding ambulance rescue service. The Minister for Health provided the following response:

Provision of rescue services across NSW is the shared responsibility of the Ambulance Service of NSW and other emergency service agencies including NSW Fire Brigades, NSW Police Service and State Emergency Services.

Ambulance Service rescue units have special equipment and ambulance officers who have received additional training in the release and extrication of trapped persons.

In 2001 the Auditor-General recommended that the contribution of the Ambulance Service to the State's rescue capabilities be examined in view of the relatively small number of rescues attended.

The Ambulance Service continues to have a role in rescue services. Its contribution will be reviewed periodically in the interests of improving efficiency and overall public safety.

HOSPITAL TEACHING POSITIONS

On 25 June the Hon. Dr Arthur Chesterfield-Evans asked the Special Minister of State, representing the Minister for Health, a question without notice regarding hospital teaching positions. The Minister for Health provided the following response:

The NSW Government has a constructive working relationship with the NSW College of Surgeons and is working with the relevant Specialist Associations and the Royal Australasian College of Surgeons to expand the number of accredited training positions.

HOTELS AND CLUBS SMOKING RESTRICTIONS

On 1 July Reverend the Hon. Fred Nile asked the Special Minister of State, representing the Minister for Health, a question without notice. The Minister for Health provided the following response:

On 1 July 2003 licensed venues in NSW are to ban smoking at the bar and counter areas where liquor is served. In addition, a non-smoking area has to be created in at least one bar area within every hotel, registered club or nightclub in NSW.

It is reasonable to assume that employees and non-smoking patrons would welcome these reforms.

A period of 6 months between implementation of the smoking bans and the introduction of enforcement legislation will allow time to address any practical issues before the measures become law.

During the implementation phase, breaches of the non-smoking restrictions should be directed towards the proprietor of the licensed business. WorkCover continues to have power to respond to complaints about passive smoking under the Occupational Health and Safety Act 2000 and the Workers Compensation Act 1987.

When the non-smoking bans become mandatory, NSW Health will be responsible for monitoring compliance, investigating complaints and conducting inspections.

The Government believes that an incremental approach towards banning smoking in licensed premises is the best way to win support and help foster the necessary "cultural change" that is required in pubs and clubs before smoking is further eliminated from areas where it is currently allowed. Over the next 6-12 months the NSW Government will be monitoring the introduction of these new restrictions, both in terms of their implementation and in terms of the public's acceptance of them.

LEGISLATION REVIEW COMMITTEE DELEGATION POWERS

On 24 June the Hon. Malcolm Jones asked the Special Minister of State, representing the Premier, a question without notice regarding the delegation powers of the Legislation Review Committee. The Premier provided the following response:

The Premier has advised the Chair of the Committee that the remaining uncommenced provisions of the Act would be proclaimed after the current Budget session, subject to confirmation that the Committee is ready to proceed.

The Chair of the Committee on 26 June 2003 has confirmed that it is ready to perform its functions and has requested that the relevant provisions of the Act be proclaimed before 25 August 2003.

It is not true that the Committee is unable to perform its duties relating to the assessment of Bills. The issue of the ability of the Committee to obtain advice from consultants has been addressed.

MEDICAL SPECIALISTS SHORTAGE

On 1 July the Hon. Dr Peter Wong asked the Special Minister of State, representing the Minister for Health, a question without notice regarding the shortage of medical specialists. The Minister for Health provided the following response:

The NSW Government will have a role in determining the number and location of training positions in public hospitals and will be involved in the selection process for trainees.

The NSW Government is working with other State and Territory Governments to implement the Australian Competition and Consumer Commission conditions of authorisation of the Royal Australian College of Surgeons at a National level and is working with the College to ensure transparency and accountability of College activities at State level.

PETROL LEVIES

On 26 June the Hon. Malcolm Jones asked the Special Minister of State, representing the Treasurer, a question without notice regarding petrol levies. The following response was provided:

No.

RESERVE FORCES DAY

On 25 June Reverend the Hon. Fred Nile asked the Special Minister of State, representing the Premier, a question without notice concerning Reserve Forces Day. The Premier provided the following response:

Celebrations for Reserve Forces Day were held in Tamworth and Newcastle on Saturday 5 July and in Taree, Dubbo and Sydney on Sunday 6 July 2003.

The New South Wales Government promoted the event through advertisement on the Government's events website (www.events.nsw.gov.au) and the presentation by organisers to the Government's Central Sydney Operations Group.

The day was supported by the waiving of user charges by Police, Ambulance and RTA. In addition, the Minister for Transport advised that all Reservists travelling to the Newcastle or Sydney parades were entitled to free travel to and from the event on CityRail trains and State Transit buses or ferries, with certain exceptions. The Minister also requested the Bus and Coach Association to encourage its members to provide free travel to the Reservists on the day.

All agencies were encouraged to release eligible shift workers, who were rostered to work on the day, by varying their rosters or by granting accrued leave for the day.

REGIONAL OBSTETRIC SERVICES

On 26 June the Hon. Dr Peter Wong asked the Special Minister of State, representing the Minister for Health, a question without notice relating to regional obstetric services. The Minister for Health provided the following response:

This Government has taken the lead in responding to the national medical indemnity issue and the rise in medical indemnity premiums for doctors. We provide substantial support to NSW doctors at significant cost.

The Government has funded through the Treasury Managed Fund the insurance coverage of all doctors treating public patients in public hospitals. Last year the Government committed an additional \$55 million per annum, for the coverage of Visiting Medical Officers (VMOs) for their public patient work in public hospitals.

As announced in the 2003 State budget, the Government has made a commitment from 1 July 2003 to offer the provision of medical indemnity cover, through the Treasury Managed Fund, to VMOs and staff specialists for private work in public rural hospitals. This offer is provided to those doctors who agree to simplified billing arrangements. This is estimated to cost an additional \$5 million per annum.

These initiatives provide medical indemnity cover to VMOs and staff specialists who accept the offer for public and private patient work in rural public hospitals.

STOCKTON BEACH PERMIT FEES

On 2 July the Hon. Malcolm Jones asked the Minister for State Development, representing the Premier, a question without notice regarding Stockton Beach permit fees. The Premier provided the following response:

Ownership of Stockton Beach is not vested in the Worimi Local Aboriginal Land Council. The Land Council holds freehold title to two parcels of land that vehicles traverse to access the beach. The allocation of revenue from beach permits over lands owned by the Land Council is a matter for negotiation between the Port Stephens Shire Council and the Land Council. The Government is advised that the Land Council and Port Stephens Shire Council have reached an agreement in principle for the allocation of a proportion of fees collected from beach permits to the Land Council.

DOMESTIC ANIMAL FUR TRADE

On 3 July the Hon. John Tingle asked the Treasurer a question without notice regarding the domestic animal fur trade. The following response was provided:

It is an offence under the *Fair Trading Act 1987* to falsely represent that goods are of a particular composition or have a particular history. Any supplier or retailer who sells or advertises such a product in New South Wales would need to comply with the *Fair Trading Act 1987*.

Any complaints reported to the Office of Fair Trading will be investigated.

The penalties for an offence of falsely representing a product are a maximum of \$22,000 for individuals and \$110,000 for corporations.

MOBILE PISTOL BUY-BACK VAN SECURITY

On 1 July the Hon. John Tingle asked the Leader of the Government, representing the Minister for Police, a question without notice regarding the security of the mobile pistol buy-back van. The Minister for Police provided the following response:

NSW Police has advised me that the security measures to be put in place for the handgun buyback will be sufficient. For security reasons, exact details will not be disclosed. However, I can advise that a risk analysis will be conducted for each location to determine the level of security required.

PRISONERS VISITING PRIVILEGES

On 1 July the Hon. Peter Breen asked the Treasurer, representing the Minister for Justice, a question without notice regarding prisoners visiting privileges. The Minister for Justice provided the following response:

The Commissioner of Corrective Services advises me that no inmates have had privileges withdrawn as a result of any security issues relating to inmate Phuong Ngo.

Visits took place on the weekend of 28-29 June in accordance with normal routine. The only correctional centre staging the biannual family visit day on that weekend was the Metropolitan Medical Transient Centre (MMTC) at Long Bay. One family was refused entry to visit an inmate at this centre due to a positive indication from a drug detector dog. This family did not travel from interstate.

All inmates who hosted visitors at the biannual family day at the MMTC contributed to the cost of the day from their accounts. In the case of the inmate whose family was refused admission, that contribution will be refunded.

PUBLIC LIBRARIES FUNDING

On 2 July the Hon. Dr Arthur Chesterfield-Evans asked the Treasurer, representing the Premier, a question without notice regarding funding for public libraries. The Premier provided the following response:

Local government is the principal government funding body of public libraries in New South Wales. The State Library of New South Wales plays a co-ordination and planning role for the state-wide public library network, and administers the distribution of State Government financial assistance. Similar arrangements are not in place in all other States and Territories. As a result, comparisons based on State expenditure are inappropriate.

Statements suggesting that public libraries in New South Wales are not well supported are incorrect.

The Government, earlier this year, announced a funding package of \$25.9 million over four years for the public library network. This will see the annual allocation rise from \$20.92 million in 2002-2003 to \$25.742 million in 2005-2006.

This commitment represents a 59 percent increase from the \$16.17 million a year level when the Government was elected in 1995.

These funds have assisted in updating collections and widening local communities' access to electronic information databases.

The latest figures show that New South Wales total per capita funding in 2000/01 was approximately \$31.77. Total per capita funding in Victoria, for the same period was approximately \$21.15, while in Queensland it was approximately \$31.32.

The Government is committed to working with the Country and the Metropolitan Public Libraries Associations, and the Local Government Association of NSW and the Shires Association of NSW, to further support the central role libraries play in providing information, educational resources, and community and public services.

THREATENED SPECIES CONSERVATION ACT PROCLAMATION

On 25 June Mr Ian Cohen asked the Minister for Justice, representing the Minister for the Environment, a question without notice regarding the proclamation of the Threatened Species Conservation Act. The Minister for the Environment provided the following response:

The Threatened Species Conservation Amendment Act 2002 received assent on 2 October 2002.

The Amendment Act will have a staged commencement to ensure that supporting policies and guidelines are prepared to facilitate the implementation of relevant provisions.

CABRAMATTA DRUG TRAFFICKING

On 24 June the Hon. Dr Peter Wong asked the Minister for Justice, representing the Minister for Police, a question without notice regarding Cabramatta drug trafficking. The following response was provided:

I am advised that NSW Police have no evidence that suggests that the observations referred to by the Honourable Dr Peter Wong, MLC are correct.

The Cabramatta Local Area Command continues to utilise both overt and covert strategies to reduce both crime and the community's fear of crime. These include High Visibility Policing on a daily basis by bicycle, beat and general duties police, targeting both specific locations and times. Covertly, both intelligence gathering and the staging of Controlled Operations targeting drug supply are continuing.

The *Police Powers (Drug Premises) Act 2001* has also given police new powers to wipe out drug houses. Since its introduction in July 2001, Cabramatta Local Area Command has laid approximately one-quarter of all drug house charges.

The legislation allows drug traffickers, dealers, users and look-outs to be prosecuted for offences including

- Being the owner/occupier of the premises and knowingly allowing it to be used as a drug house;
- Organising or conducting, or assisting in, the operation of a drug house;
- Wilfully preventing police from entering the premises, giving alarm, or obstructing or delaying police; and
- Being found on, or found entering or leaving, drug premises;

Police are able to lay serious charges even if no drugs are found on site, for example, if police confiscate drug production implements like scales, or even plastic bags.

COALITION FOR GUN CONTROL TELEVISION ADVERTISEMENT

On 24 June the Hon. John Tingle asked the Minister for Justice, representing the Minister for Police, a question without notice regarding the Coalition for Gun Control television advertisement. The Minister for Police provided the following response:

Following a number of complaints received about the advertisement, the matter was investigated by the State Crime Command. As a result of the investigation, a 32-year-old man has been charged with unauthorised use of a pistol contrary to section 7 of the *Firearms Act 1996*. NSW Police has also referred the matter to the Film and Television Classification Board for its information and any investigation the Board deems necessary.

FERTILISER USE IN EXPLOSIVE MATERIALS

On 3 July Reverend the Hon. Fred Nile asked the Minister for Justice, representing the Minister for Police, a question without notice regarding fertiliser use in explosive materials. The Minister for Police provided the following response:

NSW Police has advised me that the National Security Terrorism Threat Assessment for Australia is "Medium". I am advised that this assessment has been in place since 26 September 2001.

I am advised the terrorist attack in Bali is being investigated by Australian Federal Police. The Honourable Member may wish to direct his question to that organisation.

On 3 July 2003 the Governor of New South Wales assented to the Explosives Act 2003, which provides for the regulation and control of the handling of explosives and explosive precursors.

RURAL TEACHERS INCENTIVES

On 1 July the Hon. Melinda Pavey asked the Minister for Rural Affairs a question without notice regarding incentives for rural teachers. The Deputy Premier and the Minister for Community Services provided the following responses:

This Government has implemented a wide range of incentives to acknowledge the work of teachers in the rural schools throughout New South Wales. These initiatives seek to both attract and retain quality teachers to more remote locations and include:

- priority for transfer following the minimum service requirement;

- compassionate transfer status for partners of teachers appointed to and moving out of positions in six or eight point schools;
- relocation assistance and accommodation subsidies for teachers appointed and transferred to isolated schools;
- four additional training and development days per year for teachers in six and eight point schools, and one additional day for teachers in four point (incentive) schools;
- dramatically increased rental subsidies, up to 90 per cent for our most remote eight point schools and 70 per cent for six point schools;
- the pilot of an annual retention benefit of \$5,000 in 20 of the most difficult to staff schools which will be extended to a further 20 schools from 2004;
- the provision of enhanced leave provisions from 2004 for teachers in isolated schools which will enable teachers in isolated and rural areas to attend to personal and family commitments;
- the trial in term four, 2003 of a program to provide incentives for final year teaching students to undertake their final practical training in isolated schools with a view to encouraging them to stay; and
- the expansion of the *Beyond the Line* program in 2003, to provide further rural teaching opportunities. This program enables students in the second, third and fourth years of their teacher education program to visit rural districts to gain first hand knowledge of what is like to live and work as a teacher in rural NSW.

In semester one, 2003, the Department offered 150 new teaching scholarships under the *Preservice Teacher Scholarships Program*, including 25 scholarships for Aboriginal and Torres Strait Islander students. The scholarships support students in a range of subject areas who wish to be employed in the western and south western suburbs of Sydney and non-coastal rural areas of New South Wales. From 2004, the number of teaching scholarships offered each year will be increased from 150 to 200.

ALBURY AND WODONGA AMALGAMATION

On 24 June the Hon. Duncan Gay asked the Minister for Local Government a question without notice regarding Albury and Wodonga local government amalgamation. The following response was provided:

- (1) – (4) The Taskforce was established by the NSW and Victorian Premiers to undertake further work to resolve cross-border anomalies and other issues relating to the proposed amalgamation of Albury and Wodonga Councils.

The work of the Taskforce was necessarily delayed by the Victorian and NSW elections. The Premier recently wrote to his Victorian counterpart to progress the matter, and sought confirmation of Victoria's position with regard to the taskforce and the proposed amalgamation. The Premier will give consideration to the nomination of a new NSW co-chair when Victoria has responded.

MACLEAN SHIRE COUNCIL MAYOR PECUNIARY INTERESTS DISCLOSURE

On 3 July the Hon. Melinda Pavey asked the Minister for Local Government a question without notice regarding the pecuniary interests disclosure of the Maclean Shire Council Mayor. The following response was provided:

On or about 16 August 2002 the Department of Local Government completed a report into allegations that Councillor Gulaptis of Maclean Shire Council breached the pecuniary interest provisions of the Local Government Act 1993. On 19 August 2003 that report was delivered to the NSW Local Government Pecuniary Interest Tribunal as required by section 468 of the Local Government Act. On 12 September 2002, at the request of the Pecuniary Interest Tribunal, a copy of that report was sent to Councillor Gulaptis.

On 29 October 2002 the Pecuniary Interest Tribunal notified the Department of Local Government and Councillor Gulaptis it had decided to conduct proceedings into the complaint. I am aware that Councillor Gulaptis has made interlocutory applications in relation to this matter to the Tribunal. I am not prepared to anticipate the decision of the Tribunal in this matter or comment on it further at this stage.

It would be quite improper of me or anyone else to seek to interfere with an independent Tribunal such as the Local Government Pecuniary Interest Tribunal. The Tribunal has its own statutory functions and powers to be exercised quite independently of the Department of Local Government, its Director General or myself.

I am aware that the Director General of the Department of Local Government has been named as a defendant to an action in defamation brought by Councillor Gulaptis. That action also names the State of NSW and the Daily Examiner as defendants. I am aware that on 24 June 2003 a verdict in favour of all the defendants was entered with respect to 4 of the 5 matters complained of by Councillor Gulaptis. I am aware that a jury answer of 'yes' in relation to the fifth matter was noted, that is that Councillor Gulaptis was reasonably suspected on the basis of strong facts that as the Mayor of Maclean Shire Council he involved himself in Council decisions about a number of land and development decisions in which Councillor Gulaptis had a pecuniary interest and from which Councillor Gulaptis gained a personal financial benefit. I am aware that the defendants to that action are preparing to file and serve their defence in relation to this matter. I am aware that Councillor Gulaptis has not received a verdict in his favour in

relation to his cause of action. As this matter is still before the Court and yet to be finally determined, it would be inappropriate for me to comment any further.

GROUP HOME REFORM

On 24 June the Hon. John Ryan asked the Minister for Community Services, a question without notice regarding group home reform. The following response was provided:

- 1-5 In my answer I did not refer to a study, but indicated that the Department of Ageing, Disability and Home Care (DADHC) undertook some scoping work on a Group Homes Consolidation Program. The Program assisted in identifying homes that were potentially physically unsuitable (eg two-storey houses or houses in steep blocks), inappropriate for current residents' needs or being under-utilised in conjunction with the likely resource implications of addressing these issues.

The Program is not being implemented before further work is undertaken through DADHCs regional structure to address issues identified by the Program and to determine changes to group home configurations. This work is part of each region's broader and ongoing responsibility for providing affordable quality services to people with a disability who use the network of group homes.

DADHC has advised that it expects to make changes from time to time to its group home configurations and placement of clients within homes to ensure that it provides the most appropriate available accommodation support for its clients. Implementation of changes to any group home arrangements identified by a DADHC Region will take place only after engagement and discussion with the affected residents, families and guardians.

PUBLIC HOSPITAL FUNDING

On 3 July the Hon. Dr Peter Wong asked the Special Minister of State, representing the Minister for Health, a question without notice relating to public hospital funding. The Minister for Health provided the following response:

The Government has provided a further \$3 million recurrent in 2003/2004 for initiatives such as staffing, equipment and bed upgrades to allow additional intensive care beds to operate in metropolitan and rural NSW.

The intensive care units themselves nominated what they required to assist capacity so that the funds could be directed to where they were needed most.

An additional six ventilated beds will be either created or upgraded. In some cases the funds are being used to recruit more medical and nursing staff to allow the intensive care unit to operate its existing beds more effectively.

The 2003/2004 funds are part of an enhancement package provided by the Government since 1999/2000 to engender real long-term change in intensive care services.

FIREARMS DEALERS

On 1 July the Hon. David Oldfield asked the Treasurer a question without notice relating to the effect on firearms dealers of the Commonwealth Government's prohibited handgun buyback plan. The following response was provided:

The Commonwealth Government's compensation plan for the prohibited handgun buyback does not include the purchase of non-prohibited handguns from dealers, nor does it provide for the purchase of a dealer's business. The Firearms Dealers Association has a representative on the Police Minister's Firearms Licence Holders Working Group, and was closely consulted on the drafting of recent legislation to implement the National Handgun Control Agreement. Whilst not supporting the Agreement, the Dealers Association and other representatives on the Working Group have provided valuable advice with respect to the provisions of the Bill.

Questions without notice concluded.

ADJOURNMENT

The Hon. MICHAEL EGAN (Treasurer, Minister for State Development, and Vice-President of the Executive Council) [4.04 p.m.]: I move:

That this House do now adjourn.

COMMONWEALTH PARLIAMENTARY ASSOCIATION STUDY TOUR

The Hon. HENRY TSANG (Parliamentary Secretary) [4.04 p.m.]: I am pleased to report on my recent visit to Africa as part of my Commonwealth Parliamentary Association study tour. I had the great pleasure of visiting South Africa and Kenya and several of their parliaments and meeting with members and officers of those parliaments, as well as with the business community. Given the excitement, among some, which another member's study tour generated, I must say that I was pleased to have chosen Commonwealth parliaments located in the southern hemisphere to visit during winter. The relationship between Australia and Africa has often been underplayed and relegated, unfortunately, to the sporting field, with a passing interest in local

political unrest, charity work or associated disaster relief programs. But the relationship ought to be a stronger one, covering trade, parliamentary and diplomatic links, the arts, the community, as well as sport. The establishment of the New South Wales Parliamentary South Africa Friendship Group will, I hope, serve to build better relations with parliamentarians from the many parliaments of South Africa. I was happy to have been at an inaugural meeting of the group and, having now visited South Africa, I am looking forward to reporting on the many challenges facing the nation.

Members of Parliament have played an important role in framing the relationship between our two nations. For a long time, it focused almost entirely—and quite rightly, too—on the eradication of the apartheid regime in South Africa. It is now more than a decade since the official policy of apartheid was abandoned and a true democratic government elected, representing the wishes of the majority of South Africans. There is still, however, a lot of work to be done in removing the remaining vestiges of apartheid in a nation where the black majority was so long oppressed and held back, socially and economically, in their everyday lives. The challenge for the new government is truly monumental in having to meet the increased expectations of a black majority seeking to climb out of poverty, before even contemplating parity with the privileged former ruling class.

The widespread scale of the HIV-AIDS pandemic among the South African population presents an enormous challenge to the South African Government and a significant burden on its economy in terms of health care and a reduced working population. But, unlike most other African countries, South Africa is better placed to tackle this problem, with a better health care system and a modern, open economy. The South African Government will need to work very hard in making available cheaper drugs that are needed to combat the devastating impact of AIDS on its predominantly poor population. President Thabo Mbeki's reported remarks denying the magnitude of the pandemic were thought to have reflected the prevailing attitude, if not official policy, of his government. But I am very pleased that the government now seems better prepared to accept the challenge and is treating the pandemic with added seriousness.

South Africa is a fascinating place with a rich and harsh history, and yet it is full of potential. It is my hope that the links between our parliaments will help in fostering greater relationships at other levels. I also visited the Kenyan Parliament in Nairobi. I met with members and officers of that Parliament as well as members of the business community and the High Commission. Kenya is now in a period of transition, with, since December 2002, a newly elected Rainbow Coalition after years of one-party rule since independence from the British. The new government, led by Mwai Kibaki, was elected in a landslide and now, not unlike the South African Government, it has the monumental task of meeting the expectations and needs of the Kenyans, and of renewing Kenya's stagnating economy.

With the old regime widely thought to have been steeped in corruption, the new government is working to rebuild confidence in Kenya among the international donor community and its trading partners. The withdrawal of regular flights by British Airways for security reasons resulted in a further impact on its economy, which relies heavily on tourism. Flights have now resumed with the British Government having removed travel restrictions in July. One of the main issues I discussed with Kenyan members of Parliament was their desire to establish anticorruption and complaints bodies along the lines of our Independent Commission Against Corruption [ICAC], the Police Integrity Commission [PIC] and the New South Wales Office of the Ombudsman.

I am pleased they have taken my advice to visit New South Wales to learn more about the roles of these bodies. I understand that a delegation of Kenyan members of Parliament is scheduled to visit this month. I look forward to welcoming them to this Parliament. *[Time expired.]*

UNITED NATIONS DEVELOPMENT FUND FOR WOMEN

The Hon. PATRICIA FORSYTHE [4.09 p.m.]: On 30 July this year I attended a reception at Government House hosted by Her Excellency Professor Marie Bashir for the Australian launch of the United Nations Development Fund for Women [UNIFEM] report entitled "Progress of the World's Women—Women, War and Peace". I congratulate UNIFEM on its courage in undertaking and promoting this study. The report is a global study of the impact of armed conflict on women and women's role in peace building. It was conducted as a response to the United Nations Security Council resolution 1325 passed in October 2002, which essentially states that women, in the pursuit of gender equality, should be relevant to every Security Council action, from clearing mines and negotiating peace agreements to reconstructing war-torn communities. Representatives from UNIFEM visited 14 areas that have been affected by conflict, including Bosnia, Cambodia, East Timor, Israel, Rwanda and Somalia.

The findings highlighted gross atrocities perpetrated against women—atrocities that grow sickeningly familiar, as the stories of different women from different war-torn areas are told time and again. Their voices put a human face to the hard facts—facts such as almost one in five internally displaced women and girls in Sierra Leone having been raped, gang-raped, tortured and/or sold into sexual slavery. One of the findings of the report is the changing nature of armed conflict. War is now fought in homes and communities and, as Noeline Heyzer, the Executive Director of UNIFEM, stated at the launch, over women's bodies in a battle for resources and in the name of religion and ethnicity. Yet, despite all of this, women in these areas not only survive their own personal trauma but also work to rebuild the communities around them and their own lives.

In East Timor, a group of women has formed a co-operative, built a communal house, organised community events, made and sold handicrafts, and produced and established literacy classes. In Rwanda, a group of women created the Duhozanye Association, which translated means "let us console each other". They worked to build houses for each other. In Sudan, women from both the north and south met, across religious and ethnic divisions, to talk about peace. The report highlights the enormous skills and capacities that women have for stabilising and rebuilding community life, even though they are rarely the ones sitting at the peace table when the warring sides come together to negotiate an agreement. In every war-torn area, women have contributed significantly to the rebuilding of their communities, with very little in the way of resources to do so. Basic health care is one such example. One statistic cited that up to 40 per cent of women in occupied Palestinian territories spend, on average, 10 hours a day caring for injured family members. Clearly women have a continuing and important role to play in the reconstruction process, but to do so they need resources, skills and authority.

For example, women are often required to feed, and provide water and shelter for their families, and they often take in orphan children as well. Yet, in Rwanda following the genocide, women had no right to own land or, if they were widowed, to inherit their husbands' land. The study highlighted the ways in which the United Nations and various aid agencies were working with communities in the reconstruction process as well. The study also highlighted the need to ensure that resources were allocated to support the efforts of women in the peace-building process. Given that violence against women has become almost a tool of war in many countries, the report recommends that psychological and reproductive health services for women, as well as general medical services, be an integral part of any transitional aid programs.

Providing access to education for women to enable them to seek a greater quality of life and an opportunity to find employment is vital. Currently two-thirds of the world's illiterate children and adults are girls and women. Such education and employment programs must enable them to participate in and benefit from the economic growth and reconstruction of their community—opportunities that may require non-traditional skills and learning about new technologies. Other recommendations include the restoration of basic public services such as electricity and water. For us, those services are a given: but for those women they mean increased opportunities—to survive, to be healthy and to have healthy families, to rebuild their communities and to be able to participate even further in the peace process as workers, voters, candidates and decision makers. As the report concludes, investing in women is one of the greatest means of peacemaking we can provide, and the most sustainable.

WATER REUSE

Mr IAN COHEN [4.14 p.m.]: The drought has highlighted how valuable, vulnerable and precious a resource water is, and the recent isolated rains should not allow this fact to be forgotten. What is the vision for existing ocean outfalls? Relocating them further out to sea is not the answer. Out of sight, out of mind is a dangerous concept, wide open to exploitation and lack of monitoring of discharge, and a gross waste of a valuable resource. A plan should be put in place to phase out all existing ocean outfalls. If development is to be sustained, we must be certain that there is a component of reuse. The level of reuse that a community can sustain is an excellent barometer for the level of development that a community can also sustain. High rainfall areas are not an excuse or reason to justify not reusing; the biggest obstacle is storage. In times of wet weather, the water is stored to be reused in times of low rainfall. Even in areas of high rainfall, agriculturalists and horticulturalists have a demand for a constant, consistent supply of water. Using reclaimed water also conserves town water supplies for valuable domestic usage. In Coffs Harbour many existing dams have been utilised for storing water and in 2002, despite the drought, Coffs Harbour recorded high yields of good-quality bananas, avocados and other horticultural products such as tomatoes.

The Coffs Harbour shire has been acknowledged as one of the most efficient users of water in the State. Surely this accolade can be in part, if not entirely, attributed to the high rate of reuse. In Coffs Harbour reuse is

in high demand. In the area's northern beaches, reuse is fast approaching 100 per cent, and consideration is being given to piping reclaimed water from the southern beaches to meet the demand on the northern beaches. Agriculturalists to the west of the range—for example, Nana Glen—are also crying out for the resource. Yet Ballina Shire Council is preparing to upgrade Lennox Head sewage treatment plant's capacity from 18,000 equivalent population to 28,000 equivalent population, and increase the effluent pipeline capacity to the Skennars Head ocean release next to Lennox Head. There is also a proposal to construct a new outfall into Emigrant Creek, at Tintenbar, replacing environmental flows with effluent in the creek. I have attended a number of meetings with people who are opposed to that proposal, not only environmentalists but also farmers and sugar cane farmers. They are horrified that effluent is used as a type of environmental flow.

One must ask how this supports Labor's policies of no new outfalls and reuse. How too does the proposal to spend \$2 million on constructing a deep ocean outfall in Coffs Harbour support such policies? It is just another case of out of sight, out of mind. But we need to be mindful of the potential for health hazards, environmental degradations, gross waste of a valuable resource, and mismanagement of public funds in pursuing deep ocean outfall options. A largely unknown and potentially alarming threat to the health of the entire population is the discovery of endocrine disrupting chemicals [EDCs]. Leading world scientists are vigorously studying the effects of EDCs on human health and the environment, and accepted valid research indicates that we are only at the tip of the iceberg. The research information is alarming. For example, mutated frogs have been found. Imagine how many pharmaceuticals are consumed by humans and agricultural animals and how much effluent is generated by the population. The resulting picture of EDCs being excreted and mindlessly scattered into our oceans and waterways is mind-boggling.

Although it is envisaged that effluent from the northern beaches of Coffs Harbour will only ever be disposed through the Coffs Harbour deep ocean outfall in rare times of extremely high rainfall, if at all, wet weather disposal options should be better served by wetlands which effectively treat and polish. Wetland systems with appropriate mop crops are proving effective in filtering and polishing EDCs and viruses from effluent. On the other hand, ocean outfalls are archaic, wasteful, potentially dangerous to human health, and a licence for open-slasher development of our fragile, valuable and vulnerable coastline. The public wants and deserves more—far more. The public wants and deserves priority to be given to treating effluent as a valuable resource, with absolute priority to be given to reuse and enforcing compliance, a plan to phase out all existing ocean outfalls, an immediate strategy for improved quality of effluent treatment, and a decreased quantity of discharge into our waterways. I call on the Government to do exactly that, as it was a promise of the Carr Government in the past.

MURRURUNDI HALL FAMILY FACADE

The Hon. AMANDA FAZIO [4.19 p.m.]: On Sunday 13 July 2003 I had the pleasure of representing the Premier, the Hon. Bob Carr, MP, at the official opening of the Hall Family Facade at Murrurundi, which was funded by the Premier's Department under the Rural and Regional Grants Program. The need for public amenities that include facilities for people with disabilities has been a significant issue for Murrurundi for many years. Such a situation affected not only local residents but other visitors and tourists to the area. The erection of the Hall Family Facade not only addressed this issue; it paid recognition to one of Australia's most legendary bushrangers, Ben Hall, and his family. The site of the facade was originally the site of the Hall family home and where Ben resided for part of his life.

The site is in a designated high-conservation area and it was important that a sympathetic design be incorporated on the facade. This was achieved by making the building look like an old shop front, which conceals the modern conveniences that are constructed behind it. It was very appropriate that this celebration of the contribution of the Hall family, which has such strong historical links with the region, took place in Murrurundi. Murrurundi shire is both picturesque and steeped in history with many heritage-listed buildings. For a small rural council, with a population of around 2,166, Murrurundi has a wealth of heritage-listed buildings. If one were to look up the State Heritage Inventory, one would find 58 listed heritage items. These include Glenalvon Homestead, the J. Dooley General Store, which is still trading, the Literary Institute, Murrurundi railway station, the old cemetery, the post office, and the station master's residence.

I am sure that the Hall Family Facade will join those other items of interest to ensure that Murrurundi is recognised as an unspoilt heritage stop on the New England Highway. As we are a young country, I strongly believe that we need to ensure that all facets of our history are valued and recorded for posterity. I pay tribute to the hard work put in by many local historians and volunteers in making sure that their family histories and the history of their own localities are documented and made available for the benefit of the community as a whole.

All too often their efforts do not receive sufficient recognition. I am really pleased that the State Government supports the activities of so many local history societies. In particular, the Murrurundi Historical Society played an instrumental role in gathering the material on the Hall family that was incorporated in the display and exhibited when the new Hall Family Facade was opened.

As well, the society, which is staffed by volunteers, runs the local museum and has done an enormous amount of work in archiving the items donated to the museum. Both the Murrurundi Museum and the Pioneer Cottage were opened especially for the day to allow visitors to get a greater picture of the way in which our forebears lived. The most famous, or notorious, member of the Hall family—and the term one uses depends on how one views our history—is, of course, Ben Hall, the bushranger.

Ben Hall was born on 9 May 1837 at Wallis Plains near Tamworth, the son of Ben and Eliza, who were both convict immigrants. The birth was registered in Maitland. At the time of Ben's birth, his father, Ben Senior, was an overseer on Samuel Clift's Doona Station, which was near Caroonna on the Liberty Range. Ben grew up on the land to become a handsome lad, a flashy dresser and a fine horseman. He married Bridget Walsh and took up 7,000 hectares at Sandy Creek in the Wheogo Ranges near Forbes. Although Hall was reputedly honest and hard working, he associated with thieves and all his sisters-in-law were married to bushrangers or their associates.

In April 1862 Ben Hall was wrongly arrested for being an accomplice in a hold-up near Forbes and he languished in gaol for a month before the charges were dropped. Whilst in detention, his wife ran off with a former policeman, his home was vandalized, and his cattle either strayed or were stolen. By 1863 he was regularly "sticking up" travellers and mail coaches on the roads between Bathurst, Young and Yass with his gang, which included John Dunn and Johnny Gilbert. Their exploits included occupying the town of Canowindra for three days, holding a police magistrate to ransom, serial robberies of all the stores and inns along Vale Road, and shoot-outs with police, during which Hall was wounded at least once and both police and gang members were killed.

Besides the gang's stealing, Ben wanted to embarrass police as much as possible for the wrongs he felt they had done him. The authorities called on Hall to surrender or be branded an outlaw. Hall's reply was, "They'll never hang Ben Hall." Thus he became the first bushranger to be outlawed. Ben Hall was shot dead by police on the morning of 6 May 1865, after former friend Mick Connolly informed police of his whereabouts, at Billabong Creek, near Forbes. When shot, Ben appealed to black-tracker Billy Dargin to finish him off, but another hail of bullets fired by the police soon did the job. Later, 36 bullet wounds were found in his body. Mick had been tempted by the reward of £1,000, which was a lot of money in those days.

I would like to commend Mayor Earl Kelaher and the staff of Murrurundi Council, the Murrurundi Historical Society, and the members of the Hall family for their hard work and initiative in establishing the commemoration of the Hall family and their contribution to the local area. It should be noted that the Hall family were very generous in their consent to affiliate the Hall name with the façade. It was pleasing to see at the opening so many members of the extended Hall family, including Tiny Hall, the great-granddaughter of Ben Hall, and to see them enjoying the family reunion as well as the family commemoration.

JOINT BALTIC COMMITTEE OF NEW SOUTH WALES ANNUAL COMMEMORATION

The Hon. DAVID CLARKE [4.24 p.m.]: A few weeks ago I was privileged to attend, as I have for many years, the annual commemoration organised by the Joint Baltic Committee of New South Wales recalling the mass deportation to death and exile of several hundred thousand Baltic people during the years of the Soviet regime's occupation of Latvia, Lithuania and Estonia. On this most recent occasion I was especially honoured to have been asked to represent the Leader of the New South Wales Opposition, John Brogden.

History recalls that, pursuant to a pact between Hitler and Stalin, Western Poland was occupied by Hitler and the Soviet Union occupied Eastern Poland and, in June 1940, the Baltic States as well. For most of the next 50 years the once free Baltic States of Latvia, Lithuania and Estonia subsisted as conquered and enslaved territories of the Soviet empire, where every pressure was applied to wipe out their culture, language and Christian faith.

Miraculously, the Baltic peoples persevered against all adversity and managed to survive until they proclaimed their independence in 1990 following the collapse of the Soviet Communist system—an example of the triumph of the human spirit if ever there was one. Since that time the Baltic peoples have been energetically

restoring their heritage and their freedoms. How much better the world is since the demise of world communism and the evil that spewed from it. All people of goodwill and decency would concur in this view.

I believe that it is fitting and appropriate that the written record of this Parliament recognises the heroic struggle of the Baltic peoples. I believe it is appropriate that the *Hansard* of our Parliament acknowledge the triumph of the Baltic peoples over communism—which is the triumph of good over evil. I acknowledge with gratitude the massive contribution to a free Australia by those who have settled here from Latvia, Lithuania and Estonia. Tonight I pay tribute to the part they played, over past decades, in having alerted Australians to the dangers that communism posed to our freedoms. I pay tribute also to their contribution to the strengthening of our democratic values and institutions and our family way of life.

Over the years I have developed friendships with many Australians of Baltic origin. I now wish to record with pride the names of several such people who were always in the forefront of the fight for a free Australia and freedom for the captive Baltic nations. Through their involvement in the Joint Baltic Committee and the Captive Nations Council this struggle has been one of great significance and inspiration.

I acknowledge the late Paula Sakne. I also acknowledge Gvido Bogdanovics and Tiiu Kroll-Simul. Finally, I acknowledge my dear friend Lia Looveer, BEM, who has just concluded 50 years of service as Secretary of the Joint Baltic Committee of New South Wales. Let the example of these good people and Australians of Baltic origin generally, as well as the eventual triumph of the Baltic States, serve as a continuing inspiration to free peoples everywhere.

UNIVERSITY OF NEW SOUTH WALES WHISTLEBLOWERS PROTECTION

Ms LEE RHIANNON [4.27 p.m.]: Members may be aware that I served as a nominee of this Parliament on the Council of the University of New South Wales [UNSW] during the Fifty-second Parliament. Although I greatly enjoyed my time on the council and found it to be most productive, I encountered several issues which gave me great cause for concern. I wish to reflect on one of those issues this evening.

I am sure all members would agree that the protection of whistleblowers is vital for public governance. Open, accountable and democratic institutions require the kind of reality checks that whistleblowers can bring. There is in this State legislation designed to protect whistleblowers. Between September 2001 and January 2002 allegations were raised against Professor Bruce Hall, Professor of Medicine at Liverpool Hospital. These allegations were quite serious, and they included allegations of academic misconduct and scientific fraud. The allegations were first brought to light by whistleblowing UNSW staff and a research student.

My intention this evening is not to reflect on the guilt or innocence of Professor Hall. I have not seen all the evidence, and I can only be informed by the report of the external independent inquiry, which I read in my capacity as a UNSW councillor. Unfortunately, this report has not yet been released to the public. My concern relates to the manner in which the university handled the allegation and the whistleblowers. I believe that the UNSW failed to properly adhere to the Protected Disclosures Act 1994 by effectively attempting to deny protective disclosure status to the whistleblowers and failing to protect them from retribution.

The whistleblowers have been subjected to disgraceful discrimination and vilification, and this has been in stark contrast to the ongoing support given to Professor Hall. One of the whistleblowers has been forced out of the university research precinct, another has had research funds redirected, and a third has found herself unable to complete her PhD. I believe this situation to be completely unacceptable.

It gives me further cause for concern that the university did not act to fully investigate the allegations until they were aired in the media. This indicates a degree of contempt for whistleblowers. It was not until Dr Norman Swan aired the allegations in April 2002 on the *Science Show* on ABC radio that the university acted. I was a member of the UNSW council at the time, and the *Science Show* report was the first that I certainly—and I believe this to be the case for most and maybe all the councillors—had heard about the allegations.

I think the council made the right decision in immediately determining to convene an external independent inquiry, chaired by former Chief Justice Sir Gerard Brennan. However, I believe that there was a reluctance on the part of the university management to treat the allegations with the seriousness they deserved. On 15 August the Supreme Court dismissed an application by Professor Hall to strike down the report, and in the process lifted an injunction restraining its publication. In light of that occurrence, the university should release the report to the public. When substantial amounts of public money are involved—as is the case in this

instance—and when Justice McClelland said in his judgment that the investigating committee had found that Professor Hall acted "in reckless disregard for the truth", the justified public interest is best served by full disclosure.

The University of New South Wales is an outstanding research institution with an enviable reputation that must be safeguarded at all times. Mistakes of varying degrees of seriousness will occur, and it is necessary that any problems of mismanagement, plagiarism or whatever are admitted frankly and publicly. Unfortunately, in this instance I believe the university acted first and foremost to protect the reputation of certain of its senior officers at the cost of its own good name, at the cost of due process and at the cost of protecting the whistleblowers. I urge the UNSW Council and university management to take urgent steps to rectify the situation with respect to the whistleblowers and to put in place whatever reforms are necessary to ensure that this unsavoury incident is not repeated.

CORPORATE SECTOR WELFARE

The Hon. IAN WEST [4.32 p.m.]: Corporate welfare affects our economy and our entire society. We often forget the extent to which the private corporate sector is underwritten by the public purse. I do not oppose that practice; it is most constructive and should be acknowledged, discussed, appreciated and heralded. However, I am distressed that one standard is applied to welfare in the corporate sector and a different standard is applied to social infrastructure and social capital for those most in need in our economy. We must examine the language used in this area and give consideration to the number of tax dollars allocated to the corporate sector as a proportion of the government budget.

The language used to describe welfare payments tends to tell the story. The rich and the corporate sector receive "subsidies", "rebates" and "allowances", while the less fortunate in our society receive "handouts", "welfare" and "benefits". The rich, or those operating in what are deemed to be appropriate sectors of the economy, are described as being "eccentric" but the poor are labelled "mad". In line with the Federal Government's principles of mutual obligation—which stipulate that welfare recipients owe society something in return for government support—it is appropriate for us to study in depth the corporate welfare sector. If that principle is good enough for ordinary men and women, it is certainly appropriate for the corporate sector. A business that receives a concession should have to demonstrate that it is giving something back to society as a whole.

[Time for debate expired.]

Motion agreed to.

The House adjourned at 4.34 p.m. until Wednesday 3 September 2003 at 11.00 a.m.
