

# LEGISLATIVE COUNCIL

Thursday 11 March 2010

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**The President (The Hon. Amanda Ruth Fazio)** took the chair at 11.00 a.m.

**The President** read the Prayers.

## CREDIT (COMMONWEALTH POWERS) BILL 2010

**Bill received from the Legislative Assembly, and read a first time and ordered to be printed on motion by the Hon. Tony Kelly, on behalf of the Hon. Ian Macdonald.**

**Motion by the Hon. Tony Kelly agreed to:**

That standing orders be suspended to allow the passing of the bill through all its remaining stages during the present or any one sitting of the House.

**Second reading set down as an order of the day for a later hour.**

## ELECTRICITY TRADING

### Production of Documents: Order

**The Hon. DUNCAN GAY** (Deputy Leader of the Opposition) [11.02 a.m.]: I seek leave to amend Private Members' Business item No. 231 outside the Order of Precedence for today of which I have given notice by omitting "14 days" and inserting instead "28 days".

**Leave granted.**

**Motion by the Hon. Duncan Gay agreed to:**

That, under Standing Order 52, there be laid upon the table of the House within 28 days of the date of the passing of this resolution the following documents in the possession, custody or control of the Treasurer, NSW Treasury, the Department of Premier and Cabinet, the Crown Entity, the Minister for Energy and Minister for Commerce, or the Department of Industry and Investment:

- (a) the following documents relating to "Gentrader" contracts for the transfer of electricity trading rights, as announced by the Government on 1 November 2008:
  - (i) any document relating to the Government's valuation of the Gentrader contracts,
  - (ii) any document relating to the delay in the finalisation of the Gentrader contractual information and legal documentation,
  - (iii) all documents relating to the management and progress of the Gentrader process including minutes and papers of project management meetings,
  - (iv) any document which relates or refers to expenditure to date by electricity distributors and generators, including Macquarie Generation, Delta Electricity, Eraring Energy, Energy Australia, Integral Energy and Country Energy, and government agencies and departments including the Department of Premier and Cabinet, NSW Treasury and the Crown Entity, in preparation for the transaction of Gentrader contracts,
  - (v) any document which relates or refers to future expenditure, until September 2010, by electricity distributors and generators, including Macquarie Generation, Delta Electricity, Eraring Energy, Energy Australia, Integral Energy and Country Energy, and government agencies and departments including the Department of Premier and Cabinet, NSW Treasury and the Crown Entity, in relation to the transaction of Gentrader contracts, and
- (b) any document created since 1 January 2007 relating to the costs to electricity distributors and generators, including Macquarie Generation, Delta Electricity, Eraring Energy, Energy Australia, Integral Energy and Country Energy, and government agencies and departments including the Department of Premier and Cabinet, NSW Treasury and the Crown Entity, in preparation for the restructure of the State's electricity industry as proposed by the Iemma Government in 2008, and
- (c) any document which records or refers to the production of documents as a result of this order of the House.

## PETITIONS

### **Livestock Health and Pest Authorities Rate Increases**

Petition requesting that the Government place an immediate moratorium on current livestock health and pest authority rates, received from the **Hon. Duncan Gay**.

### **Unborn Child Protection**

Petition requesting that the House uphold the sanctity of human life, defend the fundamental right of children to be born and reject all attempts to initiate legislation that emulates the Victorian Abortion Law Reform Act 2008, and encourage ways and means of promoting to the people of New South Wales that every baby deserves to be protected and nurtured from conception, received from **Reverend the Hon. Fred Nile**.

### **Coogee Electorate Redevelopment**

Petition opposing any redevelopment of the site bounded by Coogee Bay Road and Arden and Vicar Streets under part 3A of the Environmental Planning and Assessment Act 1979, received from **The Hon. Don Harwin**.

## **HURLSTONE AGRICULTURAL HIGH SCHOOL SITE BILL 2009**

### **Second Reading**

**Debate called on, and adjourned on motion by the Hon. Duncan Gay and set down as an order of the day for a future day.**

## **PROTECTION OF PUBLIC OWNERSHIP BILL 2009**

### **Second Reading**

**Debate resumed from 23 February 2010.**

**Reverend the Hon. FRED NILE** [11.11 a.m.]: Previously I outlined some background regarding the aims and objectives of the Protection of Public Ownership Bill 2009. I quoted examples concerning Hunters Hill High School and Seaforth TAFE. The object of the bill, introduced by Dr John Kaye, is to give Parliament the final say on privatisation and outsourcing of assets and services. It seems that when the Government is desperate for funds it searches through its assets, including schools, school land and other land that may be sold, to bring a rapid cash injection into the budget. In many cases items that are considered for sale are being used; some may not be used but are part of a forward plan. For instance, a school may be required or a hospital may need to extend its facilities onto adjacent vacant land.

Sometimes the selling of land is short-sighted. Going back to the 1920s, former governments had great foresight with transport by setting aside land for future expressways and transport facilities. However, when a later government needed money, those reserved areas, which would have been needed and are still needed today, were sold off. That is why the current Government constructed the many tunnels that criss-cross under the city of Sydney—the Cross City Tunnel, the Lane Cove Tunnel and the M5 tunnel. The tunnels have created pollution problems, and it would have been far better for the land to be retained so that those roadways could be above ground. That certainly would have avoided the pollution problem.

The bill is designed to prevent the sale of an asset that is greater than \$1 million without the consent of both Houses of Parliament. The bill also prevents the outsourcing of public services and other activities with a cost or income worth more than \$1 million, and it prevents, without the consent of both Houses of Parliament, the sale, lease or disposal of travelling stock reserves. The Government is not happy with this bill, and perhaps the Opposition has reservations about it, because governments want the freedom to act in what they regard as the public interest in dealing with excess land, et cetera, without having to undergo a vote in both Houses of Parliament. There would be no problem if an elected government controlled both Houses of Parliament; both Houses could rubber stamp any proposal.

It is very unlikely that at any future time in the upper House, by the mathematical structure of its membership, either major party would have total control; that is, one party will not have the maximum number

of votes to hold control. A major party will always be dependent on the minor parties, Independents and crossbenchers for support. Obviously, in many controversial areas, a party would not get the support of the crossbench. In the lower House, the Government has to have the numbers to be given authority by the Governor to govern. Even then, it could be a minority government, dependent upon the crossbench. Some commentators suggest that is a possibility following the 2011 election. It could be that a future government will not control either House when dealing with a controversial matter, leaving aside the budget and votes of no confidence in the government of the day. I have sympathy for the bill and believe, in principle, that what it seeks to do has merit and should be carefully considered by the House.

**Ms LEE RHIANNON** [11.16 a.m.]: I congratulate my colleague Dr John Kaye on introducing the Protection of Public Ownership Bill 2009 on behalf of the Greens. As Reverend Nile identified, the bill has great merit and a sensible Labor Government would support it because it sets out what many people believe that Labor once stood for. When one considers what will more than likely happen at the next State election, the bill highlights the need to put mechanisms in place that will provide some degree of protection for public assets and services. The bill is very neat. It simply ensures that Parliament has the final say on privatisation and outsourcing of public assets and services. The bill contains three key aspects: parliamentary oversight, political accountability, and giving the community a say in the future of the State's assets. Clearly, when one considers that the public pays for State assets and their maintenance, we need to be able to facilitate that. By enacting this bill that can be achieved.

It is important that this bill be agreed to because in recent times both Labor and Coalition governments have moved quickly, once in office, to sell off many assets and services. Sometimes that is successful, sometimes it is not. I take this opportunity to congratulate the Sydney Ferries Safe in Public Hands campaign, which highlighted the need for the Government to listen to the community and workers in the industry and to maintain public ownership of Sydney Ferries. That campaign was successful. The case was strongly put that the Government should protect Sydney ferries and not allow them to be cherrypicked, which would have happened had a private operator taken over. Clearly, a private operator would target services that make money. In that campaign, it was pointed out that the Government does not have a good record in this area: it has already sold the TAB, the State Bank, the Government Insurance Office, the Government Printing Office and the Homebush Abattoir.

We see this with successive Governments where public assets are sold off. I think that if people are interested in selling things off they should go into the private sector. If they want to maintain public services they should be working hard to get into government. This is an interesting situation and I think it is worth reflecting on how the electricity privatisation has played out. There are still some members in this House who were here in 1997 when there was an attempt to sell off the electricity industry. As we know, former Premier Bob Carr and former Treasurer Michael Egan put a great effort into this and put their reputations on the line to sell off the industry. We know they were rebuffed. The point I want to make is that the people of New South Wales gained from the electricity industry not being sold. The public lost nothing in terms of cash flow and we actually accrued at least \$8 billion in capital gains. That is one of the key points for the Greens argument that we should be keeping these public assets. So many of these services are best run by the Government and many of them have a revenue stream. Should future generations, and sometimes the current generation, suffer because a government of the day has some problem, often because of its own mismanagement?

It is also worth emphasising that this legislation, which as I said is a very neat piece of legislation that Dr John Kaye has devised, will not stop the sell-off entirely unless this House and the Legislative Assembly say so. To those people who probably have a different position from that of the Greens and think that at times some public assets should be sold off, I say let us put it to the test of the Parliament. That is why I think all members should be able to see their way free to support this legislation.

I would like to emphasise that we have a serious problem in that too often the government of the day sees various public assets as a cash cow from which it can gain a quick injection of money. However, to some extent with the current makeup of the two Houses, particularly in the upper House where as the previous speaker identified one party does not dominate, we would have the opportunity to debate the merits of any sale that the government of the day might propose.

I urge members to give close consideration to this legislation. I would argue that it does not go against the ideological interests of any of the parties and it is one of those areas where we should be able to reach common agreement, considering that so often in this place we hear members of all parties make speeches about

public transport, public health and public education and profess their commitment to providing quality public services across this State. If that intent is true and people are true to the words that are so often stated in their speeches, this is the legislation to support.

**Debate adjourned on motion by the Hon. Lynda Voltz and set down as an order of the day for a future day.**

### **WALK SAFELY TO SCHOOL DAY**

**Debate resumed from 25 February 2010.**

**The Hon. JOHN AJAKA** [11.23 a.m.]: Prior to the debate on this motion being adjourned I indicated the road safety concerns of the Rockdale electorate are illustrative of the broader road safety rules. Several questions need to be asked in determining how to best ensure the safety of pedestrians and motorists, the key stakeholders. For instance, how can we more comprehensively educate motorists and pedestrians about safe traffic and road practices? How can we more effectively support the Roads and Traffic Authority in implementing and enforcing its road safety regulations in schools zones? How can we ensure that the Government hears the voices of local councils, which are often in the best position to make an assessment of high-risk areas? How many crashes or fatalities will it take to flag a particular zone as high priority and therefore justify the reactive installation of flashing lights and other high visibility signage?

Turning first to the matter of education, Walk Safely to School Day is an annual event that involves some 8,000 primary schools across the nation, encouraging the parents and caregivers of the students to accompany the children walking and commuting to school. This is an important community event seeking to promote road safety, health, public transport and the environment. I found it a welcome opportunity to walk my two youngest daughters, Isabella in year 4 and Gabrielle in year 2, to their school at Mater Dei Primary on the last occasion.

According to the Pedestrian Council of Australia, which is responsible for organising the event, the main objectives of Walk Safely to School Day are: firstly, to encourage parents and carers to walk to school with primary school-age children and reinforce safe pedestrian behaviour; secondly, to promote the health benefits of walking and help create regular walking habits at an early age; thirdly, to reduce the car dependency habits that are being created at an early age; fourthly, to promote the use of public transport; fifthly, to reduce the level of air pollution created by motor vehicles; and, sixthly, to reduce the level of hazardous traffic congestion. Indeed, the risk factors are well-known—traffic congestion, speed and compliance.

Research has shown that a pedestrian struck by a car travelling at 40 kilometres per hour has a significantly greater chance of survival than a pedestrian struck at 50 kilometres per hour, and again far more than a person struck at 60 kilometres per hour. We must emphasise the gravity of these restrictions. There must be certainty in the minds of motorists that if they speed through these high-risk congested zones they will be targeted and caught. However, although 40 kilometres per hour school zones have been in place for a long time there nevertheless remains a certain level of community concern about motorists ignoring or simply being oblivious to the 40 kilometres per hour school signage. I refer to the New South Wales Auditor-General's performance report for the Roads and Traffic Authority, "Improving road safety: school zones", which states:

Despite the use of school zone signs with flashing lights and fixed speed cameras, motorists continue to exceed the 40 km/h speed limit in school zones. The RTA school zone speed survey in 2008 showed that in only two schools out of 12 surveyed were vehicle speeds close to the speed limit. An NRMA survey of 11 Sydney schools in 2005 found that only half of motorists were obeying the 40 km/h speed limit during school zone hours.

There are two likely reasons for exceeding the 40 km/h speed limit:

- drivers are unaware when and where they should reduce speed to 40 km/h
- enforcement is ineffective and drivers believe that they can speak with impunity.

There may be several reasons why motorists are unaware that they are entering school zones:

- some school zone signs are poorly located or in poor condition
- drivers may fail to see signs and road markings or realise that school zone times apply
- there are some anomalies or inconsistencies in school zone times and speed zoning which may confuse motorists.

I would like to quote from comments made by the shadow Minister for Roads and Ports, Andrew Stoner MP, the New South Wales Leader of The Nationals, in a statement on 25 February 2010:

NSW Leader of The Nationals and Shadow Minister for Roads Andrew Stoner today said that State Labor's slow rollout of school zone flashing lights was putting the lives of thousands of school children across the State at risk.

...

State Labor's sluggish roll-out of school zone flashing lights meant that only a small portion of school zones had flashing lights.

...

Despite promising there would be 566 flashing lights across NSW by 2011, less than 10 per cent of school zones have flashing lights and only one per cent of school zones have speed cameras.

Mr Stoner puts it quite well. I cannot overemphasise the importance of raising awareness about the frequently overlooked dangers of road use. Educating the public on the most basic of precautions will go a long way towards avoiding potential disaster. That is the primary rationale underlining the New South Wales road safety education program. The majority of school zones operate between 8.00 a.m. and 9.30 a.m., and 2.30 p.m. and 4.00 p.m. on gazetted school days. The zones are marked with orange signs that indicate the time periods during which the 40-kilometre school speed limit applies.

A 2005 snapshot audit conducted by NRMA Motoring and Services, which surveyed 11 schools, again revealed—as was stated in the Auditor-General's report—that 51 per cent of motorists were not abiding by the 40-kilometre speed limit in school zones. The purpose of restrictive speed limits at schools will be frustrated by a failure to indicate clearly to approaching motorists where these school zones begin and end. Significantly, the installation of flashing lights in high-risk school zones was put forward as a means of addressing this problem. Far from providing a timely response to obvious risk factors, the statewide rollout of the flashing lights scheme was taken up as a political fire extinguisher by the then Minister for Roads, the Hon. Eric Roozendaal, following a tragic accident involving a toddler. Within days of the accident the Minister announced plans to implement 40-kilometre-an-hour flashing light units around schools, backed by speed cameras and the installation of traffic lights at 59 dangerous pedestrian crossings.

But these risks were not new. This was another tragic manifestation of the Government's fatal "better late than never" attitude when it comes to road safety for our children. Moreover, to add insult to injury, the Government systematically misled the public about costing this flashing lights project. In May 2006, after the Hon. Eric Roozendaal's initial announcement about the flashing light and speed zone camera program, the estimated cost was set at approximately \$300 million. However, at the time *Stateline* noted:

... a leak within the Government itself undermined the credibility [of that statement]. It caused public cynicism. It was a draft letter from [the then] Treasurer [the Hon] Michael Costa ...

In addition to being a little loose in conveying the truth to the public, the Labor Government failed to conduct adequate costing research on the manufacturing and installation of flashing lights. The Labor Government has squandered hard-earned taxpayers' dollars on the rollout of this package. One Roads and Traffic Authority flashing light unit reportedly costs an average of \$58,000, although the price per unit can reach \$75,000—and has done so. In fact, the Roads and Traffic Authority spent over \$180,000 per school zone installing multiple sets of light at 30 different locations. Independent research into flashing light units has shown that these figures are a little exorbitant, to say the least. Other alternatives—if not more reliable alternatives—to the Roads and Traffic Authority flashing light units have already been installed in locations such as Peakhurst and Lugarno at a much lower unit cost.

The RTA and the Labor Government have claimed that these cheaper alternatives are unacceptable, yet these lights have been 100 per cent reliable since the beginning of 2007, while the Roads and Traffic Authority units have been reliable 98.2 per cent of the time. I take this opportunity to acknowledge the work of Peter Olsen who has campaigned tirelessly for the installation of quality flashing light units in school zones in a more cost-effective, quicker and more extensive manner than the Government's proposed project. Mr Olsen has offered to install his lights for \$1,500, which, to date, have not shown any evidence of malfunctioning in any school zone in Sydney. Significantly, these lights could be installed at 38 schools for the same price as one of the Government's units.

After seeing an article in the local *St George and Sutherland Shire Leader* concerning the need for flashing lights in the Kingsgrove school zone, Mr Olsen contacted the principal of the public school and

tentatively organised with a local resident to install a flashing light sign in front of her property. Hopefully, that will provide an interim solution until the community receives confirmation of funding approval for the installation of flashing light signs. Local people with local solutions are willing to lend a helping hand in an area in which this Government has failed to act. Currently, more than 10,000 school zones remain without any flashing lights—a worrying number that I doubt will improve under the current Labor Government, which clearly is failing New South Wales children and families by wrongfully refusing to use more cost-effective technologies. On 23 September 2008, in response to a Dorothy Dix question requesting an update on the Government's flashing lights program, the then Minister for Roads, the Hon. Michael Daley, stated:

The Government remains committed to rolling out its four-year \$46.5 million flashing lights programs to schools across the State ... This is the first year of a four-year program to install 400 new flashing light zones at schools. There is no excuse for speeding, especially in a school zone. That type of driving is dangerous and reckless. It puts our youngest at risk, which is simply unacceptable ...

These figures and the delays in rolling out technology to schools, especially those that have requested priority listings for years, do not make sense. In 2008 the Government promised to put the revenue generated by school zone cameras back into school safety. However, according to NRMA data, these cameras generated more than \$45 million in 2008, and the Labor Government committed \$46.5 million over four years to flashing light units. At best, this Government is spending only 25 per cent of the revenue raised for the purpose of installing flashing light units. Furthermore, according to NRMA Director Geoff Toovey, as at 2008 only 5 per cent of schools in New South Wales had flashing light units. As he observed:

Ninety-five per cent of schools in NSW don't have flashing lights and the Government's rollout strategy is so slow, most schools won't see the life-saving technology for years.

Approximately 120 people are killed annually in pedestrian accidents across New South Wales, which represents 20 per cent of the annual road toll. We have the technology and the funds now but the Government has failed to explain why we do not have flashing light units in school zones across New South Wales, or at the very least in high-risk priority zones. Flashing light units are intended to complement the function of the zone speed limit; they are not a revenue-raising measure. Rather, they are there and should be there only for the protection of our children and for the prevention of unfortunate tragedies that destroy lives—tragedies that arise as a result of the most ordinary, everyday routines.

I note further that in May 2007 harsher penalties were introduced for school zone infringements, including speeding, approaching a school crossing too quickly to stop safely, double parking, or stopping near a children's crossing. The RTA notes on its website that these penalties are subject to change without notice. However, severity of punishment is ineffectual without certainty of punishment. Furthermore, given the heightened financial penalties associated with infringements in these high-risk school zones, the funding of these flashing light units should not be an issue. It should never be a case of "better late than never" being sufficient, as that might result in the Government being too late. When it comes to school zone safety this is not a difficult issue. Clearly, we must install flashing light units in schools faster and without delays because they help to keep our children safe and they save lives. What can be clearer than that?

We all know that the funds are there, but the Labor Government has failed to explain what is taking so long. It cannot blame the global financial crisis for its own economic incompetence over the past 15 years. As I said earlier, the cameras alone generated more than \$45 million over four years. This Government's first priority should be to commit to this entire project. In 2008 the Labor Government spent \$2 billion on an energy-guzzling environmentally unfriendly desalination plant, the construction of which damaged nearby homes in St George and practically destroyed the lives of residents. This indicates to me that the Labor Government does not care about our children. At the very least, it has its priorities disastrously wrong. As I said earlier, one Roads and Traffic Authority flashing light unit currently costs an average of \$58,000. Instead of building a white elephant—the desalination plant—the Government could have installed flashing light units in every school in the St George and Sutherland region, and had money to spare.

It is a rather sorry state of affairs when child safety is dependent on parent communities, which increasingly are taking matters into their own hands as this Government has failed them time and again. They felt compelled to fund a number of school projects of their own accord due to lack of funding, and they are doing what they can to ensure the safety of their children. This Labor Government still does not believe that flashing lights are a matter of priority, which shows just how out of touch it is with reality. When I first moved my motion several concerned parents in my duty electorate, notably from the Rockdale area, approached me and expressed the same concern—namely, that certain roads surrounding their children's schools did not provide a

safe means of accessing school grounds. One of the most commonly identified issues was the absence of flashing light units in school zones. In order to better understand the problem, I drove and walked around the Rockdale area looking at some school zones. My observations cemented not only the legitimacy of the parents' worries, but also impressed upon me the severity of the potential consequences of inaction regarding children's safety.

Sadly, I saw primary schoolchildren stream out of school grounds at around 3.00 p.m. and run across roads to their parents' cars without looking both ways before stepping off the kerb. I watched while another child darted out in front of an oncoming car. Fortunately, the car was travelling slowly enough for the driver to spot him and apply the brakes in time to avoid him. These observations may appear banal, but the fact that they appear so commonplace gives rise to our greatest concern. Those close shaves happen far too often in increasingly congested road conditions. Perceiving a child running out in front of a car as merely an everyday occurrence—pure happenstance—reflects a frightening level of apathy about high-risk situations. This attitude carries with it potentially fatal consequences.

My office contacted Rockdale City Council, where the traffic and road safety officer was most helpful in identifying the local schools without flashing lights warning signs. He also identified those schools that are flagged as high-risk priority locations but do not have flashing lights systems. I understand the rationale underlying the Roads and Traffic Authority's rollout plan for the installation of flashing lights in certain prioritised school zones. I am sympathetic also to the funding constraints placed on the Roads and Traffic Authority by this Labor Government that prevent the immediate installation of this safety feature at all schools. Nevertheless, I find it disconcerting that five schools in the Rockdale electorate alone do not have flashing lights installed, yet the council has categorised them as high-risk locations. The high-risk criterion is based on accident data, pedestrian traffic, traffic congestion, population density and level of supervision. Even more disconcerting is that all five schools are primary and infants schools.

The Labor Government is failing the people of New South Wales by putting young lives at risk through its failure to prioritise such hazardous locations. I am sorry to say that this appears to be yet another illustration of the Labor Government's dismissive attitude towards the safety and welfare of the citizens of Rockdale and their young children. Clearly, it has been established that these areas are dangerous to small schoolchildren as they approach and depart from school grounds. They have been flagged as such by the local council, which, arguably is in the best position to make such an assessment. Yet the Government has done nothing to accelerate the installation of preventive measures, such as flashing lights, to address these hazards.

The sad irony is the Government's promotion of Walk Safely to School Day on the one hand and its gross negligence in prioritising risk-minimisation projects and preventive measures on the other. Essentially, this frustrates the very objective of the Walk Safely to School Day initiative. Indeed, if members opposite actually went out into their communities to inspect school zones, I am certain that many of them would think twice before walking their children to school. Accordingly, I call on the Government to install flashing lights at the aforementioned school zones as soon as possible. I commend the hard work of the Pedestrian Council of Australia and the generosity of the Walk Safely to School Day sponsors. I encourage members to work every day with their children to develop safe pedestrian habits because it is apparent that they cannot rely on this Labor Government to ensure their children's safety.

**The Hon. DON HARWIN** [11.43 a.m.]: Walk Safely to School Day is an annual, nationwide initiative that encourages primary school students to walk to school with their parents or carers. The event has numerous aims, including the promotion of safe pedestrian behaviour, the promotion of the health benefits of walking, the creation of regular walking habits at an early age, the reduction of car dependency habits, the reduction of air pollution caused by motor vehicles and the reduction of traffic congestion. With an ever-increasing number of young people struggling to maintain a healthy weight, Walk Safely to School Day serves as a timely and important encouragement for children and their parents to become more active and to adopt a healthier lifestyle. However, the event is primarily about road safety and reminding primary school students about basic pedestrian safety behaviour rules, such as the importance of holding an adult's hand when crossing the road.

This year Walk Safely to School Day will take place on Friday 7 May. However, promoting pedestrian safety among school students is only one side of the school zone safety equation. The importance of responsible and careful driving also needs to be emphasised. Each month up to 28,000 drivers are caught speeding in school zones. The Government needs to adopt proven measures to make motorists slow down. In April 2006 an independent review of flashing lights in school zones conducted by the ARRP Group found that "flashing lights significantly reduce vehicle speeds within school speed zones, thus providing substantial reductions in crash risk". The report also found that flashing lights reduced the risk of fatal accidents by 11 per cent.

The Labor Government has been extremely slow to introduce flashing lights at school zones throughout New South Wales. While the Government has been promising action on flashing lights systems in school zones since 2003, only about 5 per cent of the State's schools so far have had the systems installed. In January 2008 the Roads and Traffic Authority announced a \$46.5 million program to improve road safety in school zones outside 400 schools over four years, at a cost of approximately \$116,000 per school. The inadequacy of this commitment is apparent when one considers New South Wales has more than 2,000 schools. At the current installation rate, it will take another 20 years for flashing lights to be installed at all schools across the State.

The poor level of funding for the scheme is also apparent when contrasted with the \$60 million per annum the Government receives from infringement notices issued to drivers caught speeding in school zones. The Government is spending less on flashing lights in school zones over four years than it receives in revenue from motorists caught speeding in school zones. It is quite evident that fine revenue rather than driver behaviour or student safety is the priority for this Labor Government—that is a real shame. Then there is the matter of the \$23 million the Government spent last year relocating the Roads and Traffic Authority head office from Surry Hills to new harbour-view premises in North Sydney.

The Government's slow response is evident among its backbenchers as well as its Ministers. For example, the member for Drummoyne, Ms Angela D'Amore, visited Strathfield North Public School in the lead-up to the last State election and promised the school's parents and citizens association that concerns about a dangerous section of road behind the school would be addressed. More than a year after the election the school's parents and citizens had to make complaints to the local media about the fact that no action had been taken. Only after this negative publicity did Ms D'Amore ask the Roads and Traffic Authority to investigate, resulting in the installation of flashing lights on one street along the side of the school.

The Drummoyne electorate has nearly a dozen schools—the majority of schools, both public and private—that do not have flashing lights to warn drivers to slow down as they pass through the school zones. Some of these schools are located on busy roads. Abbotsford Public School on Great North and Blackwall Point roads, and Concord Public School on Burwood Road are just two examples. The same story is repeated in the eastern suburbs electorate of Coogee, where numerous school zones on relatively busy local roads are still without flashing lights. These include Coogee Public School, St Brigid's Primary School, Brigidine High School and Claremont College all on Coogee Bay Road, and Bronte Public School on Murray Street.

Many schools in the two electorates I have referred to also either are without security fences or have them erected around only part of the grounds and buildings. Security fences not only protect the school from theft and malicious damage, but also enhance student road safety by ensuring that students make use of appropriate exits onto quieter streets or close to designated crossings. The Labor State Government needs to make school zone safety for our school students a priority by fast-tracking the installation of flashing lights and security fences. I commend the Hon. John Ajaka for his patience in awaiting the opportunity to debate this matter eventually. As we approach another Walk Safely to School Day, I am delighted that this matter is being debated because it is very important and very dear to my heart.

**The Hon. SHAOQUETT MOSELMANE** [11.49 a.m.]: It is worth noting that the walk safely to school scheme, which has been a great success, is the initiative of the New South Wales Labor Government and the Roads and Traffic Authority [RTA]. This year Walk to Work Day will be on Friday 20 October and Walk Safely to School Day will be on Friday on 7 May 2010. The Rockdale City Council's traffic and road safety coordinator prioritised a few schools for the installation of flashing lights but has not put the matter onto the council's agenda, so the matter has not been dealt with by council. I am a member of the Rockdale City Council and I will make representations to the council. I am happy to take up this issue with my council colleagues.

Walk Safely to School Day ought to be our focus. I congratulate the Government and the Roads and Traffic Authority on such an important community safety initiative. I call on all local councils, schools and any non-government community organisation to embrace the initiative for the benefit of all. Walk Safely to School Day is an annual national event, when all primary school children will be encouraged to walk and commute to school. It is a community event that seeks to promote road safety, health, public transport and awareness of the environment. It has been held successfully for a number of years. In 2009 more than 750 schools participated in the event. This year it will be held throughout Australia on Friday 7 May 2010.

The Department of Education and Training supports the New South Wales Walk Safely to School Day in a number of ways. Individual schools receive a promotional package from the Pedestrian Council and the department develops a pamphlet for all schools with ideas for whole-of-school and curriculum-based activities



that are designed to enhance learning about road safety. Many events are sponsored by the Commonwealth Department of Health and Ageing as well as generally by the Australian Government, all State and Territory governments, local councils, the Heart Foundation, the Cancer Council, Diabetes Australia, Beyond Blue and the Australian Conservation Foundation.

The main objectives of the program are to encourage parents and carers to walk to school with primary school aged children and to reinforce safe pedestrian behaviour; to promote the health benefits of walking and to assist in creating regular walking habits at an early age; to ensure that children up to 10 years of age hold an adult's hand when crossing the road; to help children develop the vital road-crossing skills they will need as they become mature pedestrians; to reduce car dependency habits that are being created at an early age and that will be difficult to change as children become adults; to promote the use of public transport; to reduce the level of air pollution created by motor vehicles; and to reduce the level of traffic congestion.

Walk Safely to School Day will inform parents and carers that they need to closely supervise their young children in all road environments and that children should hold an adult's hand when near or crossing the road. Flashing lights will provide the extra safety measure where required—there is no doubt about that. Walk Safely to School Day will inform parents, carers, teachers and children of the significant physical, mental and social health benefits that can be achieved through regular walking, and will promote all those benefits. How can people become involved? The Department of Education and Training encourages schools and people to participate in Walk Safely to School Day. There are a number of ways of encouraging participation, which include the use of information newsletters, asking local parents and citizens associations to support the event and telling one's friends, parents, carers and teachers about the event.

Such events assist in reducing hazardous traffic congestion in and around schools as well as in creating pedestrian-safe areas for children who are entering or leaving school. Every member of the House wants their kids to be safe and to be able to walk to school safely. Walk Safely to School Day is a great initiative by the New South Wales Labor Government. However, members opposite and colleagues of the Hon. John Ajaka, who is a former Rockdale councillor, may have missed the announcement made by the New South Wales Government in 2007.

**The Hon. Michael Veitch:** Yes, he probably missed it; he misses a lot of that.

**The Hon. Marie Ficarra:** And he missed having flashing lights installed.

**The Hon. SHAOQUETT MOSELMANE:** He missed conveying that to the council as well. The Government is working hard to roll out a program worth \$46.5 million over four years to install flashing lights in school zones. The Hon. John Ajaka may be interested to know that the following schools have flashing lights: St Mary's Star of the Sea Primary School had flashing lights installed last year; Bexley Public School had lights installed in December 2008; and Kingsgrove infants school has had lights progressively installed. More than 350 school zones qualify for flashing lights. The lights that have been selected include those used in the 2006 trial sites and some others that were used to ascertain the most effective technology for New South Wales school zones. The Government is more than halfway through delivering lights to approximately 400 sites in line with its commitment of \$46.5 million. Flashing lights were trialled and were found to be an effective tool in slowing down motorists by an average of seven kilometres an hour when motorists are entering a school zone.

Contrary to claims made by the Opposition, including those made by the Hon. John Ajaka, the New South Wales Government is committed to improving safety in school zones. All schools across New South Wales are being assessed and will be selected after stringent criteria are met. The criteria include the school's crash history, speed limits, road environments and visibility. We are ensuring that schools with the highest priority receive flashing lights first. Children are precious assets to our communities.

**The Hon. Michael Gallacher:** Hear! hear!

**The Hon. SHAOQUETT MOSELMANE:** I am sure members opposite agree that that is a very important point. Children are precious assets to our communities and families, but they can be unpredictable. A child's life can be lost in the blink of an eye in a school zone. That is why the Government has a range of measures, including pedestrian overbridges, lollipop crossing supervisors and a reduced speed limit, to improve the safety of school zones. I encourage every member of the House to slow down when they are in school zones. I commend the New South Wales Government for its efforts to improve safety in and around school zones.

I also commend Peter Olsen for the initiatives he has undertaken in the Rockdale area. If the Hon. John Ajaka regards the issue as significant and wants to take it up, he should have raised it with Rockdale councillors. He did not do so.

**The Hon. Greg Donnelly:** Shame!

**The Hon. SHAOQUETT MOSELMANE:** That is so true. The Hon. John Ajaka should have approached the local council. As he did not do so, the matter was not prioritised by the council. I will take up that matter with Rockdale City Council.

**The Hon. LYNDA VOLTZ** [11.57 a.m.]: I endorse the comments made by my colleague the Hon. Shaoquett Moselmane. As members opposite should be aware, the New South Wales Government is committed to a program worth \$46.5 million over four years for the installation of flashing lights in school zones. In addition to that program, the Government recently announced a package worth \$40 million for the installation of dragon's teeth at the entrance of all school zones across the State. As the Hon. John Ajaka apparently is aware, because he amended his motion, and as the Hon. Shaoquett Moselmane has said already, St Mary's Star of the Sea Primary School had flashing lights installed last year, Bexley Public School had lights installed in December 2008 and Kingsgrove infants school has had lights installed progressively.

The Government is ensuring that schools with the highest priority for improved safety receive flashing lights in their school zones first. The schools that will receive flashing lights are Beverly Hills North Public School on King Georges Road, Beverly Hills; Beverly Hills Public School on Stoney Creek Road at Beverly Hills; Bulli Public School on the Princes Highway at Bulli; Concord High School and Concord Public School on Crane Street in Concord, which I am sure the Hon. Don Harwin will be pleased about; Fairfield High School and Fairfield Public School on The Horsley Drive at Fairfield; Fairfield West Public School on the Cumberland Highway in Fairfield West; and Riverside Girls High School on Victoria Road in Huntleys Point.

The list also includes Hurstville South Public School on King Georges Road, Hurstville; Kegworth Public School on Tebbutt Street in Leichhardt; the French School of Sydney senior campus on Anzac Parade in Maroubra; Christ the King Primary School on the busy North Rocks Road in North Rocks; Mount St Benedict College on Beecroft Road, Pennant Hills; Fort Street High School on Parramatta Road, Petersham; and Our Lady of the Sacred Heart School on Avoca Street, Randwick.

**Pursuant to sessional orders business interrupted at 12 noon for questions.**

## **QUESTIONS WITHOUT NOTICE**

### **MEPHEDRONE**

**The Hon. MICHAEL GALLACHER:** My question without notice is addressed to the Attorney General. Is the current anti-drug legislation satisfactory to prohibit the importation and distribution in New South Wales of the chemical 4MMC, the drug mephedrone, labelled by the media as "miaow"? Given that foreign drug exporters are reportedly circumventing the Drug Misuse and Trafficking Act to mail small amounts of mephedrone to New South Wales under the auspice of plant food, what legal loopholes need to be closed to prevent this harmful drug reaching Sydney streets?

**The Hon. JOHN HATZISTERGOS:** Almost all import and export offences relating to narcotics are covered by Federal laws, not by New South Wales laws. To the extent that the question refers to import and export, it relates to things done under Commonwealth law. Importantly, it is a similar situation in relation to matters involving the use of postal services. I make it clear to the honourable member, as I did to someone else who inquired about this issue, that that particular narcotic is covered under the drug misuse and trafficking legislation so it is prohibited by existing State legislation to the extent that the State's laws reach any particular activity. If an aspect of the honourable member's question relates to a particular concern he has, beyond what has been expressed in the question, I am happy to look into it if he wishes to draw it to my attention.

## **STATE ECONOMY AND JOBS**

**The Hon. SHAOQUETT MOSELMANE:** My question is addressed to the Treasurer. Will the Treasurer update the House on the latest employment data?

**The Hon. ERIC ROOZENDAAL:** I thank the honourable member for his interest in this matter. Today I am proud to announce more good news for New South Wales. In breaking news, I can advise members that the unemployment rate for New South Wales for the month of February 2010 is 5.4 per cent. This is a decrease of 0.2 per cent, compared to the month of January. This is good news for New South Wales families and business. This means that since March 2009 more than 66,000 jobs have been created in New South Wales. Looking at this on a trend basis, employment in New South Wales has increased for 11 consecutive months. This is good news for New South Wales families and for the New South Wales economy.

Today's data shows that in February alone more than 13,000 jobs were created in New South Wales. Incidentally, Victoria lost more than 15,000 jobs. While the New South Wales rate fell, the Queensland unemployment rate increased by 0.2 per cent to 5.7 per cent, South Australia increased by 0.3 per cent and Tasmania increased by 1.1 per cent. This is reassuring news for the State economy. New South Wales continues to lead the nation's economic recovery. According to the official Australian Bureau of Statistics data, our \$380 billion New South Wales economy has outperformed every other State for the first half of the financial year. Also today we have seen the release of further data from the National Australia Bank showing that business confidence continues to improve.

The National Australia Bank business survey found that 30 per cent of small and medium-size businesses reported good or very good conditions for the December quarter. This is more good news for the State economy. I remind members of further good recent economic news. The latest Australian Bureau of Statistics figures show that New South Wales business investment grew by 7.2 per cent in the December 2009 quarter—more than twice the national average of 3.5 per cent. The New South Wales retail sector has outperformed every other State since the worst days of the global financial crisis. Since then New South Wales retail sales grew by 12.2 per cent; the national average was only 8.2 per cent.

Our building sector was a star performer for the first quarter of the financial year. New South Wales building activity grew by 5.7 per cent to \$4.28 billion for the September 2009 quarter. New South Wales growth was not matched by any other State. The national increase was only 1.6 per cent for the same period. That is more good news for the people of New South Wales and for the State's economy. Yet once again the downtrodden members opposite have been consistent in greeting any good news about the State's economy with heckles. I understand their disappointment. Basically, they are economically illiterate, they opposed the stimulus package, and they have yet to put up a single policy. It is no wonder Tony Abbott has declared that Barry O'Farrell is lazy. Members opposite refuse to participate in improving this State.

#### **FORBES DIALYSIS SERVICES**

**The Hon. DUNCAN GAY:** My question is directed to the Attorney General, representing the Deputy Premier, and Minister for Health. With regard to the Forbes dialysis unit, is the Minister aware that last month I met with the acting general manager of Rural Clinical Services at Forbes, who informed me that the expansion of Forbes dialysis services is likely to begin within the next three months? Given that I am now being told by local dialysis patients that they have heard that nothing will be done until September at the least, will the Minister confirm the estimated start date of the expansion? Is this yet another case of the New South Wales Government misleading the people of the Forbes community, as it did during two elections, on the provision of a new hospital?

**The Hon. JOHN HATZISTERGOS:** I am not aware of the representations to which the honourable member referred, but I will refer them to the Minister and seek to obtain an answer as soon as possible.

#### **WILD DOGS**

**The Hon. ROY SMITH:** My question is addressed to the Minister for Industrial Relations, representing the Minister for Climate Change and the Environment. Is the Minister aware of ongoing criticism by Upper Hunter farmers at the failure of National Parks and Wildlife Service staff to work with landholders to control wild dogs, which are known to breed in national parks and then attack stock on adjoining properties? The farmers have suggested that the appointment of a full-time trapper or even a decent government-funded bounty could help to solve the problem. What is the National Parks and Wildlife Service doing to help these farmers, and when will it engage in meaningful discussions about the problem? Does the Minister accept the criticism by these farmers that aerial baiting in the Upper Hunter is a lottery? If not, can he provide evidence of its effectiveness in combating the wild dog problem?

**The Hon. JOHN ROBERTSON:** I will take the question on notice and undertake to get the member an answer.

## YOUTH EMPLOYMENT

**The Hon. MICHAEL VEITCH:** My question is addressed to the Minister for Public Sector Reform. Will the Minister update the House on what strategies the Government is using to create employment opportunities for young people?

**The Hon. JOHN ROBERTSON:** I thank the member for his ongoing interest in employment opportunities for young people in New South Wales. The Government is committed to boosting jobs and providing training and development opportunities for young people. I am pleased to update the House on some of the strategies the Government is employing this year to support young people as they enter the public sector workforce. Early in 2010, the Government is participating in many job and career expos that are being held in areas of the State with high youth unemployment. The first of these was in Bankstown on Friday 12 February, and I am advised that more than 6,000 people attended the event. I understand there was very strong interest in the New South Wales public sector stand, which promoted the JumpSTART cadetships and Aboriginal employment initiatives.

This month jobs expos will also be held in Lismore, Wollongong and the Central Coast. These are an important opportunity to reach recent school leavers, and give them assistance to find jobs that interest them. This Government is also participating in the National Careers and Employment Expo at Darling Harbour on 30 April and 1 May. I am advised that 30,000 people are expected to visit the Expo, which is Australia's largest national careers and employment event. It is very popular with students and graduates, and many New South Wales public sector agencies will be there to present real opportunities and career pathways for thousands of job seekers. In addition to promoting our youth employment programs, the Government will continue to deliver on its promise to employ 6,000 new apprentices and cadets over four years.

In 2009 the annual target of new apprentices was reached by the end of September. These young people are working in a variety of sectors, including transport, energy, health, housing and education. They are developing valuable job skills and, at the same time, the State's future workforce needs are being secured. During the summer recess I had the opportunity to meet with a number of these young apprentices. In Port Macquarie, I visited a Country Energy depot and received a safety induction by Damien Jackson, a young apprentice who told me that he had found his "dream job". At Integral Energy in Hoxton Park, I had the pleasure of being shown a PowerPoint presentation that taught new apprentices jointing techniques. The remarkable part of this presentation was the fact that it had been developed by two apprentices, John Farrugia and Michael Basham, who wanted to share their knowledge with new apprentices coming through Integral.

This is what we want to see: young people in jobs, enthusiastic about their careers and getting a great start in the New South Wales workforce. Also in 2010 the JumpSTART NSW cadetship program will continue. Designed to help young people take up careers in the public sector, this program opens up a range of new job opportunities for young people who have recently left school. A successful pilot was conducted in mid-2009, and the program was subsequently expanded in November. We are now well on target to employ 500 young people by mid-year to work in a wide variety of interesting areas, including Aboriginal community work and water catchment management, as assistants in nursing and as residential support workers. There can be no more important achievement for government than helping its young people reach their full potential. This Government is committed to doing that and to delivering more jobs and better opportunities for young people in New South Wales.

## REPCO RALLY

**Mr IAN COHEN:** My question is directed to the Minister for State and Regional Development. Minister, figures provided by Tweed Tourism show that compared to September 2008 there was an increase in visitor nights of 867 in September 2009, and the takings from all types of accommodation increased by \$850,000. Will the Minister agree that the rally's socioeconomic impact assessment that claimed the event "is estimated to increase tourist visitor nights by up to 92,000" and would bring \$30 million to the area, has been grossly overstated? Will the Minister further concede that comparing visitor numbers from September 2008 and September 2009 shows an increase of only 626 people, which is a negligible impact?

**The Hon. IAN MACDONALD:** I will give him one thing: he is persistent. The World Rally Championship was a most successful event. In fact, surveys of local businesses have shown that they had significantly enhanced business over the period of the holding of the event.

**Mr Ian Cohen:** What surveys?

**The Hon. IAN MACDONALD:** The surveys that are being produced by various groups up there.

**Mr Ian Cohen:** Various groups up there?

**The Hon. IAN MACDONALD:** I will present it to the House in due course when we complete our review that is being conducted. Mr Ian Cohen is seeking to try to undermine this absolutely wonderful event for the northern rivers region. I will not go into too much detail, as Mr Ian Cohen will probably run around and try to organise a campaign, but in fact a number of other areas want the rally held in their precinct next time.

**The Hon. Duncan Gay:** Crookwell? We have some of the worst roads in the State.

**The Hon. IAN MACDONALD:** Yes, you have been doing wheelies on them for decades, Duncan. I am talking about the northern rivers region. A number of other significant towns and villages in that region are keen to have the World Rally Championship visit or have a role to play in their areas next time. I am looking forward to seeing an expanded World Rally Championship in 2011. I am sure a petrol head like the Hon. Michael Gallacher will be keen to join us there next time. If Barry O'Farrell lifted his heavy hand on the Opposition, as he had on them for the Sydney 500 when most members missed out on what was a truly wondrous event—the best new event in Sydney for some time—we would have seen eminent people like Duncan and company out there. There are always a number of members of the Opposition who do not take the heavy hand of Barry O'Farrell lightly. In fact, they get upset about it on occasions, and they attended the Sydney 500 and had a wonderful time. The Government is committed to this rally that will be held during the next nine years. It is a great event. It was the second highest rated event held by the World Rally Championship—

**The Hon. John Hatzistergos:** Businesses loved it.

**The Hon. IAN MACDONALD:** Businesses loved it, no doubt, but Mr Ian Cohen is obviously not concerned that business had so much extra turnover and trade on that weekend. The evidence was clear. I walked the streets of Murwillumbah and thousands of people were there. They were having a great time but it is whingers like Mr Ian Cohen who find fault with anything and everything. He finds fault with people who want to engage in motor sports and is trying to prevent people from going there the next time.

**Mr Ian Cohen:** Point of order: Being called a whinger, which I do not mind in other contexts, is completely out of order in question time when a member of the House has a right to ask questions about issues that concern the people of New South Wales. I ask the Minister to retract his statement.

**The PRESIDENT:** Order! The member has asked the Minister to withdraw the comment that he is a whinger.

**The Hon. IAN MACDONALD:** We are getting soft in this House—gone are those old days. I withdraw that I called Mr Ian Cohen a whinger but I hope Hansard reports the word.

### GOVERNMENT TENDERING PROCESS

**The Hon. GREG PEARCE:** My question is directed to the Minister for Commerce. I refer the Minister to contract 100 issued by the Department of Commerce for the supply of contingent workforce, covering the supply of temporary non-frontline staff and which involved a tendering process comprising more than 30 separate documents, totalling about 835 pages, and a contract full of complex conditions. How does such a process facilitate "New South Wales Government policy to support small and medium enterprises and to encourage the development of local industry to support SMEs", which is a requirement of the contract?

**The Hon. JOHN ROBERTSON:** I am not familiar with contract 100. I would be happy to take the question on notice and respond at a later time.

### COMMUNITY RELATIONS COMMISSION

**The Hon. HELEN WESTWOOD:** My question is addressed to the Minister for Citizenship. Will the Minister update the House with the latest information on the Community Relations Commission and Principles of Multiculturalism Act 2000?

**The Hon. JOHN HATZISTERGOS:** a review conducted by Irene Moss, OA, into the Community Relations Commission and Principles of Multiculturalism Act 2000 indicated that the policy objectives of the Act remain valid. A total of 12 recommendations were made, all of which the Government has accepted. The Moss review found that some terms of the Act relating to the principles of multiculturalism would benefit from amendment in order to better articulate the ideals that they encapsulate. The review found also that some of the practical provisions of the Act should be modified in order to better facilitate the work of the commission. As a result, amendments to the Act are being prepared to strengthen the role of the Community Relations Commission in cultivating community harmony and to reaffirm the Government's commitment to meeting the needs of all communities in New South Wales.

Since its inception, the commission has coordinated and informed the Government's responses to emerging issues relating to multiculturalism and international conflicts impacting on community relations in New South Wales. The review acknowledges the success of the Act and the principles of multiculturalism in navigating significant social and historical developments and recommends a more proactive role for the Community Relations Commission in maintaining community harmony in the State. During the Moss review of the Act, submissions generally endorsed the key objectives currently articulated by the four principles of multiculturalism. However, some submissions suggested that greater prominence should be given to promoting the shared values of our society.

Accordingly, the review recommended that the principles of multiculturalism could be strengthened by elevating existing references to the importance of shared values within a democratic framework and a unifying commitment to Australia to earlier in section 3 of the Act. These reforms are not about watering down our commitment to cultural diversity or imposing new requirements on people merely by virtue of the fact that they come from culturally or linguistically diverse backgrounds. They instead articulate that the strongest guarantee of diversity and harmony is a clear commitment to the democracy and rule of law on which our great nation is based. Some submissions to the review suggested there was a need for the commission to take a more proactive role in identifying and addressing potential and emerging issues.

The review recommended that section 13 of the Act should be amended expressly to articulate that the undertaking of proactive strategies relating to community harmony is a function of the commission. Therefore, section 13 (c) will be amended to enable the commission to research, investigate and report to the Minister on any matter relating to its objectives. Submissions also highlighted the need for greater coordination of government agency responses to emerging issues and made recommendations to facilitate the commission's role in these matters. As a result, the review proposed that the Act should be amended to better facilitate the commission's legislated function in resolving issues relating to cultural diversity. The review recommended that sections 13 (f) and 13 (g) be amended so that the commission would be able to provide a single coordination point for integrated responses to emerging cultural issues. A function of the commission is, as stated:

...to assist, and assess the effectiveness of, public authorities in observing the principles of multiculturalism in the conduct of their affairs,

... particularly in connection with the delivery of Government services

... so as to facilitate consistency across agencies on issues associated with cultural diversity.

As I have indicated I am pleased to inform the House that the Government has accepted all the recommendations and will make all the necessary amendments to the Act. I am certain that the implementation of the review will assist the chairperson and the commissioners of the Community Relations Commission in continuing the good work being done by them and by the staff of the commission.

### **MOUNT PIPER POWER STATION**

**Dr JOHN KAYE:** My question without notice is directed to the Minister for Planning. Did the Minister ignore the independent review provided by the engineering consulting firm, Arup, which warned that greenhouse gas emissions from the proposed expansion of Mount Piper Power Station, Mount Piper B, would be 20 per cent greater than the level claimed in Delta's environmental assessment report? If that is not the case, why did the Minister approve the concept plan based on greenhouse gas emission figures that have now been thoroughly discredited?

**The Hon. TONY KELLY:** The answer is simple: I approved it based on the Planning Assessment Commission's recommendations.

## YASMAR HOUSE AND GARDENS

**The Hon. CATHERINE CUSACK:** My question without notice is directed to the Minister for Lands. Does the Minister recall telling the House on 9 May 2006 that the future of Yasmar estate was secure and that the Government was maintaining the integrity and significance of Yasmar House? Does the Minister recall saying on 23 May 2006 that Yasmar House and gardens would be placed under the responsibility of the local council as the reserve trust manager? Does the Minister recall telling the House on 14 November 2007 that a bilingual school would commence in the grounds at the start of 2009, and that \$1 million had been provided on top of an annual commercial rent of \$120,000 to fund the restoration? Does the Minister recall saying on 24 September 2008 that the Department of Lands would update the conservation plan for Yasmar as a great heritage icon in inner-western Sydney? How much has been spent on fulfilling four years of promises? When will the restored house and gardens be open to the public?

**The Hon. TONY KELLY:** Yes, yes, yes and yes. I do recall making all those comments. At one stage the Government did propose to hand Yasmar over to Ashfield Council. However, the council wanted an enormous amount of money, \$3 million or \$4 million to manage Yasmar.

**The Hon. Melinda Pavey:** Oh, that's the Greens.

**The Hon. TONY KELLY:** I acknowledge that interjection. The council continued to obstruct the development applications lodged for the bilingual school. Initially the applications were knocked back, and they were resubmitted. As far as I am aware, the bilingual school has amended its development application to conform to the council's concerns. That matter is ongoing. I am also having discussions with the National Trust as an alternative to the council.

**The Hon. CATHERINE CUSACK:** I ask a supplementary question. In spite of all the Minister's promises, is it a fact that the Government has failed in all its objectives? Nothing has been spent, because applications—

**The Hon. Greg Donnelly:** Point of order: My point of order is pretty straightforward. The supplementary question contains argument, so it should be struck out.

**The Hon. Don Harwin:** To the point of order: The question did not contain argument. The member had not completed her question, so it is not appropriate for the President to rule on it.

**The PRESIDENT:** Order! The question is out of order as a supplementary question.

## WAR MEMORIALS

**The Hon. TONY CATANZARITI:** My question is addressed to the Minister Assisting the Premier on Veterans' Affairs. Would the Minister update the House on what the Government is doing to ensure local community war memorials are protected and that the sacrifices of Australian service men and women are remembered?

**The Hon. PETER PRIMROSE:** The sacrifices of our service men and women who served from the time of the Boer War to Afghanistan and Iraq today are marked by the more than 3,000 war memorials standing throughout New South Wales, and many memorials were built by communities grieving the horrific losses of the Great War. With the passage of time many of those memorials are now in need of repair and conservation. The most well-known memorial, the Anzac War Memorial in Hyde Park, was reopened in November 2009, following the Government's \$6 million refurbishment of the building. Many members on both sides of this House were present for the reopening. Equally important but smaller war memorials that mean a great deal to their local communities are located all over New South Wales.

In 2008 the Government established the Community War Memorials Fund to assist local councils, Returned and Services League clubs, and other community organisations to restore and protect their war memorials. The fund assists communities in preserving this vital legacy for future generations. Most recently, \$80,000 was allocated for 13 restoration projects. Those works range from substantial repair to simple cleaning and preservation against the ravages of time. For example, the New South Wales Government has contributed funds to the future restoration of the Bathurst War Memorial Carillon constructed in 1933. Funds have been granted to restore memorials in Wentworth Falls, Tathra, Parkes and Rose Bay. A German World War 1

howitzer, which is the centrepiece of Enfield War Memorial, also will be restored. Grants have been made for the addition of plaques on the remembrance wall at Bass Hill, at Bardia Barracks and at Kurri Kurri War Memorial. Funds have been granted also for the relocation of war memorials at Lochinvar and Engadine.

The unique avenue of 120 desert ash trees at O'Connell has received two grants to assist the memorial's community guardians in their successful rejuvenation of these trees, which were planted in the 1920s. I was privileged to visit this memorial last month with the member for Bathurst, Gerard Martin, where I met more than 20 local community members who act as guardians to the memorial, ensuring its continued existence and preservation. These guardians are ensuring that the trees are propagated so that the seedlings can eventually replace the older trees.

This handful of memorials I have mentioned, like the many thousands throughout Australia, are an enduring symbol of the sacrifices made by Australian service men and women. It is crucial that these precious elements of our heritage are preserved for future generations, and I encourage communities, councils, ex-service organisations and even those members opposite who are not listening to apply for a grant from the Community War Memorials Fund, with this year's round of Anzac Day grants closing on 23 April.

I feel very privileged to have been able to speak with so many veterans, war widows and their families over the past few months and gain some understanding of their ongoing needs and unshakeable strengths. Anzac Day is a time when most Australians, regardless of their views on individual wars or conflicts, join together and quietly reflect on the sacrifices of the past. Wars are started by politicians but they are fought by young people with real families, hopes and aspirations. And so, as we move towards the ninety-fifth anniversary of Anzac Day, we must ensure that every year that passes only increases our commitment to never forget.

### ELECTRICITY PROJECTS

**Dr JOHN KAYE:** My question is directed to the Minister for Energy. Why has the Minister ignored community concerns about the impacts of the development of electricity substations, distribution lines and transmission lines by EnergyAustralia, Country Energy, Integral Energy and TransGrid, including at Granville, Ryde, Empire Bay, Tenterfield, Rose Bay, Wamberal, Chester Hill and Failford? Is the Minister aware that many in these communities have advanced alternatives, which include improving energy efficiency and energy management and which would remove the need for these projects, if indeed it ever existed? Will the Minister give the House an undertaking that in each of these cases he will commission an independent assessment of the need for these projects and the alternatives proposed by the community and abandon the projects if the alternatives are found to be viable and cost effective or if the projects are found to be unnecessary?

**The Hon. JOHN ROBERTSON:** I thank the member for his question. I have met with a number of residents groups that have raised concerns in relation to such things as a transmission line to maintain reliable electricity supply to northern New South Wales. I have met with residents groups from Granville that raised concerns about the location of a substation. This Government takes very seriously reliable, affordable electricity being available to everybody in New South Wales. The alternative advanced by Dr John Kaye is that we do nothing and leave ourselves with an unreliable electricity supply so that when people go home at night they find they have no lights and their food is spoiled as a result of their freezer being off all day because the Government has not been doing what is required. We take very seriously the need to ensure we maintain reliable electricity supplies to the people of New South Wales.

As an indication of that, I advise members that a proposal is on foot to establish a powerline from Dumaresq to Lismore to enhance the capacity of our energy supplies to northern New South Wales. All the expert advice we keep getting is that there will be a 40 per cent increase in the peak demand of northern New South Wales in the coming decade. We are told that if we do not upgrade our transmission lines, we will have a supply shortage post-2012. We need to make sure that we do that work.

In the Sydney CBD, Energy Australia is investing millions of dollars to ensure we have a reliable electricity supply that is equal to that of places such as London and New York. We are investing in this infrastructure to ensure that we attract business investment and so we know that when we attract those businesses to the CBD we will have a reliable electricity supply. The alternatives are to do nothing or to deal with proposals that are not going to deliver a reliable electricity supply.

We take very seriously the location of electrical substations. We make sure that we locate them where they will be able to deliver the most efficient outcome, and we do it in a way that is cost effective and will



maintain electricity supplies in New South Wales. Dr John Kaye talks about demand-side management, which we have looked at in a range of these areas, but it will be inadequate to ensure that we can continue to supply electricity to the consumers of New South Wales. Such matters are taken into consideration. The appropriateness of these investments is determined by the national market operators; they determine whether we can make such investments. We do not have a choice about whether we make these upgrades. We have to make them to ensure that we attract economic investment and also supply people with the electricity they require in a timely and cost-effective way.

### WESTERN LANDS COMMISSION

**The Hon. RICK COLLESS:** My question is directed to the Minister for Lands. Can the Minister inform the House what the consequences will be in western New South Wales when the Western Lands Commission is moved to the Land and Property Management Authority in Dubbo? Will the downgrading of the position of Commissioner of Western Lands result in the creation of just another public servant rather than a separate entity as it has been in the past? What are the consequences of the Minister's changes and will they comply with the provisions of the Western Lands Act?

**The Hon. TONY KELLY:** I thank the member for the question. Some staff are being relocated to try to rationalise the staffing situation in Dubbo. In fact, staff of the former Department of Lands are moving just around the corner to what used to be the Western Lands office in Dubbo. It is an attempt to rationalise staff in that area. There will still be a Commissioner of Western Lands and there will be no changes to the operation of the commission.

### JOINT REGIONAL PLANNING PANELS

**The Hon. EDDIE OBEID:** My question is addressed to the Minister for Planning, Minister for Infrastructure, and Minister for Lands. How is the operation of joint regional planning panels contributing to improvements in the New South Wales planning system?

**The Hon. TONY KELLY:** The member's question is very topical because Barry O'Farrell keeps saying that the solution to getting everything going is a good economy. An article in a weekend newspaper about the Department of Disability Services and other departments suggested that if the economy and government revenue does not improve department budgets will be reduced—just as they were when the Coalition took office on the last occasion. Mr O'Farrell's proposal to get the economy going is to get rid of the joint regional planning panels and part 3A of the Act, the two things that are really getting this State going.

*[Interruption]*

We are building power stations for a start. The Keneally Government is committed to streamlining the planning process to make it more efficient, accessible and able to deliver results on the ground. That is why on 1 July 2009 this Government established the joint regional planning panels to provide efficient and transparent decision making that combines State expertise with local knowledge to make decisions on regionally significant development applications. These applications are for developments between \$10 million and \$100 million, important commercial, industrial and residential projects, facilitating investment and jobs in New South Wales. The planning panels also determine development over \$5 million in situations where a council is the applicant, or a council has a vested interest in the development.

These joint regional planning panels are proving to be a success. As at 28 February 2010, 181 development applications have been lodged by 61 councils across the State for determination by these regional panels. The applications represent a capital investment value of close to \$2.4 billion. Recently I visited the Strathfield Chamber of Commerce, where I met a number of people from a host of areas around Sydney, including Rozelle. They expressed concern about the inconsistencies between councils across Sydney approving development applications, as sometimes the distance between the boundaries of councils is the width of this Legislative Council Chamber.

In contrast, the joint regional planning panels make consistent planning decisions across Sydney and the regions. Each panel comprises three State-appointed members who are joined by two members appointed by each council and who make decisions concerning their local council area. An extensive selection process was conducted not only to guarantee the independence of the 29 State-appointed members and alternatives but also to ensure that their expertise covers relevant fields and disciplines, as required by the Environmental Protection and Assessment Act.

It is important to add that by keeping these panels independent we are depoliticising the decision-making process. This combination of local knowledge with planning expertise is working for local communities. Early indications are very positive. As at 28 February 2010, 37 development applications had been determined by regional panels—development applications worth over \$320 million in investment across all regions of this State. In every case the panel's determination has been consistent with the local council assessment officer's recommendation either to approve or to refuse the application. Every decision has been in line—*[Time expired.]*

**The Hon. EDDIE OBEID:** I ask the Minister to elucidate his answer.

**The Hon. TONY KELLY:** I thank the member for his supplementary question because I have more good news. I repeat: In every case the panel's determination has been consistent with the local council assessment officer's recommendation either to approve or to refuse the application. In a number of cases the council planning officer makes a recommendation that is overturned by the council for political reasons. These joint regional planning panels, which will depoliticise town planning, are certainly improving determination times. Currently the average time for the determination of a development application lodged with council through to council assessment and then to determination by a joint regional planning panel is 105 days, and that compares favourably with the 2008-09 statewide average of 249 days for development applications valued at over \$5 million.

Joint regional planning panels are providing more timely outcomes and more certainty for applicants and local communities. Importantly, this is being achieved through cooperation with local councils and the Government. Getting merit-based decisions in this cooperative framework is providing consistency and certainty for infrastructure project processes and facilitating investment in the State's regions. These joint regional planning panels, which are a significant improvement, form an integral part of the New South Wales planning system—a part that Opposition members would like to get rid of.

#### **ABORIGINAL COMMUNITIES CIVIL AND FAMILY LAW SERVICES**

**Reverend the Hon. Dr GORDON MOYES:** I direct my question without notice to the Attorney General. Is the Attorney aware that there has been an escalation of civil and family law issues and criminal matters in Aboriginal communities in New South Wales? Is the Minister aware that decreasing levels of funding to Aboriginal and Torres Strait Islander legal services mean that they no longer offer civil law services in New South Wales, despite growing demand for child protection, and civil and family law matters? In particular, is the Minister aware that family civil law services provide indigenous people with the ability to realise their full legal entitlements across a range of housing issues, consumer rights and employment law, and that improved access to civil law in New South Wales ultimately will assist the economic and social development of indigenous people? Will the Minister implement programs to ensure that civil law is promoted actively in this State's indigenous communities and seriously invest in community legal education of civil and family law among indigenous people?

**The Hon. JOHN HATZISTERGOS:** In reality the New South Wales Government has invested heavily in expanding the range of free legal services that are available through legal aid in New South Wales, in particular, during the period in which the Howard Government pulled back funding for that specific purpose. It pulled back funding for a range of disadvantaged communities. Even the veterans who were appealing against decisions made by the Department of Veterans Affairs had their funding cut and we had to fill that vacuum. Traditionally, the Commonwealth Government funds Aboriginal legal services. It funds those services, and this Government provides some in-kind support for the services that it provides. As I said, the Commonwealth Government has always funded Aboriginal legal services.

Under a funding agreement the Commonwealth Government also funds family law services. Legal Aid New South Wales provides the services but the funding comes from the Commonwealth Government. I am pleased that in more recent times, under Robert McClelland, the Commonwealth Attorney-General, funding has been restored—not to the level that we would like, but it is much more substantial than it has been in the past. I am not aware of the research to which the member has referred. If he wishes to provide it to me, I will be happy to look at it and make appropriate recommendations to the Commonwealth that may flow from the issues that he has raised.

#### **OUTLAW MOTORCYCLE GANGS**

**The Hon. DAVID CLARKE:** My question without notice is directed to the Attorney General. Can he inform the House about the latest information regarding the declaration of an outlaw motorcycle gang under

criminal organisations legislation that this House passed in May 2009? What information has he received regarding the delayed declaration of a criminal organisation? Has an application been made to the Supreme Court for the declaration of a criminal organisation and, if so, why has no action been taken? Will the Minister be meeting with the Premier and the Minister for Police to discuss the delay?

**The Hon. JOHN HATZISTERGOS:** Yes, I have been advised about this matter. However, the member is extremely naïve if he thinks I will disclose publicly the relevant details to him. If, however, Opposition members are seeking a confidential briefing, I would be happy to provide some assistance in facilitating such a briefing.

### INNOVATION PATHWAYS PROGRAM

**The Hon. LYNDIA VOLTZ:** My question is addressed to the Minister for State and Regional Development. Will the Minister inform the House about the Government's Innovation Pathways Program?

**The Hon. IAN MACDONALD:** I am pleased to inform the House that the New South Wales Government has launched a new business initiative—the Innovation Pathways Program—that has been developed by Industry and Investment NSW and its Australian Technology Showcase to promote technology businesses in New South Wales and to facilitate jobs. The Innovation Pathways Program, which was launched in December, will support organisations in New South Wales with a maximum turnover of \$15 million and that have innovative technology supported by intellectual property.

**The Hon. Rick Colless:** Have you been to any new restaurants?

**The Hon. IAN MACDONALD:** Opposition members have again referred to my patronage of restaurants, and I wonder why they continually do that. Given the way that inquiry was made it could be thought that I am the only person who eats in a restaurant, and that is interesting. After looking at the male members on the Opposition benches, and having come to the conclusion that they all appear to be portly and well-fed gentlemen, I began to wonder whether any of them had been eating in restaurants. So I decided to do a little bit of research. I am interested in this type of research because it gives one a much broader idea of the expenditure of government funds on beverages, restaurants, et cetera. I will not keep the House from its important business by going into this issue; that would be impolite of me. But I will assist members by naming a couple of places that Opposition members have frequented in the past few years—in fact, during the same period that they suggest I may have attended restaurants in the course of my duties as Minister for State and Regional Development.

*[Interruption]*

I am not under siege here, brother! I will just have to check, but in this period—

**The Hon. Melinda Pavey:** Get to the meat of the matter.

**The Hon. IAN MACDONALD:** There would have been meat at Noble House, that is for sure, Melinda, and it would probably have been a stir-fry! In the two-year period that we are talking about the total amount claimed by Opposition members was \$19,000. That is important. I could go into the detail of that, but I will not; I have a greater sense of propriety than have some of the members opposite. I am sure that all the beer and wine listed in my research was put to great public purpose. Obviously, if the Opposition was spending money on beer and wine, it would have had to be for a public purpose. I am a man of great propriety and I will not go any further with this.

**The Hon. Duncan Gay:** Point of order: The Minister is quoting from an untitled document that has not been tabled. We request that the document be tabled.

**The Hon. IAN MACDONALD:** I would be delighted to table this document. It is a Department of Premier and Cabinet document entitled "GL transaction listing by account". It has quite a few items in it. I will give some consideration to tabling the document. *[Time expired.]*

**The Hon. LYNDIA VOLTZ:** I ask a supplementary question: Can the Minister elucidate his answer?

**The Hon. Don Harwin:** Point of order: The question is out of order because it has not asked for the elucidation of any aspect of the Minister's question. By definition, the question should be ruled out of order. Moreover, if the Minister chooses to divert from the subject—

**The PRESIDENT:** Order! The member is now making a debating point, not a point of order. However, I uphold the point taken initially by the member: a supplementary question must seek elucidation.

**The Hon. LYNDIA VOLTZ:** I would ask the Minister—

**The PRESIDENT:** Order! When a question has been ruled out of order as a supplementary question it is not in order for the member who asked the question to then seek to ask another question.

### HOSPITAL TREATMENT OF CHILDREN

**Reverend the Hon. FRED NILE:** I ask the Attorney General, representing the Deputy Premier, and Minister for Health, the Hon. Carmel Tebbutt, a question without notice. Is it a fact that recently children have been placed in adult wards in the Sutherland, Port Macquarie and Royal North Shore hospitals? Is this in conflict with the recommendations of the Garling inquiry and New South Wales Government protocols following the tragic death of Vanessa Anderson in an adult ward at Royal North Shore Hospital? What urgent action is the Government taking to ensure children are cared for in a children's ward with trained paediatricians and paediatric nurses?

**The Hon. JOHN HATZISTERGOS:** I will refer the question to the Minister for Health.

### TAMWORTH FLIGHT TRAINING

**The Hon. TREVOR KHAN:** My question is directed to the Minister for State and Regional Development. Is the Minister aware that the closing date for submissions for the interim basic flying training contract was 11 February 2010? Can the Minister advise what he has done to help the BAE Systems Flight Training School in Tamworth in its submission for the contract? Can the Minister advise what representations he has made to any Commonwealth department about the retention of the flight training school in Tamworth? How confident is the Minister that New South Wales can retain such important infrastructure in regional New South Wales?

**The Hon. IAN MACDONALD:** That is a very good question. The Government has put together a substantial package—well over \$1 million worth—for the proposal that was put before the Department of Defence BAE Systems for its flight training facility at Tamworth. We have undertaken also to carry out site works that will assist the department in its consideration of the proposal. Our contribution has been substantial. I have met with representatives of BAE Systems and the council on a number of occasions about this matter. BAE Systems' major competitor is situated in Sale, Victoria. I am advised that the policy of the Department of Defence tends to be that of winding many of its activities back to fit established properties owned by the Commonwealth. The facility at Sale has the advantage in that respect of being an owned by the Commonwealth for the purpose of defence. However, considerable expenditure is required to upgrade the Sale site, which I understand the Victorian Government is considering, to provide training and accommodation facilities, et cetera. Of course, the site at Tamworth already has such infrastructure worth of the order of \$80 million to \$100 million.

What is being considered is an interim proposal for a further contract in 2017 or 2018 to provide all flight training across the Air Force. I am confident that we have put in a terrific bid; that has been made clear to us. However, our difficulty is that we are competing with a defence-owned facility in Victoria. We will just have to see what evolves over time. We believe that Tamworth already has the appropriate facilities and that the further development we are doing on that site—for instance, with cyclone fencing—will make the property secure for defence-related activities. The difficulty is where this fits with the Department of Defence's thinking for the future. We have contacted all the relevant Federal authorities and people to support our bid.

### PAYROLL TAX

**The Hon. CHRISTINE ROBERTSON:** My question is addressed to the Treasurer. Will the Treasurer update the House on reforms to payroll tax?

**The Hon. ERIC ROOZENDAAL:** I thank the member for her question and interest in this matter. It is more good news for the New South Wales economy, more good news for New South Wales businesses and more assistance for those green shoots of recovery. I am pleased to update members on the latest reforms to payroll tax by the New South Wales Government: another cut to payroll tax. These changes came into effect at

the start of this year. The New South Wales Government cut payroll tax from 5.75 per cent to 5.65 per cent. Of course, this follows the payroll tax cut from 6 per cent to 5.75 per cent, which we delivered in January 2009. Another payroll tax cut will be made—from 5.65 per cent to 5.5 per cent—at the start of 2011.

More than 90 per cent of New South Wales businesses do not pay payroll tax. To further support business, the payroll tax threshold is indexed annually by the New South Wales Government—which, incidentally, is the only State Government to do that. Currently, the threshold is \$638,000. Consequently, businesses with a payroll under this amount do not pay payroll tax. It is also worth remembering that the last time the Coalition was in government, payroll tax in New South Wales was a staggering 7 per cent.

The reduction of payroll tax rates and indexation of the tax-free threshold mean that, when our program of tax cuts is fully implemented, a New South Wales business with a \$1 million payroll will save approximately 22 per cent of its payroll tax bill over five years to 2012-13. This represents an injection of approximately \$2.7 billion into New South Wales businesses over the five years to 2012-13. The New South Wales Government cuts to payroll tax are permanent and fully budgeted, in contrast to a temporary cut proposed by the Opposition. The New South Wales Government is supporting jobs and leading the nation towards economic recovery through targeted measures such as payroll tax cuts and stimulus strategies. This policy is about supporting business confidence and supporting New South Wales businesses to make the New South Wales economy stronger.

The measures I have outlined are not the only business reforms of the New South Wales Government. New South Wales businesses have been given even greater certainty by the recent national payroll tax reforms that were adopted by the New South Wales Government in October last year. As a result of that, a business will pay payroll tax in the State in which a worker lives, thereby ending confusion for businesses and giving employees more certainty. The New South Wales Government also supports 619 businesses under the Payroll Tax Incentive Scheme. The scheme awards businesses a rebate that is worth up to \$144,000 a year over three years and a further two years of partial rebates to June 2013, which is when the scheme concludes.

The program was established to support businesses that are starting up, relocating or expanding to regional areas of New South Wales and that have higher than average unemployment rates. That will assist in creating jobs. Funding of \$11.4 million has been allocated to the program this year. In addition to that, two employment funds worth \$19 million over two years have been established to assist in securing jobs in western Sydney and regional areas of New South Wales. All this is good news for businesses in New South Wales and good news for the New South Wales economy.

**The Hon. JOHN HATZISTERGOS:** If members have further questions, I suggest that they place them on notice.

**Questions without notice concluded.**

*[The President left the chair at 1.01 p.m. The House resumed at 2.30 p.m.]*

## **TABLING OF PAPERS**

**The Hon. Michael Veitch** tabled the following papers:

- (1) Annual Reports (Statutory Bodies) Act 1984—Report of the Institute of Psychiatry for the year ended 30 June 2009.
- (2) Annual Reports (Statutory Bodies) Act 1984—Reports for the year ended 30 September 2009:  
     Dental Board  
     Pharmacy Board of New South Wales.
- (3) Mental Health Act 1990—Report of the Mental Health Review Tribunal for the year ended 30 June 2009.

**Ordered to be printed on motion by the Hon. Michael Veitch.**

## **WALK SAFELY TO SCHOOL DAY**

**Debate resumed from an earlier hour.**

**The Hon. LYNDA VOLTZ** [2.30 p.m.]: Before question time I listed a number of schools that have received flashing lights. I add to the schools I have already mentioned Wiley Park Public School on the King

Georges Road at Wiley Park, the Brisbane Water Secondary College's Woy Woy Campus at Woy Woy; and Yagoona Public School on the Hume Highway at Yagoona. The reality is that the Hon. John Ajaka referred to schools in the Rockdale electorate, but some schools, such as the Bardwell Park infants school that has a lot of safe parking and where the kids walk across the cul-de-sac, are hardly schools that the Government would be giving first priority to when schools that are situated on the Hume Highway, King Georges Road, the Princes Highway and Avoca Road clearly are more deserving of first priority. The Government's priority is to roll out its program of the installation of flashing lights to schools in high traffic areas.

The Walk to School Program is fundamentally important. Children should understand the benefits of walking somewhere and having the ability to get out of a car and use their own two legs. It is equally important for parents to teach children that this is a good way to get around. I know that I have difficulties with my children, who think that going to the shops two blocks down the road necessitates being driven in the car. They do not need to be driven in a car for such a short distance. Children learn by observing their parents and they learn from what their parents teach them. If children see their parents get out of the car and walk, and if parents walk with their children to school every morning, they will walk more often and reap the benefits.

Children, particularly small children, really enjoy the walk to school that involves seeing the neighbourhood and saying hello to people. It builds the healthy minds and healthy bodies that we want our children to have. We do not want our children to be wrapped in cotton wool, not exercising, and not having fun in recreational spaces. Quite frankly, children should get outdoors more often to play in parks and recreational spaces and ride their bikes on the street outside their homes—things that my generation enjoyed. In conclusion, I mention another important aspect of the Walk to School Program, which is employers providing adequate flexibility to enable parents to undertake that walk to school every morning with their children. The Federal Government's workplace relations system, Fair Work, advocates greater flexibility in the workplace for parents. Parents should utilise that additional flexibility to get out of their cars, walk their children to school in the morning and walk them home in the afternoon.

**The Hon. ROBYN PARKER** [2.34 p.m.]: I support the motion moved by the Hon. John Ajaka and endorse the excellent points he made. While I recognise that the Walk to School Program has a number of good objectives, it has some problems related to safety. The objectives of the program that deserve encouragement are safe pedestrian behaviour, the health benefits of walking, creation of regular walking habits, ensuring that children hold the hand of an adult when crossing a road, acquiring vital road-crossing skills, reducing car dependency and reducing air pollution. However, a recent report by the Auditor-General referred to speed limits and driver behaviour in school zones. Certainly in the area of Maitland, there are some problems associated with children walking to school.

First, there are problems associated with a lack of school flashing lights and 40-kilometre-an-hour speed zones around schools that are not being observed by drivers. Drivers are often unaware of school zones because the signs are poorly located, in poor condition or are obscured by other signs or foliage. All those things make it hard for motorists to know when they are entering a school zone. I note that the Auditor-General's report states that less than 10 per cent of school zones have flashing lights. The Government is talking up rolling out its flashing lights program, but at the pace at which the rollout is being undertaken, it will be many years before school zones get flashing lights to warn motorists they are approaching a school zone.

The Hon. Lynda Voltz read a long list of schools that have had flashing lights installed, but she did not mention, for example, Ashtonfield Public School, which is a new school in the Maitland area and which is just down the road from the Hunter Valley Grammar School. There are two schools and a preschool in the immediate vicinity of that school. The Government took more than 10 years to build Ashtonfield Public School. Pre-school aged children who live in the subdivision in which the school is located were in high school by the time the school was completed. It is a fairly new school, but it was not provided with flashing lights. The Hon. Lynda Voltz also did not mention that Beresfield Public School, which is a large school in the Maitland electorate, has no flashing lights.

Only two public schools in the Maitland area—Lochinvar Public School and Maitland East Public School, which are on the New England Highway—have flashing lights, but the following schools do not have flashing lights in their school zones: Bolwarra Public School; Francis Greenway High School; Hinton Public School, which is on a very busy road; Iona Public School on Paterson Road; Largs Public School; Maitland High School; Maitland Grossman High School; Maitland Public School; Millers Forest Public School; Morpeth Public School; Nilo Infants School; Rutherford High School; Rutherford Public School; Seaham Public School; Telarah Infants School; Tenambit Public School; Thornton Public School; and Woodberry Public School.

The option of walking to school in the Maitland electorate is made much more difficult by the absence of flashing lights. As the Auditor-General's report states, motorists continue to exceed the 40-kilometre-an-hour speed limit because they often do not know that they are driving in a school zone. The Auditor-General's report also states that less than 1 per cent of school zones have fixed speed cameras, despite the existence of major safety problems. Many of the schools that do not have flashing lights in the Maitland area are on quite dangerous roads. For example, motorists frequently drive in and out of a very busy shopping centre that is directly opposite Thornton Public School. We are talking about walking safely to school, yet once again the State Labor Government has let down students, parents and teachers in the Maitland electorate.

More than a year ago a bridge over the New England Highway was damaged by a truck and the Roads and Traffic Authority made a commitment to fix it. However, the bridge that links pedestrians in the Maitland area with Maitland Park, where they can participate in school swimming carnivals, has still not been fixed. The Hon. Lynda Voltz congratulated the Government and patted it on the back for installing flashing lights at many schools in Sydney, yet a simple thing like replacing a pedestrian bridge in Maitland does not happen. The list of schools that do not have flashing lights is long. We support walking safely to school but we think children, particularly those in the Maitland electorate, are being let down by this Government. It is no surprise that many parents choose to drive their children to school because of the lack of safety in school zones. Many motorists do not notice school speed zones because they are not brought to their attention.

**The Hon. Greg Donnelly:** What about dragon's teeth?

**The Hon. ROBYN PARKER:** Dragon's teeth are one thing but flashing lights do not exist at these schools.

**The Hon. Greg Donnelly:** Are you sure?

**The Hon. ROBYN PARKER:** I drive around the Maitland electorate. Perhaps the Hon. Greg Donnelly would like to visit Maitland; I will take him on a tour of the electorate, where he would see that only two public schools have flashing lights.

**The Hon. Greg Donnelly:** What about dragon's teeth?

**The Hon. ROBYN PARKER:** Come with me! Come for a drive around Maitland to see how unsafe it is. We are talking about dangerous roads, including the New England Highway, schools with dangerous approaches and country schools. These schools deserve better. A change of government in 2011 cannot come quickly enough for the residents of Maitland.

**The Hon. MARIE FICARRA** [2.42 p.m.]: It gives me much pleasure to support the motion moved by the Hon. John Ajaka. The issue of pedestrian safety for our children is of paramount importance to our community. Children are vulnerable road users and we must do all we can to ensure their safety. Motorists have responsibilities to schoolchildren as they are unpredictable road users, as many previous speakers have highlighted. Unfortunately, this State Labor Government keeps failing the people of New South Wales on this point. What better expert is there than the Auditor-General, who issued a media release only last month, on 25 February, on his audit of school zones and speeding in school zones. The Auditor-General revealed that New South Wales motorists are still ignoring speed limits in school zones. He said:

Only two out of 12 school zones surveyed saw motorists slow down to the speed limit ...

"There has been a marked reduction in casualties around schools over the past ten years—

thank goodness—

for school aged pedestrians. It is estimated that there are only 60 school age casualties each year in school zones. But while this represents a reduction, it is still 60 casualties too many. When it comes to children, safety has to be put first," ...

"Motorists either don't know that they are in a school zone or worse still they don't care and they think it is okay to speed. Less than one per cent of school zones have speed cameras, so some motorists think they can thumb their noses at the speed limits." ...

The audit assesses whether school zone initiatives have made a difference to safety around schools.

Mr Achterstraat presented three key solutions...

We would like to know whether the Government will do anything about the Auditor-General's recommendations, which state:

Firstly, the RTA has to increase the awareness of individual school zones to motorists. They need to ensure that motorists can see the school zone signs by trimming trees, getting rid of graffiti and moving some signs. Also accurate "official" school zone locations should be available to GPS users.

It is the responsibility of the Roads and Traffic Authority [RTA] to ensure that that occurs. The Auditor-General continues:

Secondly, all the 23 school zones with non-standard operating times should have flashing lights.

I emphasise that that is what the Auditor-General said on 25 February this year—

And thirdly, the RTA should publicise the number of infringements in school zones.

Mr Achterstraat summarised the report by stating:

The future of our country and our society lies with our children. NSW motorists must understand the risk they pose to our children if they speed around schools. We need to ensure that motorists know when and where they should slow for school zones, but if that doesn't work there is no alternative but to get tougher. Ninety-nine per cent of school zones don't have speed cameras, and that's why I have asked the RTA to tell the public what has happened to the mobile speed cameras that the Minister promised in 2006 would be rotated between school zones.

It does not come any clearer than that. Unsafe parking also contributes to the hazards around schools, and illegal and unsafe parking can be routinely observed in many school zones. I am ashamed to say that most councils do little or no enforcement of restrictions in school zones. The Auditor-General's report states:

The 65 speed cameras in school zones generated fines worth \$31.1 million in 2007-08 and \$22.3 million in 2008-09. The Minister had promised in 2006 that all revenue from the initial 50 fixed and mobile speed cameras in school zones would be reinvested in road safety projects. We have not been able to obtain enough information to form an opinion on whether all this revenue is allocated to road safety.

I would say it is clear that the revenue has not been reinvested in road safety projects; otherwise the Government would be here spruiking. Last year I asked the Minister for Roads a question on notice, seeking information on flashing lights for pedestrian safety around schools in the Penrith and Mulgoa electorates. Alarming, in the Mulgoa electorate only two schools have school zone flashing lights installed: Orchard Hills Public School and Colyton High School. Clearly, this is inadequate. Diane Beamer has been the Labor member for Mulgoa for 15 years, and only two schools have flashing lights.

**The Hon. Greg Donnelly:** And another four next year.

**The Hon. MARIE FICARRA:** Is that because of Hon. John Ajaka's motion and because the member will lose her seat at the next election? Is that why the Government is announcing that? How opportune for a Labor Government that has been a failure for 15 years to say that! We want all schools in all electorates to have flashing lights, not just the schools in key seats where Labor members are afraid of losing. We want flashing lights installed in all school zones because it is important for children's safety. Even worse was the Minister's advice that in the Penrith electorate:

... there are currently no schools in the Penrith electorate that have school zone flashing lights installed.

However, I note that St Dominic's College in Kingswood has lights installed—perhaps the Minister now knows that. When I asked the Minister for Roads exactly how much money had been allocated in the 2009-2010 budget for flashing lights to be installed outside schools in the Penrith and Mulgoa electorates—surprise, surprise—there was nothing. Now the Government might be thinking about making an announcement; now that we are in the final parliamentary year before an election that Labor will lose, suddenly the Government has realised that action must be taken. The Government has realised that it will be held accountable one year out from an election, which Labor will hopefully lose.

**The Hon. Rick Colless:** Not "hopefully"—they are going to lose.

**The Hon. MARIE FICARRA:** All the people of New South Wales pray every night before they go to sleep, "Please dear Lord, do not let this mob be re-elected for another four years because our families just couldn't take it".

**The Hon. Robyn Parker:** Some over there are praying like that too!

**The Hon. MARIE FICARRA:** We are all praying to Mary MacKillop and all the great saints. I congratulate the Leader of The Nationals and shadow Minister for Roads on coming to the electorate of Penrith late last year at the request of local parents concerned with school safety issues at Penrith High School on busy High Street, Penrith. He assisted the parents in launching a petition calling on this State Labor



Government to install lights in school zones. Indeed, if this Government fails to commit the necessary funds immediately, Andrew Stoner and I, as the duty member of the Legislative Council for Penrith and Mulgoa, have called for business and community groups, together with local parents and citizens associations, to raise approximately \$1,500, which is the cost of installing Mr Peter Olsen's non-RTA but proven and efficient flashing light systems. This move is strongly supported by some councillors on Penrith City Council—namely, Councillors Ben Goldfinch and Tanya and Mark Davies, who lead the charge locally on this issue. This Government has been promising to improve school safety zones since 2003 and yet to date very little has been done. It would seem that the Government has other more pressing priorities than our children's safety and welfare. Official figures reveal that up to 28,000 drivers are caught speeding in school zones every month, reaping this Government more than \$5 million in fines every month!

[Interruption]

**The PRESIDENT:** Order! I place the Hon. Catherine Cusack on a call to order.

**The Hon. MARIE FICARRA:** One cannot blame the community for thinking that this Labor Government cares more about revenue than children's safety. Why has the money reaped in fines not funded more flashing light installations? This Government has failed to deter motorists from speeding. Increased fines are not the answer; rather, it is more education and awareness of school zones and hours of high pedestrian usage through the installation of flashing lights. So many motorists who are unfamiliar with an area say they are unaware of a school's presence until it is too late, and flashing lights that give adequate warning would be a positive deterrent. I believe in the basic good nature of drivers—they will slow down if they are made aware of the danger.

Mr Peter Olsen first became known to Sydneysiders for his Lugarno Christmas lights. I am delighted to lay claim to having known Peter Olsen and his family for many years as past constituents, firstly as a Hurstville City councillor and mayor and then during my term in the other place as the member for Georges River. Peter Olsen is someone who cares deeply for the safety of children and has introduced his own effective flashing lights system in an effort to warn motorists to slow down. Mr Olsen is to be admired for his intelligent and life-saving initiative, and indeed his outstanding contribution to our community expressed in his many good endeavours over the years. Mr Olsen humbly states on his website:

For the seven years to 2005 we organised the Lugarno Christmas lights. Thanks to the generosity of the public we managed to raise a total of \$380,000 for the Make-a-Wish Foundation to help brighten the lives of sick children.

School zone flashing lights are at the other end of the spectrum and help reduce the number of children who need the services of organisations such as the Make-a-Wish Foundation.

In 2006 school zone flashing lights were being trialled by the RTA at a cost of approximately \$12,000 per sign. Mr Olsen proved that reliable flashing lights could be produced for a fraction of that cost. Mr Olsen has emphasised that he is a private individual, not a company, and has no interest in tendering for the installation of flashing lights. Mr Olsen has generously given his technology to the RTA to use at no expense. A review of the statistics for road traffic crashes in New South Wales in 2007 reveals the tragic casualty rates among young pedestrians, which is proof that we must do more and take up Mr Olsen's proposals. There were 52 incidents involving children aged between zero and four, and 357 casualties among children aged between five and 16.

Stupid drivers continue to speed in 40-kilometre zones. On 28 September 2008 it was reported in the *Daily Telegraph* that the Government had pledged money for 400 more flashing lights installations in school zones to be rolled out over four years, which works out to cost a staggering \$116,000 for each school zone. At the same time the Government broke another promise, that is, to deploy mobile speed cameras to monitor all 2,400 school zones in New South Wales. Instead, 50 fixed cameras were to be installed to cover a \$46.5 million flashing lights package over four years. What happened to urgency and what will happen to the vast bulk of schools, especially primary schools, that have no electronic safety devices? Some local councils, such as Holroyd in Sydney's south-west, have turned to the private sector to install flashing lights as they have given up on this Government.

There are approximately 2,243 schools across New South Wales, and the money allocated thus far is only a drop in the bucket. At the current rate of installation, it is estimated that it will take nearly 21 years for flashing lights to be installed at all our schools. Families in New South Wales do not have that long to wait. That is truly a disgrace when local communities hear of money being wasted in so many other portfolios. Let us consider the Government's installation figure of \$116,000 per school zone and compare it with Peter Olsen's

RTA-approved flashing lights that were installed in eight school zones at a cost of only \$350 each. How many more installations could be achieved if the Olsen model was adopted? How many children and their families could be living more safely a lot sooner? It would not take the 21 years that the Government has indicated in its statistics and plans. Poor management decisions have been made in every portfolio. Government service delivery in this area is vital so it is extraordinarily sad that we cannot put children's safety uppermost. The editorial in the *Newcastle Herald* of 29 April 2009 says it all on this sad issue:

The State Government makes plenty of mileage out of road safety. Unfortunately, however, the reality does not always match the rhetoric, as various schools have found in their quest to have flashing lights installed to warn drivers of the 40km school zone speed limit.

The Coalition supports the calls made by Mr Ron Delezio, brave Sophie Delezio's father, and the NRMA for this Government to immediately install more flashing lights outside New South Wales schools. As Liberal duty member of the Legislative Council for Penrith and Mulgoa, I have seen years of neglect and arrogance on the part of this Government. It has taken the people of Penrith and Mulgoa, and indeed the western Sydney region, for granted. For too long, their needs and interests have been ignored.

Today we noted with concern the eight schools in the Rockdale electorate that do not have flashing lights. I have noted that 31 schools in western Sydney are devoid of flashing lights: Bethany Catholic School, Braddock Public School, Cambridge Gardens Public School, Cambridge Park Public School, Cambridge Park High School, Claremont Meadows Public School, Cranebrook High School, Glenmore Park Public School, Emu Heights Public School, Emu Plains Public School, Jamison High School, Kingswood High School, Kingswood Park Public School, Leonay Public School, Llandilo Public School, McCarthy Catholic College, Our Lady of the Way Public School, Penrith Christian School, Penrith High School, Penrith Public School, St Clair High School, St Marys Senior High School, St Nicholas of Myra, St Paul's Grammar School, Surveyors Creek Public School, York Public School, Mary MacKillop Primary School, Nepean High St Josephs Werrington Public School and Werrington County Public School.

I call upon the Labor Government to immediately ensure the safety of children in the Penrith and Mulgoa electorates, to install flashing lights as a matter of urgency at all primary schools and then all secondary schools, and to continue this program to all schools throughout New South Wales. The Liberal-Nationals Coalition is committed to putting people first. We stand for the forgotten families of New South Wales. We are putting forward positive, practical plans to put New South Wales back on track.

Individuals and communities sit at the heart of government and society. They have been forgotten or sidelined for far too long by a State Labor Government that has become lazy and arrogant over the 15 years it has been in office. Its rush of energy dissipated many years ago. In government the New South Wales Liberal-Nationals Coalition will adopt a whole-of-government approach to the delivery of social policy. We are determined to deliver a change for the better that the State desperately needs. The safety of schoolchildren and families on school roads and footpaths will be of the utmost priority always.

**Reverend the Hon. FRED NILE** [3.01 p.m.]: The Christian Democratic Party supports the motion for Walk Safely to School Day moved by the Hon. John Ajaka. I hope a Walk Safely to School Day will be held this year also. I note that certain schools in the Rockdale electorate that are marked as priorities by the Rockdale City Council traffic and road safety coordinator do not have flashing-light school zones. The motion calls on the Labor Government to install flashing lights at all priority school zones as soon as possible, and I fully support that call. As do most drivers in Sydney's suburbs, I mentally note the signage that indicates the beginning of a school zone. However, I know of one such sign on Gardeners Road that is almost hidden by a tree, the foliage of which has grown and covered the sign since it was erected. The sign is now concealed by the branches of the tree.

On other main roads, school zone signs are lost in shopping advertisements and publicity posters; they do not catch one's eye and a flashing light would. I strongly support the installation of flashing lights in school zones. Drivers need to be alerted to the fact that they are approaching a school zone when they are in heavy traffic so that they can reduce the speed of the vehicle they are driving. The majority of motorists who have been booked for speeding in a school zone have not deliberately chosen to break the law; in many cases the offending driver when interviewed would say, "I didn't see the sign"; and there are many reasons why that would be so. A flashing light would quickly make a driver aware of an upcoming school zone, and that could save the life of a child. I fully support the motion.

**The Hon. JOHN AJAKA** [3.02 p.m.], in reply: I thank all members who spoke in this debate, in particular those who made a real contribution, such as the Hon. Don Harwin, the Hon. Marie Ficarra, the Hon. Robyn Parker and Reverend the Hon. Fred Nile.

**The Hon. Penny Sharpe:** What about me?

**The Hon. JOHN AJAKA:** I will come to the Hon. Penny Sharpe. Their worthwhile contributions of specific relevance to the motion noted other priority schools outside the Rockdale area that are in need. I am pleased to note that all members, including Government members, supported Walk Safely to School Day, a truly great program that must be continued. I congratulate the organisers of that program. But, sadly, Government members, such as the Hon. Shaoquett Moselmane and the Hon. Lynda Voltz, gave the usual Government spin and avoided commenting on the specific need for flashing lights. The Hon. Shaoquett Moselmane did not mention that the Labor Government has failed to install the necessary flashing lights in all the priority school zones within the Rockdale area bar two. In that regard he said he would speak to the Rockdale council traffic coordinator to "check it out".

Why was that not checked out previously? Why has there been a delay until this motion was debated today to "check it out"? The Hon. Shaoquett Moselmane is a former mayor of Rockdale council and is currently a councillor on that council. Where does the member for Rockdale, Frank Sartor, stand on this issue? Where is he? We have not heard a peep out of him; he must not be interested. He has not responded to whether there is a need for flashing lights. He has a representative on Rockdale council's traffic committee, so he is well aware of its recommendation. But he has done absolutely nothing about it. The Hon. Shaoquett Moselmane said that a number of flashing lights were installed in some zones late last year. Interestingly, that installation occurred after my motion was moved in May 2009, not before. But how many were installed? My original motion referred to eight school zones that needed flashing lights, but lights were installed in how many zones? Only two—that is in one quarter of the zones. Lights were installed in the school zones of Bexley Public School and Kingsgrove Public School. I am sure they are very pleased that I introduced my motion last May; otherwise they would be still waiting for their flashing lights.

**The Hon. Greg Donnelly:** How do you know that?

**The Hon. JOHN AJAKA:** In response to the interjection, I advise the member that I know that as late as March 2010 there are still no flashing lights in six of the eight school zones that I mentioned. Athelstane Public School, Brighton-Le-Sands Public School, Rockdale Public School, Ramsgate Public School, St Francis Xavier's Primary School and St Mary's Star of the Sea Primary School still do not have flashing lights, but the Hon. Shaoquett Moselmane did not mention them. If the Hon. Frank Sartor decided to retire suddenly and a by-election were held for the seat of Rockdale, I am sure those six schools would get flashing lights very quickly. That would be interesting.

I will go back in time for a moment. In September 2007 the Government announced its four-year program to install flashing lights in school zones at a cost of \$46.5 million. The Government keeps bragging about that. In other words, it planned to spend less than \$12 million each year over four years to install lights at 400 school zones. Well, I want to ask Government members who continue to pat themselves on the back a number of questions about this. First, why not install the lights sooner than over a period of four years? Why spread the installation over four years? It is clear that revenue generated from speed cameras in those zones in one year alone is more than \$45 million, which is almost the amount of the entire budget for the four-year program. So why not install the lights in one year? Why wait four years to spend basically one-quarter of the revenue that is generated from cameras erected to catch speeding motorists in those zones?

*[Interruption]*

My second question is: Why are there only 400 school zones? The recent Auditor-General's report, which I referred to earlier, stated:

By the beginning of 2003 these school zones had been installed at 10,000 school zones around all 3,154 New South Wales schools.

The Government is congratulating itself on the fact that it will install lights at 400 school zones over four years. In September 2007 the Government announced another 400 school zones; at that time there were only 130 school zones with flashing lights. By the end of September 2011, 530 school zones out of a total of 10,000 will have flashing lights, and the Government is congratulating itself! But that will happen only if the Government delivers on its promise by September 2011. That is a story for another day.

I add one further issue to the debate. The Government will say that this is all about revenue; that there is not enough money. That it is able to collect almost enough revenue in one year to pay for the whole program

seems to be irrelevant to the Government. Yet the Government is prepared to waste more than \$330 million on the ill-conceived Rozelle Metro. It just threw \$330 million away on that project. From day one, everyone said that the Rozelle Metro, at a cost of \$330 million-plus and still counting, was ill conceived and should be abandoned. Even Government members would have to agree that some of that \$330 million could have been used to install flashing lights in all of Rockdale's school zones—and everywhere else, for that matter. But they just do not care.

It is interesting to note that the Hon. Shaoquett Moselmane thanked Peter Olsen, to whom I referred in my earlier comments, yet his Labor Government colleagues have ignored Peter Olsen for years. They will not even consider his proposal. I am sure he will be pleased that the Hon. Shaoquett Moselmane thanked him. If only the Hon. Shaoquett Moselmane could get his colleagues to speak to Peter Olsen!

This is a very serious issue and I again call on the Labor Government to install without delay flashing lights at the six priority school zones in Rockdale that do not have them installed, and also to consider installing immediately flashing lights at all priority school zones. I congratulate Rockdale City Council's traffic and road safety committee for bringing this matter to our attention.

To summarise, I remind members of that following important point: \$46 million is proposed to be spent over four years—that is less than \$12 million a year; the Government collects \$46 million each and every year from speed cameras in school zones; only 400 school zones are to be looked at during the four-year period when there are many priority schools that have no flashing lights; the Labor member for Rockdale does nothing to assist; and the current Labor mayor and a former Labor mayor, who is now a member of this Chamber, do nothing. What is the result of all that? It shows clearly that the Government does not care about the safety of our children and that it will not take any action to implement this important program. As I said earlier, this serious safety issue needs to be looked at and acted upon immediately without the nonsense spin that has come from Government members. It is disappointing that Government members can refer only to a small number of schools that have flashing lights as though that is a solution to the whole problem. Well, it is not a solution to the problem. It is a typical Labor Government bandaid masquerading as a solution.

I again congratulate the committee on its wonderful program for Walk Safely to School Day. I look forward to observing the day again in May this year and to walking my children to school on that day. My hope is that this motion will result in more flashing lights being installed in school zones.

**Question—That the motion be agreed to—put and resolved in the affirmative.**

**Motion agreed to.**

## **BUSINESS OF THE HOUSE**

### **Suspension of Standing and Sessional Orders: Order of Business**

**The Hon. CHRISTINE ROBERTSON** [3.13 p.m.]: I move:

That standing and sessional orders be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 239 outside the Order of Precedence, relating to International Women's Day, be called on forthwith.

I am moving to suspend standing and sessional orders so that we may debate a matter of great importance to the people of New South Wales—International Women's Day. This global event takes place on 8 March each year. It is an opportunity for us to celebrate the achievements of the women of New South Wales and highlight the challenges that women continue to face. The urgency of this motion is evident in this year's theme, "Empowering women to end poverty by 2015".

**The Hon. Catherine Cusack:** Point of order: The member is not establishing urgency for this motion. Outlining the theme of this year's International Women's Day, which was last Monday, is not establishing urgency. I ask that the member be brought back to the purpose of the motion, and that is to explain why this House should debate this item of business as a matter of urgency.

**The Hon. CHRISTINE ROBERTSON:** To the point of order: I think the theme of the day highlights the urgency for this issue to be dealt with today, which is the last sitting day of the week.

**The PRESIDENT:** Order! The member with the call was speaking about why she considered the matter to be urgent. There is no point of order.

**The Hon. CHRISTINE ROBERTSON:** While the message of empowerment is essential to help women move forward in our society, I would also like to take the opportunity during this week to acknowledge the contributions and achievements of women in New South Wales. Women today are much better off than their grandmothers were but there is still much more to do to address the gender-based inequality that exists.

**The Hon. Catherine Cusack:** Point of order: I do not disagree with the point the member is making, but it is completely irrelevant to the case that she is supposed to be making, which is explaining why this issue is urgent. The member has said correctly that there has been inequality for women for generations, but that does not explain why the matter is suddenly urgent, here and now.

**The PRESIDENT:** Order! The member with the call should direct her remarks to the reason that Private Members' Business item No. 239 outside the Order of Precedence is more urgent than items ahead of it on the *Notice Paper*.

**The Hon. CHRISTINE ROBERTSON:** International Women's Day was on Monday this week. It is very important for this House to discuss the issues today in order to ensure that the House has the opportunity to put on the record now—not at the end of this year or the beginning of next year, but in the year before we celebrate the one hundredth anniversary of International Women's Day—what has happened, what is happening and what should happen for women in New South Wales in this special celebration year.

**The Hon. CATHERINE CUSACK** [3.17 p.m.]: I oppose the granting of urgency to debate this motion. Like my colleagues in the Opposition I support International Women's Day. However, we do not believe the Government has established why this matter is urgent and should be discussed today. I listened closely to the honourable member's comments and I prodded her, so to speak, to explain why this matter is urgent. The fact is that International Women's Day was on Monday 8 March. Why is it that on Thursday 11 March, three days later, it suddenly becomes a matter for urgent debate?

**The Hon. Greg Donnelly:** Today is private members' day.

**The Hon. CATHERINE CUSACK:** I point out to the Government Whip that the Government has already had opportunities this week to deal with the matter if it believed it was urgent. The matter should more appropriately have been dealt with last week, if the Government wished to do it in this way, prior to the celebration of the day.

**The Hon. Greg Donnelly:** Are you going to vote against it?

**The Hon. CATHERINE CUSACK:** I indicate to the Government Whip that I am speaking against the motion and it is certainly our intention to vote against it. International Women's Day is an annual event. As the Hon. Christine Robertson pointed out, this is the ninety-ninth time it has been held. There can be no excuse for the Government to have been caught without warning that International Women's Day was to be celebrated on 8 March. As for debating the centenary of International Women's Day next year, I remind Government members that we have a whole year up our sleeves to have that discussion. The Government has clearly failed to establish urgency. I suggest that if the Government were genuine about having this Chamber pass this item of business, it could have been dealt with as formal business this morning or yesterday morning. Given that notice of the motion was not given until 9 March, which of course is the day after International Women's Day, and given that the Government has chosen not to deal with it in a bipartisan way—

**The Hon. Greg Donnelly:** The Parliament does not sit on Monday.

**The Hon. CATHERINE CUSACK:** That is correct. Members would be aware that this year the Parliament has already sat for a week. Are Government members simply trying to highlight how disorganised the Government is? The Government's disorganisation might have made this matter urgent politically for Government members, but it is not politically urgent for other members in this Chamber. I would suggest more cynically that the Government is desperately trying to find things on the *Notice Paper* to use up the time of the House. It is using International Women's Day as a shield to prevent the consideration of private members' business. The Government is quite correct: we believe that other matters on the *Notice Paper* should be considered. Opposition members would have welcomed an opportunity to support this motion if it had been moved this morning when we were dealing with formal business.

Given that International Women's Day has been observed on 99 other occasions, Government members should have been more organised and should not be so shocked about the fact that the event was observed on a

Monday. I foreshadow that this event will again be observed on Tuesday 8 March 2011. Debate on issues such as this should not be used to shield the Government from participating in debate on private members' business. Last week the Government supported an urgent motion to rename this place the Senate. Regardless of all the problems besetting this State, the Government wanted us to discuss urgently whether or not we should be calling one another "honourable" or "senator". This matter is not urgent and I do not support the motion.

**The Hon. Penny Sharpe:** Point of order: The Hon. Catherine Cusack, who took a number of points of order while the Hon. Christine Robertson was trying to establish the urgency of this motion, is now straying widely from the point talking about matters on the *Notice Paper* that are not before the House, including whether this House should be called the State Senate. That matter is completely irrelevant and does not establish why this matter is not urgent.

**The PRESIDENT:** Order! I uphold the point of order. However, the Hon. Christine Cusack has concluded her contribution.

**The Hon. PENNY SHARPE** (Parliamentary Secretary) [3.23 p.m.]: What an extraordinary contribution from Opposition members about why members in this Chamber should spend some time discussing issues relating to women in New South Wales and the importance of International Women's Day. International Women's Day has been observed for the past 99 years for good reason: women continue to be unequal in our society. This matter is urgent because members in this Chamber have very few opportunities to reflect upon the status of women in New South Wales and what they can do to make women more equal. We do not spend much time in this Chamber talking specifically about 50 per cent of the citizens in this State, the challenges they face, and the requirement for legislators such as us to take into account their needs.

**The Hon. Catherine Cusack:** Point of order: This debate is not about the merit of the issue, about which there is no argument. This debate is about urgency. The Hon. Penny Sharpe is saying that the issue is important, a matter on which we do not disagree. However, she is not establishing why it is urgent that it be debated today.

**The PRESIDENT:** Order! There is no point of order. The Hon. Penny Sharpe was establishing why she believed the matter to be urgent.

**The Hon. PENNY SHARPE:** This matter is urgent as International Women's Day occurred this week. It is current and usual practice in this place for all parties to move to debate urgently matters that have occurred during the week and we try to find an appropriate time to do so in order to give appropriate and due consideration to each matter. This matter is urgent because this is the last day of the week within which International Women's Day was observed for us to spend time in this Chamber reflecting on that issue. It is the last opportunity we will have to talk about International Women's Day because on 8 March next year we will be participating in an election campaign and it is highly unlikely that we will have a chance to spend time talking about International Women's Day. Opposition members say that the issue is important, and that is fine, but if they agree that women in New South Wales are a priority, they should support this urgency motion.

**The Hon. ROBERT BROWN** [3.24 p.m.]: Some of the points that were made in debate on this motion are valid. At this time next year we will be in election mode and we will not be sitting in this House. This year we have a female Governor, a female Premier, a female Deputy Premier, a female President—

**The Hon. Greg Donnelly:** a female Deputy Prime Minister.

**The Hon. ROBERT BROWN:** I almost forgot that we have a female Deputy Prime Minister; however, I was talking about the New South Wales jurisdiction. We also have a female Lord Mayor and a female Clerk of the Parliaments. This matter is urgent. We might not have another opportunity, when all the stars are aligned, to speak on a matter such as this. I support the motion.

**Question—That the motion be agreed to—put and resolved in the affirmative.**

**Motion agreed to.**

#### **Order of Business**

**Motion by the Hon. Christine Robertson agreed to:**

That Private Members' Business item No. 239 outside the Order of Precedence be called on forthwith.

**INTERNATIONAL WOMEN'S DAY**

**The Hon. CHRISTINE ROBERTSON** [3.25 p.m.]: I move:

That this House:

- (a) notes that 8 March is International Women's Day,
- (b) congratulates the nominees, the 10 finalists and the winner of this year's NSW Woman of the Year Award, Christine Weston,
- (c) acknowledges the plight, contributions and achievements of women in New South Wales throughout history,
- (d) notes that currently 70 per cent of the world's poor are women,
- (e) acknowledges that empowering women can help break the cycle of poverty, and
- (f) calls on both sides of politics to work together to support and encourage women to achieve a greater balance of women in senior management and leadership roles.

I call on all sides of politics to work together. International Women's Day is a global event that occurs on 8 March each year. It is an opportunity to celebrate the achievements of the women of New South Wales and highlight the challenges that women continue to face. The theme of this year's International Women's Day is empowering women to end poverty by 2015. People across the world observe International Women's Day, and people in New South Wales also play their part. With 70 per cent of the world's poor being female it is time for all sides of politics to work together to empower women to break the cycle of poverty. While the message of empowerment is essential to help women move forward in society, we should take this opportunity to acknowledge the contributions and achievements of women in New South Wales.

On Monday the Hon. Marie Ficarra and I shared an experience with some powerful and interesting women. Marie hosted a special celebration by the Women's Federation for World Peace. I hope that later Marie will contribute to this debate and detail the program put forward by the federation. However, members might be interested in the events that were shared by interesting and diverse women from across New South Wales and internationally. A special celebration was held in which some women were required to wear purple ribbons and others were required to wear green ribbons, or the United Nations Children's Fund [UNICEF] colours. I wore a purple ribbon and Marie wore a green one. Members from each of the two groups had to walk towards one another across a special mat that had been created by an Aboriginal woman from Taree. It was decided that politicians should be first to walk across the mat, and that was fortunate for Marie and me. We took two steps forward and bowed to each other in oriental fashion.

The theme was about women joining hands for world peace. I am sure the Hon. Marie Ficarra will refer later to what we did. We then took some more steps and gave each other a cuddle whereupon the cameras flashed. We were both terrified at what would appear the next day. We then moved forward to light our candles of light, peace and thought. We swapped our colours: Marie now is the proud owner of a purple candle and I have a green one. It was an important ceremony.

The group works for world peace and equity for women across the world. It was satisfying to be a part of the program and to know the group accepted us. We were doing our bit to confirm the importance of the group's work. I had the good fortune also to participate in the New South Wales Government's Woman of the Year awards on that Monday night. Christine Weston, who won the award, is an incredibly exciting woman. Most of us are aware of her work in Cumnock in central New South Wales, which has become internationally famous. Christine won the award to show how an idea, enthusiasm and a positive attitude can motivate a community. She developed the rent-a-farmhouse concept, which attracted new families to the town, increased the population by 15 per cent, increased school and preschool staff numbers, and saved a school bus run. Christine is now working with 19 communities to help them emulate this scheme.

Christine also has attracted tourist traffic through the villages of Cumnock and Yeoval with her recent Animals on Bikes project. This project has resulted in the erection of 42 sculptures between Molong and Dubbo. Over the years I have attended the Women of the Year awards irregularly, for different reasons. Often I have left the event with a sour taste thinking that the nominees are all the same, either from one section of society or all political nominations. Last year I did not attend. The nominees this year came from across the board, from most political parties, and several were community nominees. This year's award reflected the work of women in their communities and paid credit for that work—the winner was determined without any political influence.

I take this opportunity also to acknowledge the nine other finalists from the 87 nominees from across the State. Sister Alison Bush was the first Aboriginal midwife to be based at a major maternity hospital in New South Wales. She has provided input into policy and service delivery at a local, State and Federal level. She hailed from Royal Prince Alfred Hospital, which made me feel slightly affiliated towards her, but certainly I have not been as wonderful as this woman in the nursing field. She has dedicated 40 years of her life to improving outcomes for Aboriginal mothers and babies. She is well known around Redfern and Marrickville and has delivered over 100 Aboriginal babies. For eight years she played a leading part with former King George V Hospital staff members in setting up a national maternity health training program for Aboriginal and Torres straight Islander health workers, which, of course, will have benefits across Australia.

Ms Wendy Fogarty works in the Illawarra region to make it a better place in which to reside and do business. She was instrumental in paving the way for younger women to follow in her leadership footsteps. I should mention at this point the significant age variation of the women nominated for these awards ranging from young to elderly women who all have made major contributions to people in New South Wales. Councillor Colleen Fuller was my nomination. She reached the finalists' list because of her value and not through any political precedence—proof that the awards had nothing to do with who made the nomination. Colleen is a wonderful woman from Gunnedah who undertakes massive community work. She is the Deputy Mayor of Gunnedah Shire Council and works with many organisations like Meals on Wheels. She also has made herself a port of call for women in trouble. People knock on her door when things are crook and she provides as much support as she can. She then calls in the support people to take over. She is just one of those wonderful people.

Ms Millie Ingram is an elder from Redfern Waterloo. She is an exciting person. She came to Sydney as a teenager and worked in a local factory in the Redfern area, which had many factories in those days. She is a foundation member of Murawina Aboriginal Preschool, Wyanga Aboriginal Elders program and the Metropolitan Local Aboriginal Land Council. She has worked long and hard for Aboriginal people across New South Wales. She is a member of consultative groups and was the first deputy director of the Office of Aboriginal Affairs in 1984—a pretty good achievement. I shall refer later to life in the 1980s for women; it was not a time when women obtained such positions easily. Ms Susan Lee is an exciting woman from the North Shore. I am not sure exactly when she came to Australia from Korea, but she has done an incredibly good job of starting and maintaining her business, Jae My Holdings. Susan has excellent programs for employees and certainly deserves credit for her work.

Glenda MacPhail is a very exciting woman from the Lower Clarence Aboriginal Women's Resource Centre at Maclean. She has worked and is making a lot of difference to the Aboriginal community that has great difficulty coping in that region. Glenda is a very exciting person. I might add that about half of the 10 finalists were from country New South Wales. That demonstrates the commitment of women in country New South Wales. Ms Johanne Provins was a very exciting entrant from Merrylands East Public School who has done most of her work and contribution to the local community through the parents and citizens' organisation very successfully. Professor Janice Reid has been the Vice-Chancellor and President of the University of Western Sydney since 1998. Under her leadership the university achieved a nationally recognised track record of promoting and mentoring women staff. Pastor Julie Virtue works in the Dubbo electorate and has done much work to advance the cause of women and girls throughout that area. Finally, there is Christine Weston, a very deserving winner of the award.

Before I leave the topic of the Monday night awards I should like to refer to the 2009 Woman of the Year award winner, Ms Cheryl Koenig, who was the guest speaker on the night. Cheryl won her award for her excellence as a carer and for work that involves carers. She has a son with a brain injury. She is a most exciting and inspiring woman. She told us that some months after she won the award she discovered that she had a blood-borne type cancer. She said that she had had the most incredible year since winning the award. This incredibly powerful woman, standing in front of a large crowd of people, enthused about the importance of the work of carers in New South Wales and about her wonderful her son and husband. She was just inspiring. She had suffered a grave illness but still worked in her carer's role for the women of New South Wales.

The contributions that women make to our society should be recognised and celebrated not just on one day of the year, but every day. I think that point reinforces what has been said by the Hon. Catherine Cusack. International Women's Day is a global event and the New South Wales Government is playing its part to support that participation in dozens of events across the State this year, as it does every year. Each year the New South Wales Government supports a range of highly successful initiatives for women on and around International Women's Day. Many of the events are based on the 2010 International Women's Day theme of empowering women to end poverty by 2015.



Considering what has happened in the past, I often have grave concern about politicians who make hopeful announcements, but I think it is very important in relation to such an important issue as this to make a statement and work towards achieving its fulfilment. If and when we get to 2015 and more needs to be done, we should rework how to fulfil the stated aim. I support the stated aim of empowering women to end poverty by 2015. At a function I attended, I was given a pamphlet, and when I read it later I found that it was an incredibly sad story. It was about factory women working near the border between Mexico and the United States. Women are sent away from their families in Mexico to work in factories, and they are totally disempowered. Consequently there has been a spate of sexual assaults and murders. In Mexico a group of mothers is trying to resolve the poverty issue that places women in that vulnerable position. That is an extreme example of the kind of work that is taking place to try to empower women in an effort to put an end to poverty.

The theme of International Women's Day is very worthy. It draws attention to actions women, particularly in developing countries, can take to end poverty in their own communities. It also helps people in developed countries to focus on the plight that many women throughout the world face as a result of extreme poverty. The example of the women from Mexico illustrates that point. International Women's Day is all about recognising that women everywhere deserve equal access to opportunity. Where that equality is not apparent, women need support and encouragement, whenever that is appropriate, from government and other agencies. I am pleased to state that the New South Wales Government is taking very positive steps in this direction across a number of areas, such as women in leadership, pay equity and workplace reform, and even in politics.

We heard during arguments advanced to support the motion being debated urgently that for the first time New South Wales is being led by three women—the Governor Professor Marie Bashir, Premier Kristina Keneally and Deputy Premier Carmel Tebbutt. We were reminded that in New South Wales the President and Deputy-President of the Legislative Council, the Deputy Leader of the Opposition and the Clerk of the Parliaments all are women.

**Reverend the Hon. Dr Gordon Moyes:** And our Lord Mayor.

**The Hon. CHRISTINE ROBERTSON:** And we have our interesting Lord Mayor of Sydney. Some Government members may not think she is interesting, but I can say what I like. Members will be able to imagine my disappointment last Sunday when I read in the *Sun Herald* newspaper that in a comparison of parliamentary representatives by gender, New South Wales Parliament came second last with only 28.9 per cent of its 135 members being women.

**The Hon. Melinda Pavey:** The proportion is better in the Legislative Council.

**The Hon. CHRISTINE ROBERTSON:** Perhaps, but 32 per cent of women parliamentarians are from the Labor Party whereas only 21 per cent of members of Coalition parties are women. Members of the Coalition parties who are women will have to fight harder for increased representation by women. The New South Wales Government is committed to promoting equal participation of women in all areas, including leadership in decision-making roles. Over the past 10 years the Government has made good ground in that endeavour. In the New South Wales public sector, women hold 32 per cent of senior executive service positions and chief executive service positions in 2010. We have four experienced and talented women who lead the State Government's new super departments of health, human services, environment, climate change and water, and communities in New South Wales.

As I was involved in the public sector before I became a member of Parliament, I know how extraordinary that achievement is. Certainly 20 years ago there was no hope of achieving that level of representation by women at the senior executive level. There might have been an occasional star, but often they trod over everyone else to get the executive position, and I am not sure that that still does not happen. I will deal with that aspect in more detail in my concluding remarks. However, there has been a concerted effort at State Government level to correct the imbalance of poor representation by women at the senior executive level. The New South Wales Chief Medical Officer and the Chief Scientist and Scientific Engineer are both women. While women continue to face many challenges in public life, those professionals provide a shining example to women and girls who strive for leadership roles.

For a wide range of reasons, it is crucial to have women in leadership positions but, at the most basic level, it is crucial for reasons of basic fairness and common sense. Women represent half our community and equally represent half the talent pool of the community. The New South Wales Government is supporting a number of strategies to increase participation by women on boards and committees and to enhance opportunities

for women to be appointed to senior positions in both the public and private sectors. There is plenty of evidence to show how businesses benefit from female participation on boards and committees. Encouraging women's representation on boards is not an issue for women only.

International research has shown that corporate boards with female directors achieve stronger financial results than do companies that lack diversity. The benefits of female representation on boards and committees make this an issue for both the public and private sectors to address. The Government is playing its part: as at December 2009, women occupied 37 per cent of board positions, and the proportion of women in new appointments to government boards is 39 per cent. These figures represent a significant increase from 19 per cent that was recorded in 1995. As we know, there will be a very—

**The Hon. Matthew Mason-Cox:** Bipartisan?

**The Hon. CHRISTINE ROBERTSON:** That is the word I was looking for. There will be a very bipartisan and cooperative debate on this issue. Many of the members of the House understand it is an incredibly important issue. As part of a commitment to increase the number of women on public sector boards and committees, the Government continues to update the New South Wales boards and committees register, which is a resource for Ministers and senior agency staff from which to source suitable candidates for nomination to government boards and committees. Women are actively encouraged to apply. The register currently holds details of approximately 660 skilled women who are interested in board appointments.

Among the variety of board and committee opportunities that are open to women across government, the Government supports the Premier's Council for Women and Premier's Council on Preventing Violence Against Women. Those councils provide an avenue through which women may directly engage with government in relation to issues that affect women. There is country representation on both those committees, which is incredibly important because they have a say in policy outcomes. Because of the difficulty of people from country areas attending the meetings and the difficulties in obtaining representatives from across country areas of New South Wales, country representation tends to fall off the agenda. However, it is possible to achieve that type of representation, and it is something worth working for, irrespective of which political party leads a government. I honestly and truly believe that Labor will be returned to govern at the next election, but one of the important factors about discussing International Women's Day in a bipartisan fashion is that the discussion registers this issue as something that all members of Parliament have to work towards achieving.

The process of achieving a wider representation outcome should include the very important element of ensuring that our boards and policy-making bodies in government are reflective of the composition of the community. The Government is playing a part by encouraging more women to take up leadership positions within the public service. The private sector could do much more than it is doing to encourage female participation in senior roles, and would reap the benefits that female participation brings if it did so. Women bring different but valuable qualities to the corporate world, and time and again companies that have women in leadership roles show strong returns compared to other companies that are less diverse, particularly in the composition of their boards.

Women are dramatically underrepresented on private sector boards in Australia, with representation actually declining in recent years. According to the 2008 Equal Opportunity for Women in the Workplace Agency Australian Census of Women in Leadership, the percentage of women directors in Australia's top 200 companies is 8.3 per cent—a decline from the previous census in 2006, when the figure was 8.7 per cent. Only 49 per cent of the top 200 Australian Stock Exchange [ASX] companies have at least one woman board director. This is much lower than comparable countries. In the United States of America the comparable figure is 88.2 per cent, and in the United Kingdom it is 76 per cent.

Another area where women have made remarkable gains over the past few decades is in paid employment. Sadly, the statistics show that women still earn substantially less than their male counterparts. I remember my first time as a manager doing annual performance appraisals—at the time I had been a manager for a couple of years. I had to do a performance appraisal of each individual employee. The process in this organisation was fantastic; I have tried to get it implemented in this Parliament, without much success. In the process I worked with the employee with the same document and towards the same outcomes. If the job needed changing we rewrote the job description, or if something was not working we tried to find a resolution. I remember a performance appraisal with an ambitious, hardworking young man who had done a fantastic job. We worked together to change the job description.

The process takes a couple of days; we did the appraisal, we went away and then we came back and did it again. We were finishing the appraisal and signing off when he said, "So how much more money will I get?" This was the public sector. It was about being entitled to the annual wage increase. This person wanted to totally change where he wanted to be in the structure. It is the first time I had come across this. Previously I had simply done all my jobs and worked away; I did not think to ask someone, "So how much more money will you give me?" I was shocked. Women have to learn a few things. The New South Wales Labor Government will continue to work with the Commonwealth to develop strategies that help to improve the economic status of women across New South Wales. In the public sector we are working hard to make progress, and we have plans for further improvement.

International Women's Day gave us cause to celebrate the contribution women make in our society and around the world. As part of the New South Wales Government's celebrations, the Minister for Women held an inaugural International Women's Day public lecture on 9 March. I do not know how many members of this House attended the lecture but I could not attend; it would have been interesting. The guest speaker was prominent writer, media commentator and chair of the National Body Image Advisory Council, Mia Freedman, who spoke on the topic "We've come a long way baby. Or have we?" This was one of many great opportunities taken by the Government to raise further awareness of the issues that continue to affect women in New South Wales. I look forward to hearing other contributions to this important debate.

**The Hon. CATHERINE CUSACK** [3.53 p.m.]: On behalf of the Liberal-Nationals I join with the Hon. Christine Robertson in support of this motion. I thank the Hon. Christine Robertson for the tenor of her contribution, because I could not agree more that bipartisan support on these issues is essential. The more we are able to do that, the more progress we are likely to make on these issues. I think women expect those of us who are fortunate enough to be in politics to be united on issues that matter to women. On International Women's Day last Monday I attended the International Women's Day lunch held by the Westpac Life Saver Rescue Helicopter at the Zest function centre at Southern Cross University. I was invited to join the women of the northern rivers who are members of Zonta. It was unusual for me as the group now belongs to the Queensland district of Zonta. But the women are outstanding and I was pleased to join them at their table.

There were several guest speakers at the lunch. The first was the Federal Labor member for Page, Janelle Saffin, who made a wonderful speech. I have always found Janelle to be a warm and generous person. She offers a great deal of support and inspiration to women, particularly in regional and rural communities. Although she is following on from the Federal member for Richmond, Justine Elliot, it is fair to say that Janelle has made much more of a connection in that regard. She spoke about her experiences not only as a woman in politics but also in East Timor. I must clarify something. International Women's Day is held on 8 March after a female garment workers union in New York organised a protest on 8 March 1908. In 1910 an international convention of women organised a special day to celebrate women. That is why next year is the centenary of International Women's Day.

In her speech Janelle pointed out that in some countries International Women's Day is a public holiday, which had all the women excited for about five minutes. We also heard from Janelle Sharman, who is the principal of Lismore Destiny, a beauty shop with a wonderful reputation and the principal sponsor of Westpac Life Saver Rescue Helicopter. Janelle has an amazing story. She was a police officer for 16 years and served as a detective in homicide and various other units, with her last post as a detective in Lismore. She had a very inspiring story for all of us. Another speaker was Dr Ros Derrett of Southern Cross University, who talked about women getting in touch with their inner selves. I was very appreciative of her speech. Unfortunately Dr Erin Martin, who works on the Westpac rescue helicopter, was called out to an emergency during the function. I congratulate all those women. Taking time on the day to reflect on these achievements was beneficial.

A few things have been said about women in politics. The women at the function in Lismore reflected on the role of women in politics. I have known Jenny Dowell, the Labor mayor of Lismore, for many years; she has always been warm and supportive of women in the area. She donated for a silent auction a tapestry that she made in 1975 as an entry in a competition to find the emblem for International Women's Year 1975. It was wonderful. I bid on the tapestry but was unsuccessful. Females hold the positions of mayor of Lismore, the Federal member for Page, the New South Wales Premier, the acting Prime Minister on occasion, the New South Wales Governor and the Governor-General. That leaves Thomas George as the only male politician representing Lismore at the State or Federal level. I think the consensus in the room was that we would not want anyone but Thomas in that position, and he handles it well.

In terms of politics, I believe that women do much better in proportional representation elections than winner-takes-all elections. Our gender means that we are much more comfortable and effective in consensus

building situations. Women tend to be more successful in proportional representation forums. In winner-take-all elections, which are much more competitive and have one winner and many losers, men tend to be more driven. I make that observation to explain why women participating in politics have had far greater success in upper Houses than in lower Houses. Women almost tend to gravitate to an upper House seat, where they can engage in exactly the debate we are having now. We just heard the Hon. Christine Robertson urge everybody to be bipartisan, and they are the types of conversations that I think women are much better at—with due respect to my male colleagues. I suspect that in politics one needs to have competitive urges and consensus building skills—which, of course, is why we need men as well as women. Sometimes in politics there is a tendency for women to be a little bit too precious about their feminine sensitivities being offended in this Chamber, and in New South Wales there seems to have been a bit of a fad—

**The Hon. Lynda Voltz:** Not me!

**The Hon. CATHERINE CUSACK:** Not the Hon. Lynda Voltz. Some people can be a bit sensitive. That disappoints me because there are women in the community who have significant issues and problems—for example, women dealing with violence. Last Monday we reflected on the fact that 70 per cent of women in the world are living in poverty. I think of women who, because they have children, cannot have full-time employment but whose part-time situation offers few protections. They are also very constrained in their hours of employment because of their responsibility to their children, and as a result are more disempowered than perhaps any other worker. They are dependent on that income and are completely at the mercy of employers. It is about work hours and managing family and children. These are very difficult issues.

I hope all members, as grown-up people who have come through some robust processes to be here, do not lose sight of the women who are suffering major problems and whose lives are in danger literally from domestic violence. Those are the issues that 8 March requires us to take the time to focus and reflect upon. Certainly, I have come to love International Women's Day as a time to do that. The day is taking off across the State and the country. The number of local events and invitations I received from my community this year, including from Lennox Head and Ballina, astounded me. I congratulate all those people who went to great effort to organise those functions, to which women are starting to flock. I attended a lunch in Lismore at which there were more than 300 women. Ballina had at least that number, and there was another big turnout at Lennox Head. They are fantastic responses that show we want to work together and that the future will be very much brighter for us if we do so.

**Ms SYLVIA HALE** [4.02 p.m.]: I support the motion, but we should not overlook the very radical origins of International Women's Day. I believe the Hon. Catherine Cusack referred to it as a women's convention. In fact, the day originated with the second International Conference of Working Women that met in Copenhagen in 1910, exactly 100 years ago. It comprised representatives from 17 countries, representing trade unions, socialist parties and working women's clubs. At that international conference Clara Zetkin—who had long been active in German politics, particularly German socialist politics, and was an early member of what subsequently became the German Social Democratic Party—proposed a motion that International Women's Day be celebrated on an international scale.

Indeed, the Hon. Catherine Cusack was correct when she said that recognition of International Women's Day followed a large demonstration in New York, which took place in 1908. It was a strike led by the International Garment Makers Union. Some 150,000 people marched through the streets of New York protesting and demanding better pay, shorter hours and the right to vote. Clara Zetkin is also well known for her principled stand in relation to both World War I and the rise of the Nazis. She split from the German Social Democratic Party because of its support for World War I and its opposition to strikes during the war. Although she remained a member of the German Reichstag, with the rise of Hitler in 1933 she went into exile. That was her second period in exile. She had first gone into exile in 1878 when the German Chancellor Bismarck outlawed any discussion and debate of socialist issues.

I look upon International Women's Day as a day to consider the achievements made in this country but, equally, to express concern about what is happening in the international arena. I spent International Women's Day speaking at a rally of Iranian women in Martin Place that was sponsored by Amnesty International. The point of the rally was to draw attention to the discrimination being suffered by women, particularly in Iran. I suppose that when most people think of Iran they think of Neda Agha Soltan, who was killed in June 2009 during protests against the election of the Ahmadinejad Government. Many people consider those elections to have been rigged—so much so that there were big uprisings throughout Iran. They were possibly the biggest uprisings seen in that country since 1978 when the Shah of Persia was overthrown.

At present, women in Iran are enduring intimidation, beatings, arrests, rape and a clampdown on the media. For example, just last week Jafar Panahi, an award-winning filmmaker who has made films about women in Iran, was arrested, together with 14 other people who were in his house at the time. He was supposedly making a film about the post-election unrest. To put a stop to the film, he, his family and his friends were arrested. On 30 January 2010—only four or five weeks ago—an Iranian group called Mothers in Mourning held its weekly vigil in Tehran at which it sought news of sons and daughters who were arrested during the upsurge in violence that followed the 2009 elections. Thirty members of Mothers in Mourning were beaten. On 7 and 8 February seven members were detained without charge in the notorious Evin prison in Tehran.

Women in Iran are the focus of a lot of international interest, and attention from Amnesty International, because they face enormous discrimination. Currently before the Iranian Parliament is a bill that will permit a man to indulge in polygamy if his wife is infertile or if she is absent for six months or longer. Unmarried female students in Iran cannot leave their home towns to study unless they have the permission of their fathers. There are more female students than male students in Iran so obviously the restriction is designed to weaken the student protest movement that was so prominent in the aftermath of the 2009 elections. In Iran the legal age for women to marry is 13. However, if a father seeks permission he can marry off his daughter at an even younger age to a much older man.

Men have the right to divorce their wives at will. Their right to do so is absolutely unconstrained, but women do not have that right. In a divorce settlement the man automatically has a right to the children and any dispossession of property inevitably favours the man. Women need their husband's permission to work or to travel outside the country. In court a woman's evidence is worth only half that of a man. If a woman is killed, the value of her life is worth only half that of a man. Of course, we are all aware that the wearing of the veil is obligatory for women. We know also that women are not permitted to enter soccer stadiums to watch matches. A number of girls who dressed as men to do so were subsequently discovered and punished.

Probably one of the worst things facing women in Iran is death by stoning. Although it is illegal in Iran to use a stone that is either too big or too small, it is not illegal to use the appropriate size stone to stone a person to death. Indeed, on 11 July 2001 an Iranian mother of three, Maryam Ayoubi, was stoned to death. In that country, women face many issues. On International Women's Day, while we might deplore some of the obstacles that women in Australia face and celebrate the advances that have been made, it is certainly incumbent upon us to remember the difficulties that women in other countries encounter.

It is not unreasonable to say that we should support the unconditional elimination of all discrimination against, and oppression of, women, and the achievement of full equality between women and men in society. Also, there should be an absolute separation of religion from the State and the education system. We want freedom of choice in clothing and the elimination of compulsory veiling and sexual apartheid. There should be opposition to all misogynist tendencies, and the women's movement should unite around the achievement of secular, radical and egalitarian demands.

**The Hon. HELEN WESTWOOD** [4.12 p.m.]: I am very pleased to support the motion moved by the Hon. Christine Robertson. I acknowledge the contribution of Ms Sylvia Hale, who eloquently outlined the history of International Women's Day. I will not repeat that history, although it is important to remember the day's origins. In 2010, nearly a century since the tradition began, we have an opportunity to acknowledge that pay equity and conditions for working women are still high on women's agendas in Australia. International Women's Day is an opportunity for Australia to celebrate what has been achieved. As Ms Sylvia Hale said, in other parts of the world the situation for women is so very different. It is hard to believe that many women live in patriarchal and misogynistic cultures that permit honour killings.

Last year I attended the breakfast hosted by the United Nations Development Fund for Women, known as UNIFEM. The speaker was a woman from Bangladesh who had been the victim of an acid attack. She was victimised because she was not attracted to a fellow student who clearly wanted to marry her. Because she declined his offer of marriage he threw acid in her face, which scarred her for life. She represented many other women from that part of the world who have been subjected to similar acid attacks. In many parts of the world women's rights have a long way to go. Last night's news bulletins contained stories about the horrors of the Haiti earthquake and the women and men who are surviving in terrible conditions. We heard about the rape of women and children, and the story of a two-year-old girl who is being treated in a Red Cross clinic for syphilis.

We continue to hear similar horrendous stories from other parts of the world. While International Women's Day is an opportunity for us to celebrate and highlight what has been achieved, it is also an important

opportunity for us to reflect upon what has still to change. Women in Australia and in other parts of the world are oppressed or disadvantaged simply because they are women. In Australia we still have a long way to go to put women in decision-making roles. It is true that all Parliaments have women members, as do nearly all councils across the nation. The figure seems to hover between 23 per cent and 25 per cent or 30 per cent—it sometimes rises a little above that, but goes no further. We are a long way from equal representation for women at all levels of government in this nation. There is still an awful lot to do in that area.

Earlier I mentioned pay equity. Interestingly, that is where International Women's Day has its origins: in the fight by women workers for decent pay and conditions. Australian women in full-time employment earn 83 per cent of what their male counterparts earn. The disparity is far greater for part-time women workers. This week the Australian Services Union lodged a pay equity case on behalf of workers in the community services sector. That sector is absolutely dominated by women and it lags well behind in pay equity, to the point where it affects the capacity of the workforce.

In Australia we still do not have an adequate maternity leave scheme. Child care is still a serious issue for women, in terms of both its accessibility and affordability. My daughters still must decide whether to return to work and whether they can afford child care. Thirty years ago, women marched in the streets of Sydney in pursuit of that very objective. Today, in 2010, it is still an issue for many Australian women, particularly working-class women, on middle to lower incomes.

Women continue to suffer domestic violence. It is still predominantly women and their children who are beaten by their partners in an intimate relationship. Women made homeless by domestic violence need services. Women still suffer sexual assault. Last year the *Four Corners* program exposed the story of footballer Matthew Johns and his colleagues who were involved in the abuse of a woman in New Zealand. I find it extraordinary that in this century men who are well paid and who are considered to be celebrities—heroes even—believe it is acceptable to behave like that towards women. That shocks me. Such stories point to the fact that we still have an awfully long way to go when it comes to equality between the genders in this country, and to why International Women's Day is so important.

I will refer to other aspects of International Women's Day and why it is an opportunity to celebrate the achievements of women in New South Wales and around the world, and also to highlight the challenges that women continue to face. The United Nations Development Fund for Women in Australia, or UNIFEM, each year identifies a theme for International Women's Day. Most members will probably know this year's theme, which the New South Wales Government has also adopted: "Empowering Women to End Poverty by 2015". I think all members will agree that that is an ambitious goal. There may be some in the community who do not realise that many women are still living in poverty. The reality is that currently 70 per cent of the world's poor are women, and we as a community need to do something about that.

This year's theme acknowledges that empowering women can help to break the cycle of poverty. As the United Nations Secretary-General, Ban Ki-moon, said this week, "Until women and girls are liberated from poverty and injustice, all our goals—peace, security, sustainable development—stand in jeopardy." The message of empowerment is essential to help women move forward in our society. Last week at UNIFEM's annual Sydney breakfast, guest speaker Thérèse Rein gave an inspiring speech that highlighted the work of some incredible Australian women who are helping women in developing countries, through education and medicine, to overcome poverty and disease.

She told the story of three million women suffering from obstetric fistula every year in Ethiopia. In western countries like Australia, women can successfully deliver a child with medical assistance or by caesarean section. This is not so in developing countries such as Ethiopia. Medical support is not always accessible and labour for some women can go on for five days. As a result of prolonged and obstructed labour, the woman's bladder or vagina is torn so that a hole or fistula is caused in the bladder, and sometimes in the rectum. Usually the baby is stillborn. When fistulae occur, the woman is unable to control the flow of urine or excreta. Because of the objectionable smell associated with the condition these women are mostly rejected by husband and family. They become social outcasts. Thérèse Rein spoke about Dr Catherine Hamlin. I am sure members will have seen a number of reports about this wonderful Australian woman who set up a hospital and who treats 2,800 women each year. This is an example of the poverty that still exists for women and of the incredible women we have in Australia who are out there doing something about it. We can all support this international goal by assisting the wonderful work of local women in communities around the world. Their contribution is essential in providing secure and enterprising environments for families and communities.

On Monday night at the Premier's reception, 87 women were acknowledged as nominees for the annual New South Wales Woman of the Year Award. Ten finalists were recognised and one was awarded the prestigious New South Wales Woman of the Year accolade. This year's winner of the New South Wales Woman of the Year Award, Christine Weston, truly demonstrates the creative spirit that women can bring to their communities. The Hon. Christine Robertson has spoken at length about Christine Weston so I will not repeat what she said. However, I would like to congratulate Christine and say that she certainly represents the great depth of talent among women in this State. She also represents the hard work and dedication that we get from women that makes a real difference to our community.

Like other members, on International Women's Day I attended a breakfast run by Zonta women of the south-west region of Sydney. There were a number of young women present from local high schools, various organisations and councils. We spoke about the very thing we are discussing today: Why is International Women's Day so important? It was really refreshing to hear some of the stories of the women there and why they value International Women's Day. On Saturday I took part in the Sydney International Women's Day march and rally. I think Ms Lee Rhiannon was the only other member of this place to attend. This march has been held for many decades and women from all over Sydney and beyond use it as an opportunity to come together and celebrate what we as women have achieved. It also reminds us of the areas in which we still have a long way to go. Fran Hayes spoke about the pay equity case to the women who gathered at the rally. Another woman spoke to us about the issue to which members referred earlier—the terrible incidence of femicide in Central America and South America.

International Women's Day provides us with the opportunity to celebrate the achievements of women and to reflect on the challenges women continue to face. One of the challenges women certainly face is poverty. It is important on International Women's Day to acknowledge that across Australia we have two women Premiers, a woman Deputy Premier, a woman Governor, a woman Governor-General, a woman Deputy Prime Minister, a woman Lord Mayor of Sydney, a woman Deputy Leader of the Opposition in the other place, and a woman President in this Chamber. What I find astounding about that is not the fact that women hold those positions but the way it is reported. I have to say that the article by Imre Salusinszky in the *Australian* yesterday was absolutely extraordinary. I could not believe that a professional journalist would refer to the leader of a government in that way. I wonder what the response would be if a woman journalist referred to a male Premier as a "sugar daddy" and commented on the way he looked. I have seen the Premier and Deputy Premier referred to as the "yummy mummy" strategy. This is 2010. I cannot believe that such sexist, outdated attitudes still exist amongst the press in this country. I think it is about time they got over it.

It should have nothing to do with the way women look. Mind you, if you look around you can see evidence of the stereotype that women must have a certain look. I look forward to the day when we have a woman leader in this country who is allowed to have grey hair and a couple of wrinkles and maybe is a bit overweight—I know that describes me—or perhaps a woman with a physical disability who is considered capable and competent enough to be in a position of leadership in this country. We are a long way from achieving that target. Women continue to be judged by their appearance. I look forward to the day, on International Women's Day, when we no longer talk about such issues because we, as a society, have matured and are sophisticated enough to have moved beyond it, and we celebrate the fact that there are great and competent women at all levels of society who make a significant contribution to Australia and to this State.

**The Hon. ROBYN PARKER** [4.30 p.m.]: I support the motion moved by the Hon. Christine Robertson, acknowledge the contributions made by members on all sides of politics, and thank them for their bipartisan support for this motion. There is still a misunderstanding in the community about the meaning of International Women's Day. It is not a day against men. Men still come up to me and say, "Why do we not have an international men's day?" It is important to explain the origin and symbolism of International Women's Day. International Women's Day has a wider meaning. It is a day when we review how far women have come in their struggle for equality, peace and development. It is also an opportunity for women to unite, to network, to mobilise and to move towards meaningful change.

As a member of the United Nations Development Fund for Women [UNIFEM] I have participated in International Women's Day events over a number of years. In 1977 the United Nations General Assembly adopted a resolution inviting member states to proclaim a United Nations Day for Women's Rights and International Peace, or International Women's Day, which is now celebrated on 8 March. The purpose of International Women's Day is to secure peace and social progress and the full enjoyment of human rights and fundamental freedoms, which requires the active participation, equality and development of women and acknowledges the contribution of women to strengthening international peace and security.

The United Nations Development Fund for Women is dedicated to advancing women's rights and achieving gender equality. Various programs are aimed at providing financial and technical assistance to innovative programs and strategies that foster women's empowerment. UNIFEM works towards enhancing women's economic security and rights; ending violence against women, which was noted by other speakers; reducing the prevalence of HIV and AIDS amongst women and girls; and advancing gender justice in democratic governance in stable and fragile states. UNIFEM assists women in other areas. Each year UNIFEM adopts a particular project in order to advance the cause of women. In 2010 UNIFEM Australia will be funding a project that focuses specifically on empowering migrant workers in Indonesia and that works at multiple levels to protect migrant workers and to train them in their rights as workers. UNIFEM sponsors women who come to Australia to be given these skills. They then return to their countries and work towards equality.

That project is in line with the overall theme of International Women's Day 2010—that is, empowering women to end poverty by 2015. Why is 2015 such an important year? In 2000 government leaders from around the world agreed on a powerful global partnership agenda to fight poverty: the Millennium Development Goals, or MDGs. Central to those goals is gender equality. If we do not achieve progress towards empowering women, those goals will not be achieved. Women disproportionately suffer the burden of poverty. Women in Australia fall into this category but their numbers are small when compared with the number of women in Third World countries. We will continue to work towards those goals.

What does ending poverty for women mean? We want to ensure there is a greater involvement of women in public life; that they are supported in their legal and social problems; that they are afforded protection from violence; and some of the other goals to which I referred earlier. On International Women's Day a number of events were held locally and on a broader scale. As the Hon. Catherine Cusack noted earlier, it was encouraging to see how many communities hosted their own events on International Women's Day. Many events are celebrated supporting the achievements of women, how far they have come and how far they still have to go. Other members referred to the awards in New South Wales that recognise women of achievement.

This year I attended several International Women's Day functions. However, I was pleased to be part of the International Women's Day function in Maitland that was held at Maitland Art Gallery—the first occasion on which this event has been held in Maitland's magnificent regional art gallery, which has been renovated and extended. The gap between the old building and the new building now contains a time capsule for women—a rolling film that will remain in position for 25 years—a tapestry of the lives of different women in the Maitland community. My daughter and I took part in that project, as did many other women in the Maitland community. It was good to be part of that great project.

This year International Women's Day was hosted by Maitland City Council, which revealed the bipartisan nature of the day. Unfortunately, there are only two women on Maitland City Council. The two councillors—Councillor Lisa Tierney and Councillor Loretta Baker—were the MCs for the event. Maitland's theme was empowering women to end poverty through literacy. Part of its focus was increasing literacy. Maitland has some wonderful libraries and a rich cultural tapestry but, as many members would be aware, there are still some literacy issues in the Maitland electorate. That was the focus of International Women's Day and it was the catalyst for a project to improve reading and writing across the city as part of its social planning.

About 100 women attended, along with some male leaders including Mayor Peter Blackmore and Councillors Penfold, Mudd and Meskauskas, and others participating in the day. We heard the immediate past president of UNIFEM, Roslyn Strong, speak about the link between illiteracy and poverty. She spoke about her experiences and the many issues associated with literacy across Australia. She spoke of how vital is the capacity to participate in employment, life in general and the simple things. Maitland is also conducting a study into access to, and awareness of, public transport. Admittedly, Maitland has limited public transport services, but the opportunities for some residents to access public transport in the area are limited even further by their inability to read or interpret timetables, so that they feel even more isolated.

We also participated in a workshop conducted by Deborah Hartman, from the Family Action Centre at the University of Newcastle. We discussed how we thought literacy could create opportunities for particular age groups. The group at the table at which I sat focused on early childhood, early intervention and literacy programs. I am pleased to say that Maitland City Council will pursue that project as a work in progress through its library. A number of workshops will get community groups, non-government services and TAFE to identify literacy programs and needs across the city. That particular local event at the art gallery was well attended.

Every year I see support for International Women's Day increasing. However, we still have a long way to go here in Australia as well as overseas to meet the Millennium Development Goals and for women to



achieve some of the overall objectives of equality and quality of life. I support International Women's Day wholeheartedly. I congratulate other members on their contributions today and also more broadly. I meet and work with many of the members who have spoken in this debate today not just on this issue of International Women's Day but on many issues on other days of the year. I congratulate those who have participated in this debate, the women who have achieved so much with regard to gender equality, and the men who support International Women's Day.

**The Hon. PENNY SHARPE** (Parliamentary Secretary) [4.43 p.m.]: I too support the motion supporting International Women's Day, the theme of which this year is "Empowering women to end poverty by 2015". That is a truly worthwhile goal as women continue to find themselves unequal partners in our global communities. I commence my contribution by congratulating all the women around the State who have been involved in organising International Women's Day events. Importantly, I note that the New South Wales Government has provided seed funding to more than 152 councils across the State to run many of these events. That small amount of money will go a long way to reaching out to women across the State. I congratulate all who have been involved.

I congratulate also the International Women's Day Collective, who organised the display of banners around this great city. Members may have seen the purple and green banners that adorn Martin Place. This display was organised as a result of donations from women volunteers, particularly those involved in the Women's Electoral Lobby. I thank them for their continued work on the march and the banners, which ensure that International Women's Day is visible on our streets and stays in our minds. The march in Sydney last Saturday focused on equal pay for women. This is especially important, given the current campaign of the Australian Services Union to instigate an equal pay case for community workers across Australia. This is a once-in-a-generation opportunity to get wage justice for social workers. I wish the Australian Services Union well in its endeavours. I congratulate also the Federal Government, particularly Deputy Prime Minister Julia Gillard, who has supported this case.

Another focus for this year's march was to bring to the attention of people in Australia, many of whom would not be aware, of the terrible situation that exists in Juarez, a city in Mexico. Since 1993 in Juarez more than 400 women have been raped, murdered and mutilated. Many more are missing. These women are mostly poorly paid factory workers on the United States-Mexico border. Typically, victims are reported missing and their bodies are found days or months later abandoned in vacant lots or in the surrounding desert. In most cases their bodies show signs of sexual violence, abuse, torture and mutilation. Very few perpetrators of these crimes have been brought to justice. Mothers of the victims have taken the lead in searching what they call "the killing fields" for their daughters by denouncing the violence and seeking justice, and urging the Mexican Government to take this issue more seriously. As we reflect on the successes for women on International Women's Day we must always reach out to those who need our support. The women, mothers and daughters of Juarez need our support. I encourage members to make themselves more aware of what is happening in that area.

I focus now on what women in Australia have achieved to overcome inequality. A recent article by University of Sydney academics Rae Cooper and Marion Baird examined how Australian women are faring 40 years after Germaine Greer published her seminal work, *The Female Eunuch*. They highlighted four critical areas where change is still desperately needed before women in Australia will truly be equal in all spheres, including at home, at work and in the broader society. I shall draw heavily on that work in my comments. Of course, the first issue is women and violence. I welcome the fact that this House has spent considerable time on this topic in recent years. According to the Australian Bureau of Statistics, one in three, or 33 per cent, of women aged over 15 years experience physical violence at some stage, and one in five women, or 19 per cent, experience sexual violence.

Much of this violence is perpetrated by family members and most often by male intimate partners. Just over one-third of women who had ever had an intimate partner reported experiencing at least one form of violence from that partner during their lifetime. Intimate partner homicide accounts for about one in five homicides nationally. Living free from conflict, violence and abuse is fundamental to women's equality of health opportunity and social participation. As women are the primary carers, children also continue to feel the impact of violence against their mothers. The House has spent quite a lot of time dealing with this issue also. Substantial changes have been made to our domestic violence laws in recent decades, and funding has been increased significantly in that regard. However, violence against women remains a scourge on our society, and we can and must always do more to eradicate that scourge.

Women in Australia today are better educated than they have ever been, and this is in contrast to many international places where girls routinely are denied the opportunity of an education simply because they are

girls. Rae Cooper and Marion Baird note that two significant issues are the increasing participation of women in school and post-education, and the educational attainment of females. The news on those fronts is pretty good, but they note ominously that while participation in higher education is associated with better outcomes for the individual regarding employment prospects and salaries, unhappily employment prospects are the bleakest and salaries are the lowest in areas where women are most predominant. In 2007 full-time employment prospects were least favourable for graduates in study fields with a high concentration of female graduates—teaching, nursing, and in the visual and performing arts. In 2007 the median starting salary for female graduates was \$42,000, which is 93.3 per cent of male graduate earnings—and so began the gender gap.

After Australian women complete their education they find themselves with the gender pay gap that undermines their workforce participation and their earnings across their entire life cycle. The gender pay gap is persistent and has remained at approximately 16 per cent since 1992, although there are some differences between States and industry sectors. Rae Cooper and Marion Baird noted that in 1992 they began teaching young women and men who were embarking on university studies. They remain dismayed that there has been such little progress on women's pay equity since those children, who are now adults, were born.

The gender gap in reward for work is not limited to pay. It appears that a significant gap in benefits and entitlements also exists in Australia. By this I mean that there is a significant difference between non-wage benefits—such as superannuation, long service leave, paid annual leave and sick leave—enjoyed by males and those enjoyed by female employees. This week we have witnessed an explosion of the debate across Australia over paid parental leave. I welcome the debate. It is time Australian women had access to paid parental leave. I will leave the remainder of the debate to the Senate, but urge Federal crossbenchers to ensure that paid parental leave is not blocked as part of political argy-bargy.

Many members have referred in this debate to women in parliaments. I will not repeat the numbers, but will simply say that until 50 per cent of our parliaments are constituted by women, we do ourselves a great deal of democratic disservice by not sharing power equally across Australia. Comment was made also about women being members of boards. This week I attended the Women in Local Government Awards and was disappointed by some of the statistics that I faced there. The State Parliament is way ahead of local government. At the last local government election, only 33 per cent of candidates were women. Of those 33 per cent, only 27 per cent were elected as councillors. If we examine staffing in local government across approximately 160 councils, we see that only three women are general managers. Local government has a long, long way to go.

I acknowledge the work of members of the Australian Local Government Women's Association, who keep this issue front and centre and who perform fantastic work in an effort to increase the level of participation of women in local government. Local government is a vital level of government because it makes a real difference within our communities. The local government awards honoured two women who are mayors in local government, both of whom are inspirations—Mayor Jenny Dowell from Lismore and Mayor Jean Hay from Manly. They have both held the office of mayor for significant periods in their communities. The list of their achievements it is far too long for me to even begin to place on the record. Suffice to say that one of the key defining issues of both women has been their encouragement of other women and their efforts to ensure that women nominate for election on their ticket in the belief that they can win. I encourage all members of Parliament who are involved in local government elections to look around for women who have the ability to make a contribution to their local community.

In conclusion, I thank members of the House for the opportunity to discuss this issue today. The role and position of women in New South Wales is incredibly important. I know that everyone in this Chamber cares about that. The opportunity to discuss some of the issues facing women in New South Wales has been time well spent. Happy International Women's Day!

**The Hon. LYNDA VOLTZ** [4.52 p.m.]: I support the motion of the Hon. Christine Robertson in relation to International Women's Day, and thank her for moving the motion. As already noted by Ms Sylvia Hale, 100 years have passed since the Socialist International Meeting in Copenhagen when that fantastic and brave woman, Clara Zetkin, moved a motion to establish International Women's Day in an attempt to build on support for universal suffrage for women and women's rights. The motion was unanimously supported by representatives of all nations who attended that meeting. Next year will mark the centenary of the first International Women's Day and of the first marches held in Austria, Denmark, Switzerland and Germany.

Over the past 100 years, much has been achieved. The early pioneers of the suffrage movement began a series of events that resulted in the world being greatly changed and in many of their ideals being met in

countries throughout the world. International Women's Day is a time to remember the plight of our sisters in the Congo, Rwanda, Palestine, Bosnia, Kosovo, Iraq, the Sudan and, particularly at the moment, Nigeria. They are places where women and children still constitute 70 per cent of the casualties of war and constitute the bulk of the population filling refugee camps as displaced victims of war. After the war, those women will be the backbone of the reconstruction of their nation states. Yet in 10 major peace processes in the past decade, on average women constituted only 6 per cent of negotiators and less than 3 per cent of signatories. The failure to include women as part of the peace process leads to a failure not only to address women's concerns but also to address the important role they will play in reconstruction.

Unfortunately, only five peace accords have referred to the use of sexual violence as a military and political tactic, despite increases in both frequency and brutality, and that indicates the need for greater balance in peace processes. It is time we did much better. Universities throughout Australia have continued to examine the role of the feminist view of history in the post-modern environment, but it seems to have a continuously limited impact on international institutions around the world. Here in the lucky country, while New South Wales has a long way to go on pay equity and other issues, we are fortunate that the State is being led by a plethora of women—the Governor, the Premier, and the Deputy Premier. Those women and our mothers and grandmothers, as well as women who came before them as part of the suffrage movement, would be pleased with achievements in New South Wales.

I am lucky to be part of the generation of women who were the first to leave school following the second women's movement and who were brought up on school campaigns that girls could do anything. Certainly many of us have tried to live up to that motto, but what we have failed to take into consideration is that while girls could do anything, it did not necessarily mean that we had to do everything. Perhaps my generation believes that we have an unlimited capacity to achieve without considering the ongoing struggle for equality. We fail to comprehend that what was required was an ongoing campaign for true partnership—equality for all.

Although the figures for household duties performed by men have improved, they are still well short of convergence. Women still undertake the bulk of unpaid hours worked in a household. The statistics are interesting. When men and women are asked to list activities they undertake as household duties and whether their activities are household duties or recreational free time, men often list playing with their children as part of household duties whereas women list that as part of their free and recreational time. I think that is an important indication of the way in which people define such duties. We need a social revolution, but I do not believe that it will eventuate unless it is a revolution that creates true equality and true partnership, and unless there is a significant shift in the way in which society perceives the roles of women and men. Fundamental to that change is the media.

A century after the establishment of International Women's Day, we continue to see the portrayal in advertising of women as the sole caregiver in a household. With the exception of a few examples—and the only one I can think of is the Panadol advertisement in which a young man holds up a baby—there are very few advertisements depicting men undertaking household duties. In advertising, there are no men depicted as loading the washing machine, no men are putting washing out on the line, no men are mopping the floor, and there are certainly no men refilling the air freshener.

I do not believe that men do not know how to do these tasks, but more importantly I believe that men throughout the country are beginning to do those tasks. Statistics on household duties show that we are beginning to achieve convergence. Unless there is a fundamental shift in the media so that women are no longer bombarded with the image of women being the only caregivers, we will not achieve a social shift across the performance of household duties, which is fundamental to assisting women to defeat the glass ceiling and achieve pay equity.

Prior to the 1930s, the median age of mothers giving birth had been decreasing. During the 1930s, the median age stabilised, and it then increased briefly at the end of World War II, with an equally sharp decline immediately following that war. Over the following three decades the median age of mothers fell substantially and reached a low of 25.4 years in 1971. From 1972 onwards, the median age of mothers consistently increased, reaching 30.8 years in 2006, which is the highest median age on record. What we all know about the age of 30 is that if women wish to embark on career progression in their employment, the most crucial years in a woman's progression are her thirties. However, that is the decade when most women are not participating in the workforce and when they have significant childcare duties. At that fundamentally important time, we have to get right issues of child care, household duties and parental leave—which I know is controversial at the moment—because they are crucial factors in achieving pay equity and defeating the glass ceiling.

Fundamental to achieving that end is changing advertising, which is the medium responsible for what people see and do. In relation to children walking to school, it is true to say that they observe and adopt what their parents do. As for the next generation, it is true to say that we should decommission images in the media of women being primarily responsible for child care, household duties and the performance of parental responsibilities. On previous occasions I have raised the issue of the image of women in the media, and certainly in relation to their portrayal in sport.

**Pursuant to sessional orders business interrupted to permit a motion to adjourn the House if desired.**

**The House continued to sit.**

**Item of business set down as an order of the day for a future day.**

**Pursuant to sessional orders Government business proceeded with.**

### **SPECIAL ADJOURNMENT**

**Motion by the Hon. John Hatzistergos agreed to:**

That this House at its rising today do adjourn until Tuesday 16 March 2010 at 2.30 p.m.

### **BUSINESS OF THE HOUSE**

#### **Postponement of Business**

Government Business Orders of the Day Nos 1 to 5 postponed on motion by the Hon. John Hatzistergos.

### **TILLEGRA DAM**

#### **Production of Documents: Further Return to Order**

**The Clerk** tabled, pursuant to resolution of 25 February 2010, documents relating to a further order regarding Tillegra Dam received on 11 March 2010 from the Director General of the Department of Premier and Cabinet, together with an indexed list of the documents.

#### **Production of Documents: Claim of Privilege**

**The Clerk** tabled a return identifying those of the documents that are claimed to be privileged and should not be tabled or made public. The Clerk advised that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

### **CRIMES AMENDMENT (POLICE PURSUITS) BILL 2010**

#### **Second Reading**

**The Hon. PENNY SHARPE** (Parliamentary Secretary) [5.01 p.m.], on behalf of the Hon. John Hatzistergos: I move:

That this bill be now read a second time.

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

Leave granted.

The Government is pleased to introduce the Crimes Amendment (Police Pursuits) Bill 2010. The death of young Skye Sassine last New Year's Eve was a tragedy.

As a Parliament we have a duty to deter the kind of behaviour that is alleged to have caused such an unnecessary loss of life.

That duty demands immediate action, and that is what we are delivering today.

This bill introduces a new offence targeting people who participate in police pursuits while driving in a reckless or dangerous manner.

The offence will be incorporated into new section 51B of the Crimes Act.

The offence will involve three elements:

- first, a person knows that police are in pursuit of their vehicle and that they are required to stop;
- second, they do not stop their vehicle; and,
- third, they drive their vehicle recklessly or at a speed or in a manner dangerous to others.

It will usually be clear from the circumstances whether the driver knew that police were in pursuit and that they were required to stop the vehicle. For example, police may be following in a marked car with their lights flashing, or a driver may lead police on a chase while taking deliberate steps to evade apprehension.

We all agree that police must be allowed to engage in pursuits of fleeing offenders.

To do otherwise would be to give offenders the clear message that all they have to do to evade capture, and the punishment they so justly deserve, is to drive off and police will let them go.

These pursuits are a vital part of modern policing.

It is important, however, that pursuits are conducted in a way that maximises public safety.

For this reason police pursuits are subject to very strict guidelines that contain safe driving strategies and identify the roles and responsibilities of officers involved in pursuit situations.

The New South Wales Police Force comprehensively reviewed the Safe Driving Policy in 2007-08, following a review by the Ombudsman of compliance with the existing policy in the context of police pursuits.

Most of the Ombudsman's recommendations were supported by police and adopted in the revised policy. The new Safe Driving Policy was issued in August 2008.

A key feature of the policy is that pursuits are considered as a last resort. They will be used only when the gravity and seriousness of the circumstances require such action and there are no other immediate means of responding.

Officers may engage in a pursuit only when there is reasonable cause to believe that the person being pursued has committed, or has attempted to commit, an offence and is attempting to evade police.

The New South Wales Police Force takes the conduct of pursuits extremely seriously and continually monitors its pursuit management practices.

This approach will, of course, continue on commencement of the new provisions the Government is introducing in this bill.

The new offence carries a maximum penalty of three years imprisonment, with a maximum penalty of five years imprisonment applying in the case of repeat offenders.

Robust licence disqualification provisions, including an automatic disqualification of three years for a first offence and five years if it is the offender's second or subsequent major traffic offence within a five-year period, will augment these penalties.

Further, the offence will form part of the habitual traffic offender scheme, which exposes serious repeat offenders to lengthy periods of disqualification, up to and including disqualification for life.

There is provision to deal with the proposed new indictable offence summarily or on indictment in the District Court at the election of the prosecution.

Importantly, it is apposite to note that drivers who flee from police can already be charged with a range of offences.

The offences of dangerous driving occasioning grievous bodily harm or death, which carry maximum penalties of seven and 10 years imprisonment, are aggravated when a person is fleeing police such that the maximum penalties are 11 and 14 years respectively.

In the most serious cases, a driver who kills another person in the course of a police pursuit may be charged with manslaughter or murder.

The message is very clear: If you are fleeing police in a dangerous manner and another person is seriously injured or killed you should expect to go to jail for a significant period.

That is what the community wants. That is what the Government has delivered and will continue to deliver for the community.

At the other end of the scale is the offence of failing to stop a vehicle when directed to do so by police. This offence will continue to carry a maximum penalty of one year—for the mere failure to stop a vehicle when instructed to do so by police.

The new offence proposed in this bill deals with the situation where a person leads police on a dangerous pursuit but, thankfully, no-one is seriously injured or killed as a result.

The tragic death of 19-month-old Skye Sassine brought into sharp relief the level of community and police concern over this issue.

We listened, and we have responded. This new offence will make some people think twice before they decide to ignore a police direction to pull over, and that is the way it should be.

For those who do not pull over when directed to do so, it provides for serious consequences. I commend the bill to the House.

**The Hon. MICHAEL GALLACHER** (Leader of the Opposition) [5.02 p.m.]: I proudly represent the Liberal-Nationals Coalition in debate on the Crimes Amendment (Police Pursuits) Bill 2010. In the wake of the sad and tragic death of young Skye Sassine, who was killed when her family's car was hit by two alleged bank robbers attempting to evade police on the F5 at Ingleburn on New Year's Eve 2009, the New South Wales Liberal-Nationals called on the New South Wales Labor Government to toughen the existing police pursuit laws, described by front-line police and the New South Wales Police Association as being "grossly inadequate". In the decade ending 2005, some 61 people died in police pursuits in New South Wales, four of whom were police officers. As members would know, prior to entering Parliament I was a police officer in the Highway Patrol, and I know firsthand the dangers of police pursuits, not only for police but also for the community. Pursuits are a necessary part of policing in New South Wales. The Parliament and the community must continue to work with police to find ways to provide the safest possible environment for police and members of the community who get in the pathway of a police vehicle in pursuit of another person.

Sadly, we have all become aware of the name Skye Sassine and her family and the impact that this accident has had on them. Other names should be put on the record in this debate: Sergeant Jim Affleck, Detective Senior Constable Steven Tier, Constable Wayne Rixon, Glen McEnallay, who was shot not as a result of a motor vehicle accident but most certainly as a result of a pursuit, Senior Constable David McCormack, Constable Peter Carter and probationary Constable Themelis Macarounas. Those officers have been killed in recent years in the conduct of pursuits. While this debate is often about innocent individuals or families that become involved in pursuits, the other side of the equation are the police who are simply doing their job—a job we expect them to do to protect us—and who put their lives on the line.

At the outset it is also important to put on the record what we can only begin to imagine the impact has been, and will continue to be, on the police involved in the pursuit of these offenders that unfortunately and tragically resulted in the death of Sky Sassine. Those officers will carry that tragic event with them for the rest of their lives, irrespective of whether they continue as police officers. Often the debate is limited to the victims of such tragedies, but we must recognise that when a pursuit goes wrong it has an impact on the police involved. They do not simply get back in the car and continue working as if it did not matter, as if it is part of the job. For police involved in pursuits that end in such a way, continuing their career in the New South Wales Police Force is not an option, and in many instances they require professional assistance and help over many, many years.

During the past few days there has been a lot of discussion in the other place about the process that has led to debate on this legislation, in particular bipartisanship. It is extremely important that I put on record my clear recollection of the events that have led to us debating this bill today and hopefully bringing the matter to a conclusion in terms of the legislative framework. On 4 January the New South Wales Parliament resumed operation and the Government returned to work after the Christmas break. On that day the police pursuit laws were at the top of my agenda and that of the Government. That morning on radio I echoed the calls first made by former shadow Minister for Police, Peter Debnam, in 2004—these were not new calls for changes—for the Government to review police pursuits with particular emphasis on current legislative sanctions, as well as investigating ways to reduce the likelihood of people participating in pursuits and the reasons for delaying the full implementation of the recommendations made by the Staysafe committee in 1994.

By mid morning the police Minister responded to my calls with a statement that I was coming up with "snap policy ideas at a time when a young child has lost her life", accusing me of exploiting the child's death for political ends. By that afternoon the police Minister was forced into an embarrassing back down. In response to a request from the Premier, Kristina Keneally, to participate in discussions in advance, the New South Wales Liberal-Nationals presented a five-point plan to toughen police pursuit laws and to make them effective, based on similar legislation used in Queensland and South Australia. The five-point plan included a proposal to create an indictable offence as opposed to the existing summary offences. I have always held the view that the police needed options, and that when the circumstances of a pursuit required a much tougher sanction and stronger consideration by the courts, limiting a matter to the Local Court would not achieve that.

I felt that police needed to recognise the different pursuits. In some pursuits—I have referred to them publicly as brain-snap pursuits—the person decides on the spur of the moment that they are probably driving a

little over the speed limit or maybe they had one glass of wine or beer too many and they put their foot down, only to be pursued for maybe 15, 20 or 30 seconds; commonsense then kicks in and they pull over of their own accord. That is distinct from the person who has criminal intent not to stop for police and will do whatever it takes to get away. That person will drive down the wrong side of the road, irrespective of traffic, in the middle of the night with the lights off in an attempt to try to get away from police. They will use their vehicle to ram police cars in an attempt to get away. They will use their vehicles as a weapon to try to avoid arrest or be stopped by police who are standing on the roadway. I saw an offender try to rundown one of my partners whilst we were conducting random breath testing some years ago when he used his high-performance motorcycle as a weapon. He struck my partner and took off. He was pursued and captured many kilometres away.

I believed that a distinction needed to be made to enable police to operate freely and say, "No, this is far more serious than a Local Court matter. This needs to go to the District Court." For that to occur we had to have complementary support from the Parliament that under the current legislative framework the penalty of a maximum of 12 months imprisonment for failing to obey a lawful direction by a police officer, under the law enforcement provisions regulation, or LEPR as it is known, was unsatisfactory. We needed much tougher sanctions available to the courts. When I first put my original proposal to the Premier the maximum penalty was three years. Why three years? The maximum penalty that Local Courts can deal with is two years and if the penalty were increased to three years the police prosecution could kick it upstairs, as they say, into the domain of the District Court.

After I first raised that point with the commissioner I had substantial conversations with a number of police around the State who indicated that they felt that three years was not strong enough. They looked at other legislation in interstate jurisdictions and suggested that we make sure that the maximum is five years. I do not believe it is all part of the bidding war on who is toughest on law and order. It is part of a five-point plan that recognises that this offence is incredibly serious and can have very serious and tragic consequences, and it must be treated as such. I then publicly recommended that the maximum be increased from three to five years as a result of my consultation with police. I also recommended to the Premier and the Minister for Police that a review of the confiscation of motor vehicle laws in New South Wales is needed. I told them and their staff of the ludicrous situation with regard to the confiscation of motor vehicles in New South Wales.

Some years ago two innocent, elderly people were involved in an accident on the Great Western Highway, St Marys, when they were struck and killed by people who were participating in illegal street racing. We saw the tragedy of that event. If two offenders are illegally street racing and are in separate motor vehicles travelling at 90 kilometres per hour, and accelerating to higher speeds, and are caught by the police when they are travelling at 90 kilometres per hour, as a result of a decision of this Parliament the police are able to confiscate their vehicles immediately. It is ludicrous in New South Wales that if only one car is caught travelling at 140 or 150 kilometres per hour, far in excess of 90 kilometres per hour, police cannot confiscate that car. I said to the Premier and Minister that confiscation issues must be addressed, particularly in regard to reckless, dangerous driving. Police should be able to make a decision about confiscation of a car not only in relation to illegal street racing.

The third point is that the consequences of a car being driven at 150 kilometres per hour in a 60 kilometres per hour zone on its own can be just as serious as that of two cars travelling at a far lesser speed while participating in an illegal street racing activity. The fourth point concerns the suspension of licences of those involved in police pursuits. It is important to ensure that those who participate, particularly in a graduated sense, if they are on their second or third offence, suffer far more serious consequences in terms of their ability to get back their driver's licence in New South Wales.

The fifth point is interesting because it is not about punishment but about the education that needs to take place on the issues raised in this debate. A person who applies for a motor vehicle driver's licence in New South Wales, on either an L plate or a P plate, is asked, for example, "How much are you allowed to drink?" For a person on an L plate or a P plate the answer is nil. However, fully licensed drivers should be asked, "What is the limit before you are actually breaking the law?" As they are not asked such questions, drivers have no understanding of the consequences of being caught driving while affected by drink or drugs, or being involved in a pursuit by police. I am of the view that a licensed driver in New South Wales who appears in court on a drink-driving offence or for being involved in a pursuit should no longer be able to claim they did not know the consequences of what they were doing. They should not be able to say, "I did not know that I was about to receive this sort of penalty. I did not know that I was going to appear before the District Court."

We must drive home the message to young drivers when they start off on their first day as a learner or as an unaccompanied provisional driver that they understand fully the consequences of their actions in relation

to drink-driving or their preparedness to try their luck to outrun the police. It is important to focus on prevention rather than to limit the debate to punitive responses. I welcome any opportunity to discuss that matter with the Government. It is important to note that the Government was only taking my ideas on board. I was invited to participate in what I thought was a bipartisan approach and an exchange of ideas over the table. Of course, the Premier asked me for my views, and I put them forward. Quite simply it was clear nothing was going to be forthcoming when the Minister for Police said at the meeting that no senior police had raised such concerns with him. It was quite clear that the Minister for Police had no understanding of how these matters were affecting front-line personnel, and it continues to concern me today.

I will outline later in my contribution to this debate why I am so alarmed that the Minister clearly has no real understanding of what is happening at the street level of policing, rather he is spending time talking to those in police headquarters. The extent of the consultation and bipartisanship was, "Mike, come in, sit down, tell us what you've got. Thank you very much. See you next time." The Government had no answers and no views. Some weeks later I received a telephone call from the Attorney General, who advised me that at the time of the conversation the Premier was making an announcement in relation to changes to law with regards to this legislation. I was told that the Government's preferred model was the South Australian model, not the Queensland model as I originally had indicated. In the telephone conversation the Attorney General ran through very quickly the sanctions that I had asked for and the ability of police to look to the District Court.

On that day I had earlier been asked to go to a meeting with the Attorney General in Governor Macquarie Tower. One of my staff and I left my office and when we arrived we were told that the meeting had been pushed back a little later, or whatever it was. We went back to the office and continued with preparations to speak to the Attorney General. Upon seeing the legislation, we were told to again attend the office of the Attorney General. We left, walked back to Governor Macquarie Tower and on the way we were again told, "No, sorry, the meeting is not on. We will get back to you with another time." Shortly after I received a telephone call telling me what the Government had decided to do and that the Premier was making an announcement "right now". All the talk in the lower House over the past few days about working in a bipartisan way, consulting and exchanging ideas was rubbish, because none of that took place. The only exchange of ideas occurred when I put forward the five-point plan. I was told by the Attorney General, "Here it is. This is what we are going to do". I have never been shown any legislation. I was never shown any correspondence. I received only a telephone call. I found the misleading information in the lower House by Government members to be quite disturbing, given the seriousness and the very basis upon which the legislation has been based.

Be that as it may, I will continue. The bill, as received from the other place, addresses the core concerns of creating an indictable offence punishable by three to five years imprisonment. In consultation with the New South Wales Police Association and front-line Highway Patrol officers one serious flaw in the bill has been identified. In schedule 1 to the bill, which amends the Crimes Act 1900, new section 51B Police pursuits, identifies the offence. It states:

- (1) The driver of a vehicle:
  - (a) who knows that police officers are in pursuit of the vehicle and that the driver is required to stop the vehicle, and
  - (b) who does not stop the vehicle, and
  - (c) who then drives the vehicle recklessly or at a speed or in a manner dangerous to others,is guilty of an offence.

I repeat the words that I said at the beginning of my contribution. The wording refers to a driver "who knows that police" were in pursuit. Subsection (1) (a) places the onus of proof for establishing that a police pursuit did occur on the officer engaged in the pursuit. This raises a concern that effective loopholes might be found, whereby a driver alleged to have engaged in the pursuit could claim that he was ignorant of police attempts to stop him. As I have said publicly, we see many young drivers wearing earphones as they listen to blaring music. Whether that music is blaring or not, it gives young drivers an opportunity to say, "Sorry, I could not hear the sirens", or "Sorry, I am a bad driver. I did not look in the rear-vision mirror. I just simply did not know."

I have spoken extensively with the New South Wales Police Association and front-line police officers on this matter. They made it clear to me that those onerous provisions would make their job of establishing guilt in cut-and-dried cases of attempted escape from police very difficult. To that end, today I have had productive



discussions with the Attorney General. And I draw a distinction between the Attorney General and the Minister for Police. One could sit down with the Attorney General, put forward a case, and he would go away and consider it. However, from the Minister for Police one gets something completely different.

In my discussions with the Attorney General a proposed amendment was put forward. Hopefully it will result in the law becoming readily utilised by front-line police in the wake of potentially life-threatening pursuits. It is important for me to place on the record that I sought legal advice from an eminent Queen's Counsel. I was given legal advice. I had further discussions with the Attorney General, together with his staff and the shadow Attorney General, who has been absolutely fantastic on this matter. His knowledge of the law has been absolutely crucial in drafting the Opposition's approach. I am indebted to him for that. The Attorney General was willing to look at that legal advice as he too had obtained advice from the Director of Public Prosecutions regarding the Opposition's proposed amendment.

Rather than getting into debate about whose Queen's Counsel had more experience or more knowledge, the Attorney General said that we should try to reach some commonality. At the end of the day the commonality was all about the reasonable test. The bill needed a provision beyond that which it currently has, as I indicated earlier, that the offender had to know that police were in pursuit. There was only one way to achieve that; and that was through admission. Of course, many offenders will never make an admission, so how would a police officer be in a position to be able to say that he or she could prove beyond a reasonable doubt that the offender knew?

I know that the Government has legal opinion that says that that can occur. The Police Association is not so convinced. More importantly, our friends on the front line of policing, those who are expected to perform pursuits, were not convinced that the bill would work in their favour. When I say "our friends", I mean Parliament's friends. For that reason I stuck to my guns about the need for an opportunity beyond "knowing". I am satisfied that the current amendment presented by the Attorney General as a result of the Opposition's submission to him achieves that outcome. However, it is unfortunate that we have reached this situation. Were it not for the lack of consultation by the Government on this bill, as I indicated at the outset—a bill that the Opposition has supported all along—we would have had a workable bill, finished, done and dusted by Tuesday of this week. Unfortunately, we have had to go through this process, albeit, thankfully, the Attorney General was able to step in.

I will not get into recriminations concerning the Government's approach, but it raises concerns that offers of bipartisanship into the future will be viewed suspiciously from this side of the Chamber. That is sad, because, at the end of the day, that is what the community looks for—that we can recognise failings in legislation or proposals from either side and sit down and work through them so all our concerns are heard. We should get away from the headline grabbing, and that is what has happened with this bill. The Opposition has had discussions with the Police Association, over the past week in particular, and both the association and my office have made a decision not to make public statements until it was clear that the Government would not allow, as we asked it to do last week, any consideration of a change.

Originally the Opposition was told that that would not happen. That gave us an opportunity to raise these concerns publicly. But a very good approach has been taken by the Police Association and by this side of politics to try to achieve an outcome. At the end of the day that is what it is all about. We are drafting a bill that we hope and pray will protect police, will minimise the numbers of pursuits, will make it less attractive for drivers to consider not stopping, and will ensure that fewer people accidentally become involved by being at the wrong place at the wrong time during a pursuit.

I thank the Attorney General and his staff for their assistance and their openness to reform on this matter, and for reflecting our cooperation in a press statement issued earlier today by the Attorney General. The Skye case will forever remain in my mind as an example of why the New South Wales Legislative Council must exist. If we did not have the Legislative Council with its mix of people, and had the Minister for Police been the sole arbiter on the result, there would have been no amendments whatsoever. The Minister would have said, "No, I've got the numbers. Let's ram it through." Thankfully commonsense has prevailed in this Chamber and we have been able to correct what would have been redundant legislation. I know that many police officers will be very thankful from today onwards for the existence of the Legislative Council.

Unfortunately, that brings me to the behaviour of the Minister for Police. It is fair to say that he has not behaved in a fashion reflecting the bipartisanship that his Premier and her Attorney General have requested of members participating in debate on the bill. His earlier comments regarding changes to police pursuit laws

betray him first and foremost as a political operator with no regard for achieving positive legislative outcomes through cooperation. Today the Attorney General, the Hon. John Hatzistergos, and the Minister for Police, the Hon. Michael Daley, issued a joint press release. Three-quarters of the press release was written under the hand of the Attorney General, who talked about securing bipartisan support for changes to the Crimes Amendment (Police Pursuits) Bill 2010. He then said:

The Government will introduce an amendment to the bill, recommended to us by the DPP and supported by the Opposition and the Police Association...

He went on to say:

...the Government did not support a proposal put forward by the Opposition, but worked constructively with them to come up with a practical solution.

This is the sort of thing that the public want to see—politics being put aside in the best interests of the police. Whilst this press release was being circulated in the community, the Minister for Police in another place referred to me and my colleagues in the Legislative Assembly as "police bashers on the other side of the House". On a day of bipartisanship when the Police Force and the community looked for some degree of cooperation to get a good outcome, the poison, bitterness and frustration that courses through the police Minister's veins as a result of his incompetence spilled out in the Legislative Assembly. This person is not appropriately placed in the role of Minister for Police. He is incapable of recognising that he is not the font of all knowledge with regard to legislation in New South Wales or that front-line police know what they are talking about, and that when people speak on their behalf they do so in the firm belief that they are trying to make laws better. The bitterness, the diatribe and the frustration that showed in his contribution and in his refusal to withdraw that comment are indications of what is in store for us in the next 12 months. It is an absolute disgrace.

When I look at the press release that was written by John Hatzistergos and Michael Daley I see the warm comments by John Hatzistergos in the earlier part of the release and then the poison at the bottom, where once again Michael Daley shows his true colours. He said:

... the Government had discussed the changes with the Police and the Police Association to ensure the new legislation would be effective on the ground.

"By working with senior police and the Association, we've been able to come up with a form of words that will protect both our frontline officers and the community," he said.

Not once could he say that the Opposition played a role. What an absolute waste of paper that press release is. It is an absolute disgrace and so is the Minister. The sad thing is that he tries to portray himself as a tough guy; he is a dope. It saddens me that we are finishing debate today in this way when there should have been an opportunity to be proud of the work this House can do. However, we have a police Minister who is incapable of thanking all those who played a role and welcoming their efforts. John Hatzistergos can do it; that is why he is leader. The other guy is a complete waste of space.

I welcome the opportunity to say a few words about the legislation. I recognise that in their hearts and minds members of this Chamber who understand what it means to work with members on the other side of the House through our committees to get a positive result will surely be disappointed at the approach the police Minister has taken. Be that as it may, he has been irrelevant throughout the entire debate. He said we did not need change in New South Wales. He is irrelevant. This afternoon the only person in government who has been able to make a change is the Hon. John Hatzistergos. I am proud to say that we played a role in supporting the police in bringing forward necessary change in New South Wales. We do not oppose this legislation.

**Reverend the Hon. FRED NILE** [5.33 p.m.]: I support the Crimes Amendment (Police Pursuits) Bill 2010. The object of the bill is to create a new indictable offence of failing to stop a vehicle and driving the vehicle recklessly, or at a speed or in a manner dangerous to others, after becoming aware that police officers are in pursuit of the vehicle. It is very important that we have this legislation. There has been a great deal of controversy following some incidents recently where criminals have tried to evade apprehension by the police and have crashed into cars and killed innocent children and adults. That led to some criticism that the police were causing these accidents and therefore perhaps we should stop police pursuits altogether. I totally oppose that approach. I believe police pursuits are very important and that criminals must know that when they are identified they will be pursued until they are captured and put behind bars.

The bill will send a direct message to offenders that once they are identified and chased by police they need to pull over and stop, and not continue to try to evade the police and take risks by driving at high speed. It

is important that the bill has clearly stated penalties. The maximum penalty for the new offence will be imprisonment for three years for a first offence, or imprisonment for five years for an offence on a second or subsequent occasion. As has been stated by the Hon. Michael Gallacher, there is a problem in the bill with the wording in proposed section 51B, where it says that the driver of the vehicle "knows that police officers are in pursuit of the vehicle and that the driver is required to stop the vehicle". Obviously, a criminal would not admit that he knew police officers were in pursuit and could try to evade the penalties in the bill. I am pleased that the Hon. Michael Gallacher, with the cooperation of the Attorney General, the Hon. John Hatzistergos, been able to get agreement on the amendment that will be moved in Committee. It will change the wording to read, "knows, ought reasonably to know or has reasonable grounds to suspect". Hopefully that will meet the need, but there are always clever lawyers who may try to find a way around that. I do not believe that will happen. There are also consequential amendments, including automatic licence disqualification for drivers convicted of the new offence. The penalty is three years for a first offence and five years if it is the offender's second or subsequent major traffic offence within a five-year period. I am pleased to support this positive bill.

**The Hon. SHAOQUETT MOSELMANE** [5.37 p.m.]: I speak in support of the Crimes Amendment (Police Pursuits) Bill 2010. The bill amends the Crimes Act 1900 to support the valuable work of the New South Wales Police Force in keeping our roads safe. It will act as a powerful deterrent to the sort of behaviour that we see too often, sometimes with tragic consequences. The people of New South Wales expect the Police Force to keep the roads safe, and Parliament to support them. That is what we are doing today. Anyone who is irresponsible enough to try to flee police is putting everyone at risk. Such behaviour deserves our condemnation and it is appropriate that the Crimes Act reflect that condemnation.

The new offence will have a maximum penalty of three years imprisonment for a first offence, and that is appropriate. I note that the offences of dangerous driving occasioning grievous bodily harm and occasioning death are both aggravated where the accused was driving the vehicle to escape pursuit by a police officer. People who flee police endanger the rest of the community. There is no reasonable excuse for it. The bill and the offences it creates will send these reckless and irresponsible individuals a clear message. It also lets police know that we support them and that not obeying a lawful direction to stop is never an option. Police pursuits are always conducted in a way that maximises public safety. Police abide by strict guidelines. They are well trained and diligent in their driving behaviour, but this has not been enough. Relying on police doing the right thing has not deterred offenders from doing wrong, and the law-abiding community has suffered as a result. The offences in the bill will make people think twice before they disobey a police direction. I commend the bill to the House.

**Ms SYLVIA HALE** [5.39 p.m.]: The Greens oppose the Crimes Amendment (Police Pursuits) Bill 2010, which seeks to introduce new indictable offences for failing to stop a vehicle and driving a vehicle recklessly, or at speed or in a manner dangerous to others after becoming aware, or being deemed to be reasonably aware, that police officers are in pursuit of the vehicle. The maximum penalty will be three years for a first offence and up to five years for any second or subsequent major traffic offence within the five-year period. The Greens submit that these new offences add little to the existing offences under the Crimes Act. Section 39 of the Law Enforcement (Power and Responsibilities) Act 2000 provides a penalty for failing to stop or comply with a police direction or signal.

Section 10 (5) of the Police Power (Vehicles) Act 1998 provides that a person must not, without reasonable excuse, fail or refuse to stop a vehicle that a person is driving when directed to do so by a police officer, or fail or refuse to comply with any other direction given by a police officer. This offence carries a maximum penalty of 50 penalty units or 12 months imprisonment, or both. An offender may already be punished by a fine and up to 12 months in prison. The Government needs to tell us why 12 months in jail, plus hefty fines, plus a probable loss of licence is an insufficient deterrent. The Government claims that this bill has come about following the death of 19-month-old Skye Sassine caused by fleeing armed robbers during a police pursuit on New Year's Eve 2009.

The provisions of the bill, however, are not applicable to that situation. The alleged armed robber responsible—the driver of the vehicle in that incident—is facing charges of manslaughter, dangerous and negligent driving, three counts of robbery, attempted carjacking, violating parole, and being an unlicensed driver. Under the Crimes Act, dangerous driving occasioning death is an aggravated offence if the death or injury comes about during a police pursuit. In relation to the Skye Sassine death, however, the more serious charge of manslaughter has been applied rather than that of dangerous driving occasioning death. If the accused is found guilty he will go to jail for a period much longer than three to five years. The bill we are debating tonight is simply irrelevant to the circumstances surrounding Skye Sassine's death.

No-one doubts the sincerity of the community's outrage at Skye Sassine's death, or the grief felt by her family. Indeed, as the grandmother of a two-year-old child, I can appreciate just how they are feeling. However, I question the sincerity and the motives of the Government and the Opposition in introducing the bill. It reeks to me of a hypocritical attempt to gain political advantage from private suffering by proposing measures that do not address the circumstances of Skye's death, in the full knowledge that multiple penalties currently exist that are applicable to the circumstances surrounding her death. I understand that the Opposition police spokesperson first proposed this measure and the Government, determined not to be outdone, came up with this bill. With this bill the major parties want to be doing something. It is a headline-grabbing approach, yet it will not have any bearing on the most serious incidents relating to police pursuits.

I note how selective the Government has been about taking the advice of the Police Association. It states that it is heeding and responding to advice from the Police Association, but this morning's *Sydney Morning Herald* reports that the Government has declined to act on the association's advice that it should stem alcohol-related violence by imposing closing times on hotels. It appears that the interests of those munificent donors to the Australian Labor Party, the Australian Hotels Association, are more influential than the opinions of the Police Association when it comes to liquor. That seems to be the opinion of Mr Peter Remfrey of the Police Association. The bill proposes a new offence. However, we already have at our disposal the following indictable offences in the Crimes Act: predatory driving, dangerous driving occasioning death, aggravated dangerous driving occasioning death, dangerous driving occasioning grievous bodily harm, aggravated dangerous driving occasioning grievous bodily harm, failing to stop and assist after vehicle impact causing death or grievous bodily harm, manslaughter, and murder.

The bill proposes a new offence but, as I have said, we already have all these potential charges at our disposal. In addition, in the road transport legislation, the Police Powers (Vehicles) Act and the Law Enforcement (Powers and Responsibilities) Act, we find further relevant offences: negligent, furious or reckless driving; menacing driving; ignoring speed limits; ignoring traffic control signs; and not complying with a reasonable police direction or signal. There are many others, all of which attract penalties and/or jail sentences. Do we need a new offence in relation to police pursuits? The Greens submit that we do not. In an instance when someone takes off after being told to pull over, not complying with a police direction or signal is already an offence, occasioning jail of up to 12 months. Speeding is also an offence, as is dangerous driving. If someone takes off from a police pursuit and drives dangerously, that already potentially is an offence occasioning jail. If he or she injures or kills someone during a police pursuit that already is an offence occasioning jail. If it happens during a police pursuit it is considered in law to be an aggravating factor resulting in a heavier sentence. Section 52A (7) (c) of the Crimes Act reads:

**(7) Circumstances of aggravation**

In this section, *circumstances of aggravation* means any circumstances at the time of the impact occasioning death or grievous bodily harm in which:

- (c) the accused was driving the vehicle to escape pursuit by a police officer ...

Penalties of between 11 and 14 years apply for aggravated offences. So a failure to stop when being pursued when injury or death is occasioned to some third party already adds up to a jail sentence. The Greens also note that manslaughter and murder are other charges that can be, and have been, laid. The Attorney General argues that this bill is aimed at those who ignore police directions to stop in a pursuit situation and who do not kill or injure anyone but who drive dangerously. The Greens submit that the existing laws address that situation, with penalties of up to 12 months in jail, plus possible fines and a loss of licence. Three years in jail is simply too harsh for a young driver who panics, or a drunk driver who fails to stop. Many of the Government's harsh penalties are just for show, as judges are reluctant to impose maximum sentences if they feel that they are inappropriate.

Under this bill, a young person who has stolen a car and who then takes off and crashes into a pole and grievously injures himself or herself may also then be jailed for three years if a police car was in pursuit. In January this year in Bathurst two teenagers were injured following a police pursuit of a stolen car that was speeding. When the vehicle failed to stop as directed, a short pursuit ensued and after less than a minute the Toyota Corolla left the road and struck a power pole in Rocket Street. The 16-year-old and the 13-year-old were taken to hospital with serious injuries. This is an all too common outcome. Young males, being what they are, almost inevitably will panic. They do not have the necessary driving skills and usually crash the car before travelling too far.

Will a three-year jail term be a deterrent and change that scenario? Are young people in this category really aware of the penalties that might ensue? Do they read the Attorney General's media releases? Do they even think through the consequences of their actions? There is adequate evidence to show that the brains of young men usually are not mature until they are at least 25 years of age. Prior to that time they do not really appreciate the consequences of their actions. In any case, the fact that they speed away suggests that they believe they will be able to escape capture. Increasing the maximum penalty from 12 months to three years, or possibly five years, will have no impact, given that that is their belief. Would it not be more productive to reconsider the use of police pursuits for relatively minor crimes?

In the 10 years since the 1994 Staysafe inquiry into police pursuits, according to the Coroner, police chases have been linked to the deaths of at least 54 people. By 2003 police pursuits were almost double the rate in 1994, up to 2,459. Innocent people can be killed or maimed during police pursuits of offenders for crimes such as speeding or car theft. Is it worth it? The relatives of those innocent persons killed may not think so—some have said as much in the media. We should discourage police pursuits for minor property crimes because they can produce a worse outcome: the death of innocent third parties. Is it worth risking a person's life for the recovery of stolen goods? a 1983 study by the California Highway Patrol concluded that 29 per cent of vehicular pursuits ended in accidents, of which 1 per cent proved fatal. Some 28 per cent of those fatalities were innocent third parties who just happened to encounter the pursuit as unfortunate bystanders. The study commented:

Does recovering a stolen car justify putting anyone's life at risk, especially the lives of innocent third parties who just happen to be in the way of some kid who is running from the police in flat-out panic with his eyes glued to the rearview mirror?

We must ask ourselves that same question. I am advised that most police pursuits last less than eight minutes. Pursuits are left to the discretion of the police officer under direction from the duty officer. The police officer driving can be directed to terminate a pursuit at any time, and in 90 per cent of cases that will happen. Sometimes police will decide to pursue someone fleeing from a murder or armed offenders fleeing from a robbery, but the decision depends on traffic conditions. We are fooling ourselves by saying that this increase in penalty is aimed purely at young people to bring them to their senses. As much as the Greens wish people would not try to evade police and cause dangerous situations, this bill does little to achieve that end. Our laws adequately cover this type of offence. The penalties proposed in this bill do not apply when innocent persons are injured or killed as a result of police pursuits. Current laws cover those situations. Therefore, the Greens cannot support this bill, which is pre-election headline grabbing by the Government and the Opposition.

**The Hon. TREVOR KHAN** [5.53 p.m.]: The contribution from Ms Sylvia Hale bordered on the absurd. She revealed a complete misunderstanding of the nature of criminal law and of sentencing. This bill is not simply about specific deterrence or the individuals involved in the chase.

**Ms Sylvia Hale:** You have abandoned your principles.

**The Hon. TREVOR KHAN:** I hear her comments; she can have them on the record. Ms Sylvia Hale knows that I will stand on matters of principle on significant issues. But I am not blinded into a reactive response simply because she wishes to pander to the young vote. These are serious matters involving young people and cars. These are serious matters involving drivers who, for one reason or another, decide that they will escape from the police by jumping into a car. In many cases, a problem the criminal law has in dealing with driving offences—Ms Sylvia Hale referred to the offences of murder and manslaughter—is the difficulty of explaining to a jury the technicalities of those laws and getting convictions.

We have made a series of amendments to the Crimes Act dealing with serious driving offences that have not been prosecuted successfully under the existing criminal law regime. This bill is a mere extension of that process to ensure that people who do dangerous things with a dangerous weapon in the form of a motor vehicle are held accountable. Returning to my original point, this bill is not about deterring particular individuals from committing a specific driving offence. The concept of the bill is general deterrence and educating people that they are not to do this sort of thing. The bill contains a specific punishment for this offence. That is a legitimate exercise in sentencing. It is also a legitimate expectation of the public and a matter that this Parliament should pursue appropriately. The Greens' approach to this bill is reactive and, typically, is in pursuit of their own political agenda. We have an obligation to the people of New South Wales and to road users. That obligation will be met by proceeding with this style of legislation.

**Reverend the Hon. Dr GORDON MOYES** [5.56 p.m.]: I make a brief contribution to debate on the Crimes Amendment (Police Pursuits) Bill 2010 on behalf of Family First. The object of this bill is to create a new indictable offence of failing to stop a vehicle and driving the vehicle recklessly, or at a speed or in a manner

dangerous to others, after becoming aware that police officers are in pursuit of the vehicle. The bill also makes other consequential amendments, including licence disqualification. Discussion of the bill was prompted by circumstances surrounding the unfortunate death of Skye Sassine, who was killed when motorists fleeing a police pursuit struck the car in which she was travelling.

Since 1994, 60 people have died in police pursuits, including 19-month-old Skye Sassine. The bill creates a new offence under section 51B of the Crimes Act 1900 to target those who participate in police pursuits while driving in a reckless or dangerous manner. Existing offences for people who flee from police, including dangerous driving occasioning grievous bodily harm or death, carry maximum penalties of between 11 and 14 years. At the most serious end of the offences spectrum, a driver who kills another person during a police pursuit can be charged with manslaughter or murder. This new offence is designed for circumstances when an individual flees a police pursuit in a vehicle but no-one is injured or killed.

Specifically, the new offence will involve three elements: first, a person knows that police are in pursuit of their vehicle and that they are required to stop; secondly, they do not stop the vehicle; and, thirdly, they drive the vehicle recklessly or at a speed or in a manner dangerous to others. The maximum penalties for this offence are three years imprisonment for the first offence and five years for second or subsequent offences. The new offence also introduces automatic driver licence disqualification for three years for a first offence and five years for a second or subsequent offences. However, I concur with the concerns raised by the Leader of the Opposition in relation to schedule 1B, "Police Pursuits", which refers to:

The driver of a vehicle who knows that police officers are in pursuit of the vehicle and that the driver is required to stop the vehicle.

The Leader of the Opposition outlined in detail his proposed amendment, the Government's rejection of it through the Minister for Police and now the Attorney General's cooperation in accepting that amendment. The original bill was not workable while it contained a loophole requiring police to prove a driver knew that he or she was being pursued and required to stop. That loophole would have provided an opportunity for offenders to escape prosecution. The law must be changed that places the onus on the driver to prove that he was unable to obey the police direction to stop, or else there were good circumstances to suspect that he knew he was being pursued. I thank the Government for introducing this bill. I commend the Leader of the Opposition in the Legislative Council for his initiative. I commend the bill to the House.

**The Hon. PENNY SHARPE** (Parliamentary Secretary) [5.59 p.m.], in reply: I thank all members who contributed to debate. The Crimes Amendment (Police Pursuits) Bill 2010 supports the range of offences that already are available in New South Wales to deal with offenders who participate in police pursuits. The penalties attaching to the new offence reflect the seriousness with which the Government as well as the community as a whole regard the actions of those who put other road users at risk as a result of engaging in senseless behaviour.

During this debate the Greens argued that the legislation is unnecessary. Indeed, they suggested that the police should be barred totally from engaging in pursuits. I thought most people agreed that police must engage in pursuing offenders who are fleeing. To do otherwise is to give offenders the clear message that all they have to do is drive off, and the police will let them go. Pursuit of offenders is a vital part of modern policing. However, it is important that pursuits are conducted in a way that maximises public safety. For this reason, police pursuits are subject to very strict guidelines that incorporate safe driving strategies and identify the roles and responsibilities of officers who are involved in vehicle pursuits.

In 2007-08 the NSW Police comprehensively reviewed the safe driving policy following a review by the Ombudsman of compliance with existing policy. One would think that that would have been welcomed by the Greens. The majority of the Ombudsman's recommendations were supported by police and were adopted in the revised policy. The new safe driving policy was issued in August 2008. A key feature of the policy is that pursuits are considered to be a last resort. They will be used only when the gravity and seriousness of the circumstances require such action and there are no other immediate means of responding. Officers may engage in a pursuit only when there is reasonable cause to believe that the person being pursued has committed, or has attempted to commit, an offence and is attempting to evade police.

The New South Wales Police Force takes the conduct of pursuit extremely seriously and continuously monitors its pursuit management practices. Some of the allegations made by Ms Sylvia Hale during the debate were simply wrong. The strong message sent by the bill will serve to remind all drivers of the significant consequences of engaging in the type of conduct that leads police to a dangerous pursuit. Even if the pursuit

does not result in an action or injuries to others, offenders will face significant criminal charges. It is not a difficult concept to grasp: a person who has done something wrong and has the police chasing them should stop. I commend the bill to the House.

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

**The House divided.**

**Ayes, 25**

Mr Ajaka	Mr Lynn	Ms Robertson
Mr Catanzariti	Mr Mason-Cox	Ms Sharpe
Ms Cusack	Mr Moselmane	Mr Veitch
Ms Ficarra	Reverend Dr Moyes	Mr West
Mr Gallacher	Reverend Nile	Ms Westwood
Miss Gardiner	Mr Obeid	
Mr Gay	Ms Parker	<i>Tellers,</i>
Mr Kelly	Mrs Pavey	Mr Colless
Mr Khan	Mr Pearce	Ms Voltz

**Noes, 4**

Mr Cohen  
Ms Rhiannon

*Tellers,*  
Ms Hale  
Dr Kaye

**Question resolved in the affirmative.**

**Motion agreed to.**

**Bill read a second time.**

**In Committee**

**Clauses 1 and 2 agreed to.**

**The Hon. PENNY SHARPE** (Parliamentary Secretary) [6.11 p.m.]: I move:

No. 1 Page 3, schedule 1 (proposed section 51B (1) (a)), line 6. Omit "knows". Insert instead "knows, ought reasonably to know or has reasonable grounds to suspect".

The Government places on record that from the beginning the creation of the police pursuits offence, following the tragic death of Skye Sassine, has been an issue that should be above politics. In January the Premier met with the Opposition Police spokesperson to discuss his ideas on how to craft an offence that specifically targeted police pursuits. After the bill was introduced some concerns were raised and we were happy to go back to the table to work them out. Specifically, concerns were raised about the first element of the offence that the driver "knows that police officers are in pursuit of the vehicle and that the driver is required to stop". The concern was that it would often be too difficult to prove this knowledge.

It is essential that the offence contain what in law is called a mens rea element—that is, that the offence is committed with a particular mental state. The factual elements of this offence are that the police are in pursuit, that the person does not pull over as required and that they drive recklessly or dangerously. There are already offences of failing to stop and of driving recklessly and dangerously. The gravamen of the proposed offence is that the person both fails to stop and drives dangerously or recklessly in circumstances where police require him or her to pull over. This necessarily requires proof of a set of circumstances where any reasonable person would know he or she is required to pull over.

The South Australian offence, which was suggested as an option, requires it to be proved that the person "intending to escape pursuit ... or cause a police officer to engage in a pursuit" drives a motor vehicle

recklessly or dangerously. Proving that a person intended to escape pursuit or cause an officer to pursue them may in fact be very difficult. We decided quickly that this was not the way to go. The Queensland offence was also put forward as an option. The advice we received on that offence is that it has a number of elements that are quite difficult to prove. Our proposed offence as introduced was simple—drivers know that the police are pursuing them, they do not stop and they drive recklessly or dangerously.

As I said, the Government has worked hard to try to keep this issue above politics. We have listened to the concerns of the New South Wales Police Association and the Opposition and we have sought advice from the Director of Public Prosecutions to deal with those concerns. The Government would like to acknowledge the constructive approach taken by the Hon. Michael Gallacher. The amendment proposed keeps the knowledge element of the offence but also allows criminal responsibility to be imposed in circumstances where a reasonable person in the position of the accused would know that police were in pursuit and that he or she was required to stop the vehicle.

The first element of the offence will now be "a person who knows, ought reasonably to know, or has reasonable grounds to suspect that police officers are in pursuit and that they are required to pull over". The amended test for knowledge mirrors that in the offence in section 52AB of the Crimes Act of leaving the scene of an accident when a person knows or ought to know that the other person has been killed or seriously injured. The facts required to prove the person knew, ought to know, or had reasonable grounds to suspect they were being pursued will essentially be the same. It is, however, a lower threshold that allows a court or jury to decide that the person had reasonable grounds, when looking at all the circumstances, to suspect they were being pursued and were required to pull over.

The amendment operates to impute a level of responsibility to an accused person equivalent to that of a reasonable driver in the same circumstances. This will ensure that the offence appropriately captures drivers who engage police in a pursuit under these circumstances. This is a distinct amendment targeted at this type of conduct and the need to ensure an appropriate level of deterrence. I commend the amendment to the Committee.

**The Hon. MICHAEL GALLACHER** (Leader of the Opposition) [6.15 p.m.]: I indicate the Opposition's support for the amendment. I thank the Hon. Penny Sharpe for her very kind words and congratulate the Government on working collectively as a group, with a number of individuals, including the Opposition, in finally coming up with this amendment. I make three points about the amendment. What attracts me particularly with the amendment is that the first part refers to "know" in terms of knowledge. It identifies those who make admissions, where police can prove that the drivers knew that what they were doing was wrong.

The second part states, "ought reasonably to know". It relates to what I have said about people sitting for their driving test. This relates to licensed drivers—and it must be pursued—where they, as part of their test, know the consequences of their actions. Licensed drivers would be caught by this amendment because they ought reasonably to know; they have undertaken the driver's test and know the consequences of their actions. The third part of the amendment, which states "or has reasonable grounds to suspect", fits perfectly with unlicensed drivers where the prosecution can prove on reasonable grounds that the drivers should have known or suspected that police were trying to stop them in connection with their pursuit.

All three groups are covered by the amendment. I am pleased to support the amendment. As I have indicated, I trust it will address the issues that front-line police have raised with the Government and Opposition. I give an undertaking that if there are unperceived problems, because the amendment has some slightly unusual wording, we are more than happy to consider any further recommended changes that may arise in the future. However, I think this amendment pretty much nails it.

**Ms SYLVIA HALE** [6.17 p.m.]: The Greens oppose the amendment. It is consistent with our opposition to the Crimes Amendment (Police Pursuits) Bill 2010. More particularly, we are concerned because the amendment lowers the threshold and, by doing so, it increases the likelihood of someone being jailed. I have concerns because I was told only yesterday of a particular case that I believe is worrying. It concerned a motorbike rider who is riding by himself on a hilly but not particularly well-lit street. Admittedly that rider was doing about 10 or 15 kilometres over the speed limit—there is no question of that.

The rider was travelling along and suddenly was tailgated by a car with its lights on high beam. The car drove so close that it was almost impossible for the bike rider, even in the rear-vision mirror, to see even the outline of the car behind. The options were for the rider either to speed up and try to escape the car that was



tailgating or to slam on the brakes and run the risk of being run over by the car. The rider chose to speed up and pull into a lay-by. The car then pulled in behind. Only when both vehicles had stopped did the car turn on the siren and flashing lights. The motorbike rider was subsequently charged with failing to stop and exceeding the speed limit. When the matter goes to court, there will be the evidence of the rider against the evidence of the two police officers.

**The Hon. Michael Gallacher:** And the in-car video is there.

**Ms SYLVIA HALE:** I believe that at that time the in-car video was not activated.

**The Hon. Michael Gallacher:** It runs all the time.

**Ms SYLVIA HALE:** What I am saying—

**The Hon. Michael Gallacher:** Wrong answer!

**Ms SYLVIA HALE:** I can only relate the information that I was given, and I have no reason to doubt the honesty of the information. I am told that as a result of representations the charge of failing to stop was subsequently dropped, but I do not know whether that was because the video evidence showed that in fact the police had not used their lights and siren. Often these pursuits are conducted by young constables who are as much a risk to themselves as they are to other people. The Greens do not think it is appropriate to lower the threshold, which could result in people being sent to jail when in some situations the ability of people to defend themselves may not be great.

**Question—That the amendment be agreed to—put and resolved in the affirmative.**

**Amendment agreed to.**

**Schedule 1 as amended agreed to.**

**Schedules 2 and 3 agreed to.**

**Title agreed to.**

**Bill reported from Committee with an amendment.**

#### **Adoption of Report**

**Motion by the Hon. Penny Sharpe agreed to:**

That the report be adopted.

**Report adopted.**

#### **Third Reading**

**Motion by the Hon. Penny Sharpe agreed to:**

That this bill be now read a third time.

**Bill read a third time and returned to the Legislative Assembly with a message requesting its concurrence in the amendment.**

#### **ADJOURNMENT**

**The Hon. PENNY SHARPE** (Parliamentary Secretary) [6.24 p.m.]: I move:

That this House do now adjourn.

#### **SYDNEY GAY AND LESBIAN MARDI GRAS**

**Reverend the Hon. FRED NILE** [6.24 p.m.]: Tonight I wish to speak about the New South Wales Government's homosexual and lesbian Mardi Gras parade, which was held on 27 February 2010. Why do I call

it the New South Wales Government's Mardi Gras parade? I have obtained sufficient information about the involvement in the parade of so many government departments, government equipment, government vehicles and government staff in uniforms, to give one the impression that it was sponsored by the New South Wales Government. I believe that what goes on in the Mardi Gras parade is not supported by the community. Obviously, the parade can be held but it should not have official government involvement and endorsement in this way, particularly when men are dressed as Catholic nuns calling themselves the Sisters of Perpetual Indulgence, other men are dressed as church bishops wearing large crosses on their dresses, and other men are almost naked carrying only leather straps and other unfavourable material.

Indeed, one float, which I assume related to the Muslim community, showed Bin Laden as a hero waving to the crowd as if he was the guest of honour at the Mardi Gras parade. I am sure both Muslims and non-Muslims would not have been impressed with that presentation. Why do I call it the New South Wales Government's Mardi Gras parade? Because a large number of Government vehicles and uniformed staff took part as the parade proceeded along Oxford Street. First, New South Wales RailCorp officially promoted the Mardi Gras parade on Sydney's railway stations with large posters. Who authorised and paid for that promotion? Who paid for the posters? I assume they were paid for by RailCorp. I am sure rural members of the Rural Fire Service would not have been happy to see the participation of a Rural Fire Service vehicle with staff in uniform in the parade. Who gave approval for that? To round it off, a government-owned Sydney bus with a driver in uniform took part in the parade. I believe it endangered many participants who were dancing in the parade. There was a government bus in the midst of pedestrians on Oxford Street who were dancing and taking part in various group activities. Who gave approval for the bus to be used in the parade? Who paid the expenses for the government vehicles and staff who participated in the parade? Were the uniformed staff paid? Were they on leave? I assume that they were being paid.

Also in the parade was a group of New South Wales police officers marching as a unit. They were fully equipped with their normal police uniform. Were they on duty? Were they paid? Were they covered by workers compensation if there was an accident in the parade? Was their participation approved by the Commissioner of Police or the Minister for Police? I believe the New South Wales Police Association would have had questions about that. Then there was a large group of people in uniform who claimed to represent New South Wales surf clubs. Did New South Wales surf club organisations approve their official participation in the parade? Who gave that permission? It is also disappointing that the program contained a commendation from the Prime Minister, Kevin Rudd, which set a precedent. That did not happen with the previous Prime Minister. As well, the Lord Mayor of Sydney was proud to be treated as the guest of honour in the parade. I call on the Government to disassociate itself from the Mardi Gras parade. [*Time expired.*]

### **AUSTRALIAN ARAB BUSINESS NETWORK**

**The Hon. SHAOQUETT MOSELMANE** [6.29 p.m.]: Last night I had the pleasure of having conferred on me honorary membership of the Australian Arab Business Network. I joined the ranks of distinguished people such as the Arab ambassadors and colleagues such as the Hon. John Ajaka and the Hon. Jason Clare, MP. The Australian Arab Business Network is a network of businesses predominantly within the Australian Arabic community. The network is not specific to Australians of Arabic-speaking backgrounds; it is an inclusive organisation. It is a non-political, non-religious and not-for-profit organisation. Its membership includes the likes of Arab Bank Australia, Sam the Paving Man, Yellow Pages, Advanced Timber, Ella Rouge, MTC Work Solutions, WK Marble, Merhis Constructions and more than 120 other businesses, from a small corner shop to multimillion dollar businesses.

One active network member, Ella Rouge Beauty, had only last year won the National Ethnic Business Award against 1,500 other applicants nationally, and some other members won many local and international awards. Many of the network members are applying innovative approaches, including eco-friendly solutions to their business applications, and some had ventured only recently into export marketing, mainly in the Middle East. I dare say that members of this network, with their business knowledge of both the Arab world and Australia, would provide a strong drive for further trade between New South Wales and the Middle East. I am informed that even with the exclusion of members such as the Yellow Pages and the Arab Bank the collective worth of the network is around \$1.4 billion, with the network employing well over 1,500 people and continually growing.

The Australian Arab Business Network was established five years ago by a handful of Australian business people of Arabic speaking background. According to its literature and affirmed by its actions, it is essentially a business referral and support network. It provides a monthly forum for exchange of information,

ideas, support, friendship and business referrals in a climate of honesty and respect. Through its members the network could also provide employment opportunities for our youth and support for worthwhile community projects stretching to the wider Australian community.

In fact, the network participated actively in the recent Bankstown Jobs Expo, which was organised by Centrelink, and advertised 55 vacancies through its members. It is an active vehicle for the provision of employment and the exchange of expertise and skills. The network has become a focal point of trade and investment between the Arab world and New South Wales, and has opened lines of commerce to members and the community at large that would not have been easily available.

At last night's meeting members received a very insightful presentation by the Arab Bank on the state of the Australian economy and how Australia is faring against the rest world. Previous topics covered export-import procedures, succession planning, branding, marketing, and so forth. One of the activities that is currently being considered by the network is the establishment of a family clubhouse, which could provide sporting, recreational, social and business activities. The network had also initiated two business awards, one for members and another for entrepreneurial young business persons who have shown leadership, innovation, drive and good management. The winner of each category receives \$4,000 worth of prizes and is promoted as a showcase and good role model for aspirants and existing business people. The awards will be presented at a special gala dinner that I will have the privilege of attending with some of my colleagues on Saturday 20 March 2010.

At the meeting last night I met close to 120 business people who work across a range of industries, including building and construction, finance, legal, media, food supplies, manufacturing, beauty, employment and training. The network and its members are conscious of their social and corporate responsibilities. They have been at the forefront of making a contribution to causes such as the Victoria bushfire appeal. They are to be commended for their generosity. They also took the initiative to support a university student to attend a youth parliamentary leadership conference in The Hague last year. The network also hosted a student delegation from King Fahd University who were visiting New South Wales on a manufacturing tour of Australia.

Once again I take pride in associating with the Australian Arab Business Network, and I have confidence in its leadership to drive the business for its members and that of the New South Wales community to a much larger scale. The network provides an excellent opportunity for networking, and for meeting and interacting with many businesses in New South Wales and Australia.

## **WOLLONGONG HAWKS BASKETBALL TEAM**

### **ILLAWARRA ECONOMY**

**The Hon. GREG PEARCE** [6.34 p.m.]: Tonight I draw to the attention of the House a matter of great importance to the people of the Illawarra and, I am sure, the people of New South Wales in general. I refer to the fantastic success to date of the Wollongong Hawks in the National Basketball League. Members may be aware that the Hawks are in Perth at the moment preparing for tomorrow night's final, and they are looking at winning the title. We certainly wish them well in that quest. That follows their game in Perth last Friday when they narrowly lost 75 to 64, but they rebounded on Tuesday night in Wollongong to win 75 to 63. The contest is very close. The game in Wollongong was watched by a magnificent crowd of nearly 6,000 people.

The Leader of the Opposition, Barry O'Farrell, is a great fan of the Hawks. He made a couple of comments about the Hawks in the other House yesterday, including congratulating Cam Tragardh, who scored 28 points in Tuesday night's game, eight of which were in the last quarter. The success of the Hawks is a matter that receives bipartisan support. I am pleased that the Minister for the Illawarra has also wished the team well in tomorrow night's final and congratulated the captain, Mat Campbell, and also the coach, Gordie McLeod.

Members may be interested to read today's *Illawarra Mercury*, which took the unusual course of recognising many of those behind the team. The newspaper acknowledged locals such as Mili Simic, the Hawks operations and marketing manager; Kerry Lawrence, the team's massage therapist; Angus Glover, who is 11 and is the floor sweeper; Doug Sweeney, the sales and partnership manager; Kerry Hayes-Williams, the head statistician; Jess Tory, the membership and events manager; Anita Bout, the Hawks physiotherapist; David "Macca" McFarland, the court announcer; Yvonne White, the finance and administration manager; and Wayne Morris, the Hawks chief executive officer. I think our main gratitude should go to young Lachi McFarland, who is part of the team's support staff. Lachi said that his role is to warm up the hoop and give the players high fives. Well done, Lachi!

Unfortunately not everything is great in the Illawarra at the moment. Amongst other things, we are seeing the very poor delivery of the National Housing Stimulus package, with some poorly considered developments in the Illawarra, where the Government is pushing forward with projects without community consultation and without involving local councils, and sidelining councils and using special powers to approve housing developments. One such development is in Kiama, where there is a need for housing for elderly people, but the complex that was proposed for Kiama was certainly not supported by the local council. Another housing development is in Market Street. Initially it was to be two buildings six metres apart with, I think, 56 units. Fortunately the development has now been reduced to one building. At least the Government has listened on that count.

The people of the Illawarra continue to be taken for granted by the Government. One has only to look at the traffic jams on Mount Ousley and the Government's failure to get on with the West Dapto strategy, which is a major part of growth in the area. But the biggest problem, and the one I keep coming back to, is the unemployment situation in the Illawarra, particularly youth unemployment. Before Christmas we were told that estimates of unemployment in the Illawarra were up to 8 per cent, with Wollongong unemployment up to 10.3 per cent. Job creation has become a matter of great concern in the Illawarra. Before Christmas a report indicated that in the five years to 2006 only 11,387 extra jobs were created in the Illawarra, compared with the 25,000 jobs created in the Hunter. The jobs figures that came out earlier this month showed a loss of 1,420 jobs in the Illawarra during the month of January.

We then had a visit from Maxine McKew, who managed to suggest that the Government was building 44 social housing homes at Jaspers Brush. She was embarrassed when the newspapers pointed out what was actually happening. Tomorrow night also marks the beginning of the National Rugby League competition. As a long-time supporter of St George Illawarra, I say: Go the Dragons!

#### **TRIBUTE TO ROBERT RICHARDSON SMITH**

**Reverend the Hon. Dr GORDON MOYES** [6.39 p.m.]: I pay tribute to the Reverend Robert Richardson Smith, who died on the 12 December 2009 at the age of 91. Robert Richardson Smith was born on 22 October 1918, during the last year of the First World War, to Mary and Samuel Smith of Newcastle West, where both branches of his parents' families had been established for many generations. Robert was a young teen during the Great Depression, and it forged in him indelible memories of the social and economic desperation he had seen personally. He told stories of the other children at school with no shoes, wearing shabby clothes, and going without sufficient food. Most of their fathers were unemployed—but not his, and he knew how lucky his family was. Robert was always conservative with money and advised people not to be complacent, reminding others that the events of the Depression could happen again one day.

Robert's family were devout Methodists who attended church services every Sunday. When he completed school he commenced working at BHP, as his father had done for many years. While working at BHP he received the call to commit his life to Christ and to enter the Methodist ministry. He earned the Melbourne College of Divinity Diploma of Religious Education and Licentiate of Theology. He was ordained in Wesley Chapel in Sydney in 1949. As a young man, Robert was particularly inspired by the ministry of the late Reverend Dr Sir Alan Walker, who was my immediate predecessor as superintendent. His first appointment following ordination was to Milton on the south coast of New South Wales. From that appointment, he held an evangelical zeal and a deep conviction to make a difference in people's lives.

From Milton he was appointed to the Wollongong circuit where he met Miss Dorothy Mae Crux, an active member of the Port Kembla Methodist Church who worked as a nurse at Wollongong Hospital. They were married in 1949 and enjoyed more than 60 years of marriage. Following this term at Wollongong, his appointments thereafter were to Dunoon on the far north coast of New South Wales, Mudgee, then a return to Newcastle to Hamilton Wesley Church in 1957. His stay at Hamilton Wesley was a particularly happy time. It was a large, dynamic church and it prospered and expanded under his far-seen ministry. Then he moved on to Chatswood South Methodist Church in 1963. Robert later transferred from normal church ministry to the Department of Home Mission. He undertook a number of overseas preaching and study tours in 1966, being away half that first year in the United States of America, the United Kingdom and Western Europe.

While in the United States he became a very strong supporter of the Civil Rights Movement and was deeply inspired by the work and preaching of the Reverend Dr Martin Luther King, Junior. Robert also admired the ministry of Reverend Billy Graham. In the late 1960s Robert was appointed General Superintendent of the Department of Home Mission of the Methodist Church, which later evolved into the Board of Mission of the

new Uniting Church with him as general secretary. He remained in that important position for 17 years. In the mid 1970s Robert Smith invited me to come from Victoria, where I was ministering, to New South Wales to give a series of lectures to Methodist, Presbyterian and Congregational ministers on the subject of my book entitled, *How to Grow an Australian Church*. Those seminars were my first introduction to those churches in New South Wales. Robert was one of the key architects of the merging of the Methodist, Congregational and Presbyterian Churches into the Uniting Church in Australia. In 1975 he was appointed President of the New South Wales Council of Churches for three years.

After nearly 20 years on the Board of Mission he returned to a parish ministry at Castle Hill in the mid-1980s. He officially retired from the ministry of the Uniting Church 20 years ago, but then immediately after retirement was invited to be an Associate Minister at St Stephen's Uniting Church in Macquarie Street, opposite Parliament House, for a short-term position that actually continued for the next 10 years. He sat on the Board of the Wesley Mission for 41 years, and in 2005 after I had shared with him for 25 years, I presented him with the Superintendent's award for all those years of service and dedication. My friendship with him for more than 35 years was always cordial and appreciative. Robert Richardson Smith was an immensely positive and driven person. He lived a very long and full life. He died peacefully at home with his wife beside him, just as she had been for 60 years. I admired him greatly. He made a great contribution to the Australian Christian church life. I know he would have been greeted at the gates of Heaven with the words, "Well done, good and faithful servant".

## PUBLIC EDUCATION

**The Hon. LYNDIA VOLTZ** [6.44 p.m.]: On the 8 February, Ross Cameron, the former Liberal Federal member for Parramatta, wrote an opinion piece in the *Sydney Morning Herald* which cannot go unanswered. In it he stated:

The comprehensive public school classroom is an unreformed rotten borough of public policy and that The My School website represents the first significant, successful reform of the Rudd/Gillard era and a welcome departure from decades of union resistance to desperately needed educational change.

Other than his departure from the views of those on the other side of the Chamber, his adherence to the My School website as the Holy Grail of education is somewhat baffling. What does the My School website tell us? It tells us that selective schools do very well. I defy anyone who is surprised by that to put up his or her hand. It also tells us that boys in year 9 do not perform as well as girls. I suspect that there is a plethora of reports and studies at the Department of Education and Training that also reflect this—testosterone kicking in may have some influence here. It may also tell us that students at schools such as Epping Boys' High School and Cheltenham Girls' High School do remarkably well. This will come as no surprise to parents who move to catchment areas specifically to have their children in those excellent public comprehensive schools.

My alma mater, Birrong Girls' High School, appears to swim mid stream. But then of the 40 or so schools it is listed as being compared with, only three are in New South Wales, none of which are girls' schools, but co-educational schools, and one of them is in Broken Hill. I am much more impressed by its Higher School Certificate results last year when Birrong Girls' High School had 12 students on the honour roll. For me this is the real indication of the school's success. When I was a student at the school one would be lucky to have 12 students completing the Higher School Certificate. While the selective school model delivers for the brightest, it is a fallacy to say that the comprehensive schools do not. The results of Birrong Girls' High School in the Higher School Certificate, which is grouped with Doonside, Strathfield South and Broken Hill high schools and a whole lot of South Australian and Queensland schools for some bizarre reason, contradict this.

Even more astounding is Ross Cameron's claim that the public school system is the only piston not firing in the education system. Whilst Ross Cameron is correct that the removal of the best and brightest can particularly impact on schools, leaving the teachers at the comprehensive public schools to deal with the problem students, private schools should also wear significant blame. He cannot seriously think that private schools are not experts in channelling their underperformers to the public education system. Far from comprehensive schools being the non-performing piston of the education system, they are the only schools prepared to deal with every parent's child and are therefore the only piston running at full steam.

Ross Cameron's assertion that selective schools are full of students from Asia and the subcontinent because they can avoid shelling out 50 times that amount to gain access to the quality of teaching and peer groups they want for their children also raises big question marks. Does that infer that all the clever Anglo kids are still in the public system? It also shows his complete lack of understanding of the migrant experience of this

country. Many immigrants to our shores come from poor countries where access to education is limited, particularly for girls. They know above all else that education is the key to their children's future, which they hope to make better than their own. They dedicate significant time and energy to helping their children to achieve the best they can from a world-class education system.

What is Ross Cameron's alternative? Is it to remove parents' ability to choose which local public school their children can attend? a student attends the school in the catchment area, and that is that. I appreciate that some schools are going to require additional resources and assistance, particularly in areas taking the brunt of immigrants from war-torn countries such as Sudan, but unfortunately until 2012 significant amounts of Federal funding is going to private schools. And whom do we have to thank for that? It is the Howard Government and the former member for Parramatta, Ross Cameron, not the militant feminists from the teachers union, as Ross Cameron described them. And a word to the wise, Ross, I think you will find that a plethora of principals are male. Men do not seem to have vacated the field of teaching completely.

The Productivity Commission's "Report on Government Services 2010", which was released recently, showed New South Wales was leading the nation with the most efficient and best-performing public school system. New South Wales was among the top three performing jurisdictions for every year and subject in the National Assessment Program—Literacy and Numeracy [NAPLAN]. In 2008 the rate of New South Wales students from low socio-economic backgrounds completing year 12 was the highest in Australia. These are achievements of which we can be proud, which the teachers and principals of the New South Wales education system have delivered.

#### **NARCOTICS ANONYMOUS SYDNEY COMBINED AREAS CONVENTION**

**The Hon. MARIE FICARRA** [6.49 p.m.]: I was delighted to attend the Narcotics Anonymous Sydney Combined Areas Convention in October 2009 at the Australian Technology Park, Redfern. It was a weekend of positive contributions and interactive sessions at which I learned a lot about a subject that I was quite inexperienced in. I was very moved by the many personal stories of recovery from drug and alcohol addiction, the loss of self-esteem, the loss of relationships with family and friends, and the loss of regular income, housing and health status. I was warmly welcomed as were many other community guests.

Narcotics Anonymous is proud to be self-funding: it seeks no government monies. When I asked where the funding came from I was very surprised when its members adamantly replied they would never look for any government funding. Narcotics Anonymous believes in its member's own abilities to get their lives back on track, to live their lives interacting positively with those around them, resisting the forces that may wish to drag them back down, and opening their hearts to others and to a higher power.

Narcotics Anonymous representatives have graciously agreed to come to the New South Wales Parliament on Thursday 22 April 2010 to address members of Parliament, parliamentary officers and any staff member who would like to learn more about the great work done by Narcotics Anonymous volunteers in our community. I will proudly co-hosting that event with the Hon. Greg Donnelly. Narcotics Anonymous is a non-profit, international, community-based organisation for recovering addicts that is active in more than 60 countries. Around 400 weekly meetings are held in Australia. Narcotics Anonymous sprang from the Alcoholics Anonymous program of the late 1940s in the United States of America. Narcotics Anonymous books and information pamphlets are available in 34 languages. There are more than 50,000 registered weekly meetings in more than 60 nations worldwide.

All those who feel they may have a problem with drugs, legal or illegal, including alcohol, are welcome at Narcotics Anonymous. Anonymity allows addicts to attend meetings without fear of legal or social repercussions, and supports an atmosphere of equality in meetings. The primary approach to recovery by Narcotics Anonymous is the belief in the therapeutic value of one addict helping another. Members take part in Narcotics Anonymous meetings by talking about their experiences and recovery from drug addiction. More experienced members, known as sponsors, work individually with newer members. Working closely with other members, addicts learn to stop using drugs and face the challenges of daily living. Meetings or presentations are also provided in hospitals, jails, addiction treatment facilities, detoxification centres and other institutions.

Narcotics Anonymous is not a religious organisation, but it teaches basic spiritual principles such as honesty, open-mindedness, faith, willingness and humility that may be applied in everyday life. Members make an individual decision to join and recover at their own pace. Narcotics Anonymous conducted an Australian regional membership survey in 2007. Some of the results of that survey showed that 14 per cent of members had

been attending Narcotics Anonymous meetings for 20 years or more and 52 per cent had been attending for more than five years. Approximately 65 per cent of Narcotics Anonymous members were able to hold down regular or part-time work whilst attending the program and 57 per cent were able to complete a trade, TAFE diploma, associate or Bachelor degree whilst attending Narcotics Anonymous. Family relationships, social connections, hobbies and interests, education, employment and housing outcomes improved significantly with attendance at Narcotics Anonymous. The age at which drug use started was 10 to 15 years for 62 per cent of addicts and 15 to 20 years for a further 27 per cent.

Clearly more emphasis is needed on educating our youth as to the dangers of addiction and the benefits of a healthy physical, emotional and social lifestyle. It will be valuable to analyse the current statistics taken from the convention weekend attendance and beyond to track what is working well and what may need to be improved upon to increase the Narcotics Anonymous rate of full recovery from drug and alcohol addiction in Australia. I congratulate the selfless work and healing of those involved with Narcotics Anonymous.

**Question—That this House do now adjourn—put and resolved in the affirmative.**

**Motion agreed to.**

**The House adjourned at 6.54 p.m. until Tuesday 16 March 2010 at 2.30 p.m.**

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