

LEGISLATIVE COUNCIL

Friday 14 October 2011

The President (The Hon. Donald Thomas Harwin) took the chair at 9.30 a.m.

The President read the Prayers.

BUSINESS OF THE HOUSE

Formal Business Notices of Motions

Private Members' Business item No. 301 outside the Order of Precedence objected to as being taken as formal business.

AUSTRALIAN DOCTORS ORCHESTRA

Motion by the Hon. Marie Ficarra agreed to:

1. That this House notes:

- (a) that on 18 September 2011, in the presence of Her Excellency Professor Marie Bashir, AC, CVO, Governor of New South Wales, the Australian Doctors Orchestra conducted a charity performance in aid of Youth Off The Streets and Westmead Children's Hospital;
- (b) that the Australian Doctors Orchestra was founded in 1993 and since that time has generously raised funds for the Multiple Sclerosis Society, the Victorian District Nursing Service, the Fred Hollows Foundation, the Malcolm Sargent Cancer Fund, the Melanoma and Skin Cancer Research Institute, Glaucoma Australia, the Australian Craniofacial Foundation, the Brainwave Neuroscience Centre, the Royal Children's Hospital, the Tascare Society for Children, the Tasmanian Association of Disabled Persons, the Princess Alexandra Hospital Fund, the Australian Rotary Health Research Fund, the Cancer Foundation of Western Australia, the Victorian AIDS Council, the Cystic Fibrosis Foundation, the Heart Foundation, Arthritis Australia, the Lung Foundation, the Cystic Fibrosis Association and Australian Rotary Health; and
- (c) the extraordinary work of the Founder and Life Member of the Australian Doctors Orchestra, Miklos Pohl, the 2011 Committee and the New South Wales Organising Committee, including:
 - (i) the Australian Doctors Orchestra Committee: President, Rowan Thomas; Vice President, Michaela Mee; immediate past President, Mike Eaton; Treasurer, Philip Griffin; Secretary, Rick McQueen-Thomson; Librarian, Phillip Antippa; Membership Secretary, Lindy Clarke; Database Manager, Richard Hunter; Video and Sound Director, David Pugsley; Brass Manager, Stuart Paige; General Committee Members, Richard Hartley, Anne Bicknell, Heather Crockart, Adam Bystrzycki, Freya Summons and Cathy Fraser; and Australian Doctors Orchestra representatives Victoria Cox, Gunar Daniel, Kate Cherry, Fay Johnston, Malcolm Grenness, Libby Newman, James Lie, Kathy Garra and John Roberts;
 - (ii) the New South Wales Organising Committee: Bonnie Fraser, Adrian Sheen, Alanna Horadam, Tasmasin Meller, Diana Wong, Linh Ly, Gunar Daniel, Lizzie Davis, Katriona Herborn, Debbie Hill, James Smith and Vivian Wang; and
 - (iii) the major sponsor of the Australian Doctors Orchestra, the B. Braun Australia Group; other sponsors the City of Sydney, Avant, Medical Observer, Investec Medical and Dental Finance, and Hitchings Pianos; and donations of use of equipment from the Australian Youth Orchestra, North Sydney Girls High School and the Arts Unit of the NSW Department of Education.

2. That this House congratulates:

- (a) the Australian Doctors Orchestra on its continued selfless contribution to charities across Australia and raising in excess of \$30,000 for Youth Off The Streets and the Westmead Children's Hospital; and
- (b) the members of the orchestra, comprising: Conductor, Warwick Stengards; Soloist, Benjamin Martin; Host, Simon Marnie; Concert Master, Richard Keuneman; Principal Performers Andrew Kennedy, Rowan Thomas, Phillip Antippas, Janis Svilans, Tasman Armytage, Ajay Lyengar, David Fulcher, Melissa Davidson, Lawrence Ong, David Worsnop and Bonnie Fraser; and all performers on their excellent concert.

WARRANE COLLEGE**Motion by the Hon. David Clarke agreed to:**

1. That this House notes that:
 - (a) on 5 October 2011 the Hon. Victor Dominello, MP, was guest speaker at Warrane College, Kensington, New South Wales;
 - (b) Warrane College is an independent residential college for men affiliated with the University of New South Wales; and
 - (c) Warrane promotes academic excellence and strives to promote a community atmosphere among students, teachers and researchers.
2. That this House acknowledges:
 - (a) Arthur Escamilla, Dean of Warrane College, for his tireless work in promoting education of the whole self; and
 - (b) those that attended, particularly:
 - (i) the Hon. Victor Dominello, MP, Minister for Citizenship and Communities, and Minister for Aboriginal Affairs;
 - (ii) the Hon. John Richard Johnson, patron of Warrane College;
 - (iii) Mr Arthur Escamilla, Dean of Warrane College; and
 - (iv) Mr Chris Cullen, Warrane College old boy.
3. That this House notes that:
 - (a) residents of Warrane College engage in volunteering projects, both in New South Wales and abroad; and
 - (b) projects have included repair work on homes damaged in the Queensland floods, working with older people at Mount St Joseph's Home for the Aged in Randwick and overseas volunteer work camps in Samoa and Indonesia.

BIG EXO DAY**Motion by the Hon. David Clarke agreed to:**

1. That this House notes that:
 - (a) on 17 September 2011 thousands of young people attended the Big Exo Day at Parramatta Park, New South Wales; and
 - (b) the Big Exo Day attracts large numbers of young people to participate in a drug and alcohol-free festival.
2. That this House acknowledges:
 - (a) the work of Youth Alive NSW in developing an outstanding program and bringing the event to fruition;
 - (b) those that attended, particularly:
 - (i) the Hon. Victor Dominello, MP, Minister for Citizenship and Communities, and Minister for Aboriginal Affairs;
 - (ii) Mr David Elliott, MP;
 - (iii) Mr Stan Walker, Australian Idol winner; and
 - (iv) Mr Scott Samways, Director of Youth Alive NSW,
 - (c) that Youth Alive NSW contributes to the empowerment of young people in New South Wales by encouraging them to follow their dreams; and
 - (d) that for the first time Parramatta Park hosted the Big Exo Day.

NSW SPORTS VOLUNTEER AWARDS

Motion by the Hon. Marie Ficarra agreed to:

1. That this House notes that 20 September 2011 marked the launch of the inaugural NSW Sports Volunteer Awards, held at Homebush, New South Wales.
2. That this House acknowledges:
 - (a) the NSW Sports Federation and its efforts in supporting sporting organisations across New South Wales through its advocacy and education programs;
 - (b) the work of Debbie Kemp and the NSW Sports Federation as the key organisers of the inaugural NSW Sports Volunteer Awards;
 - (c) those that attended, particularly:
 - (i) the Hon. Graham Annesley, MP, Minister for Sport and Recreation;
 - (ii) the Hon. Victor Dominello, MP, Minister for Citizenship and Communities, and Minister for Aboriginal Affairs;
 - (iii) the H. Linda Burney, MP, shadow Minister for Sport and Recreation;
 - (iv) Ms Lynne Dalton, Chief Executive Officer of the Office for Volunteering;
 - (v) Ms Debbie Kemp, Chief Executive Officer of the NSW Sports Federation; and
 - (vi) Mr Michael Beaumont, Chairman, NSW Sports Federation, and
 - (d) Service Skills NSW and NSW Sporting Injuries Committee for sponsoring the event.

YOUTH AND ACTION POLICY ASSOCIATION

Motion by the Hon. Marie Ficarra agreed to:

1. That this House notes that:
 - (a) on 5 October 2011 the Youth and Action Policy Association [YAPA] held its 2011 Youth Conference, "What's Up West?" at Parramatta, New South Wales;
 - (b) the conference was attended by approximately 55 youth from Western Sydney; and
 - (c) "What's Up West?" is an opportunity for young people from Western Sydney to have their voices heard and display their pride for the region.
2. That this House acknowledges:
 - (a) the work of Youth and Action Policy Association and Outburst in developing an outstanding program, which brought western Sydney youth together to discuss a range of issues;
 - (b) those that attended, particularly the Hon. Victor Dominello, MP, Minister for Citizenship and Communities, and Minister for Aboriginal Affairs;
 - (c) the work and advocacy for youth by Reynato Reodica through Youth and Action Policy Association; and
 - (d) the work of Leah Weber and Jess Hill from Youth and Action Policy Association in coordinating and facilitating "What's Up West?"

AUSTRALIAN COUNCIL OF CHINESE ORGANISATIONS

Motion by the Hon. Marie Ficarra agreed to:

1. That this House notes that:
 - (a) on 17 September 2011 the Australian Council of Chinese Organisations [AUSCOCO] celebrated the 62nd anniversary of the People's Republic of China, the Moon Festival, and the 100th anniversary of the 1911 Revolution in Haymarket, New South Wales; and
 - (b) the Australian Council of Chinese Organisations acts as an umbrella organisation, representing numerous New South Wales Chinese Australian community organisations and people.

2. That this House acknowledges:
- (a) the work of the Australian Council of Chinese Organisations, including its efforts in developing strong economic and cultural ties between New South Wales and China;
 - (b) the significant and positive contribution of the Chinese Australian community to community harmony and economic prosperity in New South Wales through organisations such as the Australian Council of Chinese Organisations; and
 - (c) those that attended, particularly the Hon. Victor Dominello, MP, Minister for Citizenship and Communities, and Minister for Aboriginal Affairs, and Dr Tony Goh, Chairperson of the Australian Council of Chinese Organisations.

GILAD SHALIT

Motion by the Hon. David Clarke agreed to:

That this House:

- (a) welcomes the announcement of the agreement to release Gilad Shalit, the Israeli soldier who has been held in the Gaza Strip since 25 June 2006;
- (b) anticipates his safe arrival home to his loved ones in Israel;
- (c) notes the conclusion of complex and longstanding negotiations;
- (d) acknowledges Gilad Shalit's prospective release as a positive step in terms of both human rights and peaceful relations; and
- (e) acknowledges the work and commitment of many Jewish residents and organisations of New South Wales, including the New South Wales Jewish Board of Deputies, who have long advocated on behalf of Gilad Shalit.

SPECIAL ADJOURNMENT

Motion by the Hon. Duncan Gay agreed to:

That this House at its rising today do adjourn until Tuesday 18 October 2011 at 2.30 p.m.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Motion by Reverend the Hon. Fred Nile agreed to:

That standing and sessional orders be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 295 outside the Order of Precedence, relating to Coptic Christians in Egypt, be called on forthwith.

Order of Business

Motion by Reverend the Hon. Fred Nile agreed to:

That Private Members' Business item No. 295 outside the Order of Precedence be called on forthwith.

EGYPTIAN COPTIC CHRISTIANS PERSECUTION

Reverend the Hon. FRED NILE [9.41 a.m.]: I move:

That this House:

- (a) recognises that Coptic Christians in Egypt are suffering ongoing and increasing persecution;
- (b) condemns the recent attacks on Coptic Christians in Egypt;
- (c) expresses its sympathy for Coptic Christians who have been victims of recent attacks in Egypt; and
- (d) calls on the Government to:
 - (i) issue a public statement condemning the ongoing attacks against the Coptic Christian minority in Egypt;
 - (ii) make immediate representations to the United Nations to end the persecution of Coptic Christians in Egypt; and
 - (iii) strongly urge the Egyptian Government to provide equal rights and protections for all Egyptian citizens regardless of race or religion.

The issue that brought this motion on as an urgent motion to take precedence over other business today was the brutal attack on Coptic Christian citizens in Cairo last Sunday, 9 October. Members would have seen the shocking television coverage, including the armoured troop carriers crashing into the peaceful Coptic citizens who were taking part in a protest. This was the climax of attacks against the Coptic Christian citizens of Egypt that have been occurring over a long period. Coptic Christians are the descendants of the original inhabitants of Egypt. They descend from the pharaohs, who built the classic Egyptian civilisation along the Nile Valley in cities such as Luxor and who built the Great Pyramid of Giza, which remained the tallest man-made structure in the world for more than 3,800 years. The Copts have a long and proud history as Christians, dating back to the fourth century. In the year 641AD, when the Arab Muslims invaded Egypt, Christianity was the majority religion in Roman Egypt. Despite the political upheaval following the invasion, Egypt remained a mainly Christian land until the end of the twelfth century.

Since becoming a minority, Christians in Egypt have experienced centuries of discrimination. However, the position of the Copts improved in the early nineteenth century. During this liberal period Copts participated in the Egyptian national movement for independence and occupied many influential positions in government and society. Although they represented, at that time, about 10 per cent to 20 per cent of the population, they were so economically prosperous that they held more than 50 per cent of the nation's wealth. However, following the coup in 1952, led by Nasser, the conditions of the Copts deteriorated. The prejudicial legal framework created a permissive environment that allowed Egyptian officials to freely discriminate against Christians with impunity. Christian religious courts were closed and the regime confiscated land and church properties. Permits to construct new churches were delayed. The Nasser Government also adopted socialist policies that further adversely affected the Copts as they were mainly dependent on private business for their livelihood.

The economic pressures and resurgent discrimination led many Copts to start migrating to countries such as the United States of America, Canada and Australia and to Europe. Today there are about four million Copts living outside Egypt, including an estimated 100,000 Coptic Christians in Australia, who have successfully assimilated into our nation and made an invaluable contribution to our economic prosperity. Some of their representatives are in the public gallery today. However, today, as a religious minority, the Copts have been subjected to ongoing and significant discrimination in modern Egypt and are the target of attacks particularly by militant Islamic extremist groups. I could give many examples of attacks on the Christian minority in Egypt. Members will remember that in January 2010 in the town of Nag Hammadi three men sprayed automatic gunfire on Coptic churchgoers who were leaving a midnight mass. Seven people were killed and others were injured.

On 1 January 2011 a bomb was detonated in front of the Two Saints Coptic Church in Alexandria, where a New Year's prayer service was being held. Twenty-three people died as a result of that attack, all of them Coptic Christians, and 97 people were injured. This had been one of the deadliest acts of violence against the Egyptian Christian minority in more than a decade until the events of last Sunday. I could give many other examples. The seriousness of this situation has been confirmed by the independent bipartisan United States Federal Government Commission. This commission was appointed by President Obama and the leadership of both political parties in the House of Representatives and the Senate. The commission's report, issued in 2011, stated:

The Egyptian government has engaged in and tolerated religious freedom violations before and after President Hosni Mubarak stepped down on February 11, 2011.

Serious problems of discrimination, intolerance and other human rights violations against members of religious minorities, as well as disfavoured Muslims, remain widespread in Egypt. Violence targeting Coptic Orthodox Christians remained high during the reporting period.

This high level of violence and the failure to convict those responsible—including two of the three alleged perpetrators of the 2010 Nag Hammadi attack—continued to foster a climate of impunity, making further violence more likely.

The Egyptian government has failed to protect religious minorities, particular Coptic Christians, from violent attacks, including during the transitional period when minority communities are increasingly vulnerable.

Since February 11, military and security forces reportedly have used excessive force and live ammunition targeting of Christian places of worship and Christian demonstrators.

As I said, all of us were shocked by the events that occurred last Sunday. On 9 October 2011 a march by Coptic Christians in Cairo to demand an end to ongoing persecution and discrimination ended with the deaths of up to 40 Coptic protestors who were beaten, gunned down and bulldozed by army troop carriers in a rampage directed

by Egyptian army personnel, with the assistance of some local Islamic extremists. Hundreds more are believed to have been injured; the exact number is still to be confirmed. The clashes occurred just over a week following an arson attack on two Coptic churches in the south of the country. Coptic protests have been held in Maspero, Cairo over the past month calling for an end to the persecution of Coptic Christians.

State television initially reported only the deaths of two soldiers, claiming that the military came under fire from the Copts. However, witnesses on the ground confirmed that the march was attacked by people described as thugs in plain clothes, and who were later joined by the military. It is not clear who these thugs were or who they represented; they may have been part of the previous Mubarak Government that had lost power. There have been reports also that the Egyptian military attacked the Alhurra Television Cairo office, preventing it broadcasting television coverage of the army's violent attacks on protesters. This clear example of censorship prohibited information being made available to the mainstream Egyptian population. However, it is believed that even Australian media also reflected this bias in mainstream Egyptian media sources by broadcasting the official government position rather than the facts.

The Australian Coptic Movement, with whom I work closely, noted that the latest attack "demonstrates the clear pattern set by the Egyptian military of participating in and facilitating the obvious ethnic cleansing that Egyptian Coptic Christians face post-Revolution". I am sure we all were pleased to see the move towards democracy in Egypt as well as in other Middle Eastern nations; the future held great hopes for all citizens of Egypt, both Christian and Muslim. It is disappointing that these events are occurring. Bishop Suriel, head of the Coptic Orthodox Church in Australia, based in Melbourne, issued a statement demanding the expulsion of the Egyptian Ambassador and the two Egyptian Consul Generals to indicate Australia's strong opposition to these attacks on Coptic Christians in Cairo. The bishop stated:

Their presence in Australia is of no meaning to the Coptic community in Australia, in light of the events which have occurred in Egypt, and their subsequent failure to act in a capacity which represents the interests of both the Coptic and Muslim dynamic of the community. They have failed to take a proactive approach to advocate for the rights of the Coptic people in Egypt or to speak out against the atrocities and intense persecution the Coptic people in Egypt are facing.

That is a strong demand by the religious leader of our nation's Coptic community. The international community will be held accountable if it does not act swiftly on the brutal attacks towards Egypt's Coptic Christians, who are suffering under a modern-day form of apartheid where institutionalised discrimination and deadly attacks have become a way of life. While no clear numbers are available, Egypt's Coptic population varies between 10 million and 15 million and, as I stated earlier, originally Coptic Christians represented the main population of Egypt. In the statement from which I just quoted the bishop said further:

The most recent events occurred on Sunday when approximately 10,000 Coptic Christians peacefully marched from Shubra (in central Cairo) to the State TV Building in Maspero. The Coptic protestors were protesting against the persecution they are subjected to and the burning of Coptic Churches. The Muslim villagers attacked one of our churches in Aswan claiming it was a guest house and could not be used as a church, despite the governor granting a permit for these renovations. Upon enquiry, the governor denied granting a permit for the renovations and washed his hands of the situation. [The governor] endorsed those attacks and continues to sit idly by, along with all the other diplomats and figures of authority in Egypt and Australia. The current [Egyptian] Prime Minister has failed to introduce anti-discrimination laws, which allows for a unified process for the building of mosques and churches.

Most members would know that Egypt imposes no restrictions on the building of mosques, but it imposes many restrictions on the building of Christian churches. Even requests for modest renovations and repairs to a Christian church face a mountain of red tape and usually are denied. The bishop went on to say:

The peaceful protestors, many of whom were carrying crosses, were attacked by the military and police forces who are meant to be the law enforcers. Stones and glass were thrown from surrounding bridges and walls...

Armoured personnel carriers were driven through the crowds and ran down Coptic Orthodox protestors. The bishop concluded by stating that thugs—as I stated earlier, unidentified thugs—ran through the protestors with swords, killing innocent people. At least 24 Coptic Christians have been killed and over 200 wounded in the worst violence experienced since the Mubarak regime was overthrown in February this year. Since the February revolution, Coptic people have been the targets of escalated persecution, including the New Year's Day bombings of a Coptic church in Alexandria, which left 23 people dead and many more injured. His Grace Bishop Suriel strongly condemns the Egyptian Government for the violation of human rights, which currently is occurring on a mass scale. These acts of genocide are being facilitated by the Egyptian Government and authorities. A number of organisations have issued statements about the events of last Sunday. Amnesty International issued a statement under the headline, "Egyptian army must answer for a deadly toll at Coptic protest". After deadly protests in Cairo on Sunday left at least 25 dead, Amnesty International said:

Egypt's Supreme Council of the Armed Forces (SCAF) must urgently explain how a protest against religious discrimination turned into a bloodbath.

More than 200 people—including many protesters and reportedly members of the security forces—were also wounded in the incident, the worst violence Egypt has seen since former President Hosni Mubarak stepped down in February.

Video footage showed military vehicles running over protesters while driving through crowded streets.

It is important that the House supports this motion. I call on the Egyptian Government to identify the individuals who drove the armoured vehicles or those who approved the use of those vehicles. They should be prosecuted by the Egyptian Government and military. The Hon. Kevin Rudd, Australian Minister for Foreign Affairs, in concert with the Hon. Julia Gillard, Prime Minister, issued this statement on 10 October:

The Australian Government today expressed its deep concern at the violence and resulting loss of life and injuries that took place in Cairo overnight.

According to current estimates, up to 23 people have died and over 150 were injured during clashes between protestors and security forces.

The [Australian] Government expresses its condolences to the friends and families of those killed.

Last night's violence follows an increase in sectarian tensions and violence affecting Coptic Christians in recent months, including attacks on churches.

The [Australian] Government calls for calm and for clear respect for religious freedoms, human rights and the rule of law.

As Egypt's historical transition to democracy continues, now more than ever is a critical time for peace and stability.

The head of the New South Wales Community Relations Commission has also issued a statement expressing sympathy to the State's Coptic community following the fatal clashes that occurred on the streets of Cairo. I commend the motion to the House and invite all members to support it. I thank the House for allowing this motion to take precedence over other matters on the agenda for debate.

The Hon. DAVID CLARKE (Parliamentary Secretary) [9.59 a.m.]: The motion before us expresses our outrage, disgust, horror and condemnation that in Egypt at this time innocent Coptic Christians are being discriminated against, persecuted, and murdered because of their Christian faith. This motion puts us in solidarity with the Coptic Christian community of Australia, which today is represented in the public gallery. Members of the Coptic community are grieving for their relatives and friends who are being hounded, harassed and murdered throughout Egypt. All members need to support this motion. We need to support the persecuted of Egypt. We need to support the Coptic Christian community of Australia at this time of its grieving.

I congratulate Reverend the Hon. Fred Nile on introducing this motion. At the conclusion of this debate I hope that each and every member of this Chamber will show support for the persecuted Coptic Christians of Egypt by agreeing to this motion. We should support this motion in the name of all the people of New South Wales because I am sure that they support it. Irrespective of religious persuasion, ethnic or cultural background, I believe that all residents of New South Wales are united in supporting this motion. We should support it in the name of the people of New South Wales and in that way show that we stand unambiguously, unhesitatingly and in solid determination behind those Coptic Christians who are being persecuted in Egypt at this time.

The Coptic people are the indigenous people of Egypt and their heritage goes back thousands of years. Their ancestors produced the Pharaohs of Egypt, built the great pyramids of Giza, the temples of Luxor and the great library of Alexandria—probably the most famous library in the history of the world. Their ancestors were pioneers in science, mathematics, astronomy, medicine and many other fields of human endeavour. Their history is a history of illustrious achievement in the world. Today the Coptic Christians of Egypt are being hounded and harassed in their own country; they are being hounded and harassed because they have kept their Christian faith over the past 2,000 years and will not yield from that faith. In many instances the Coptic Christian history has been erased from schoolbooks as if those many hundreds of years never existed. It is melancholy and shameful that Coptic Christians are being persecuted and murdered as they are.

Only a few days ago 24 Coptic Christians were killed and over 300 were injured in one incident in which they were attacked by Egyptian army tanks merely because they were peacefully protesting for equal rights with the other Egyptian citizens. Only a few days ago lawless mobs invaded a church in El Daher, Cairo. That church was looted, ransacked torched and demolished. Among those killed at these peaceful demonstrations were Muslim Egyptians expressing solidarity with their Coptic brothers and sisters. These righteous people have not been spared by these extremists and have suffered along with the Coptic people.

The Coptic Christians thought that the Arab Spring would bring them greater freedom. It has not brought them greater freedom; it has resulted in greater restriction. They thought they would be protected but they have not been protected. It is alarming that elements of the Egyptian army seem to be leading this persecution of the Coptic people, which is accelerating at the hands of fundamentalist extremists. The screws are being turned even tighter on the Coptic Christians in Egypt. This latest violence is part of a continuing pattern that goes on month after month and year after year. The persecution includes kidnapping Coptic girls and forcing them to change religions.

In February this year the Saint Pishoy monastery was attacked by army tanks and a priest was stabbed in the town of Asyut. In March this year churches were bombed in Saft Al Labam and, on the same day, 13 Coptic Christians were murdered in Manshiyat Naser. In April Coptic Christians were killed by a mob of 5,000 in the town of Abu Kirkas and the cathedral in Abbassia was attacked and looted. A few weeks ago a group of young Coptic youths were murdered on a train by a policeman out of uniform. Year after year these incidents occur but nothing happens to the perpetrators and criminals. Through a sham process in Egypt people are forced to attend reconciliation conferences where these issues are meant to be talked out but nobody is ever brought to trial. The Coptic community cannot repair a church without getting a presidential decree, or a decree from a regional governor. It is shameful that these things are occurring in present day Egypt. The whole world knows what is going on.

Human rights organisations, leaders from all religious faiths and people of good will all over the world are speaking out against the persecution of Coptic Christians in Egypt. The Parliament of New South Wales must also be heard. We must call for an end to discrimination against the Coptic Christians of Egypt. We must call for an end to the persecution of Coptic Christians. We must call for an end to the destruction of Coptic Christian churches, monasteries and hospitals. We must call for an end to the murder of priests and nuns and ordinary everyday Coptic Christian citizens of Egypt. Today we must agree to this motion and we must do so with one voice.

The Hon. WALT SECORD [10.06 a.m.]: I thank Reverend the Hon. Fred Nile for introducing this motion which condemns the attacks on the Coptic Christian minority in Egypt. I fully support the motion. In recent months concern about the safety and treatment of the Christian minority in Egypt has been growing but this week matters in Cairo have escalated which now require our attention. I thank Reverend the Hon. Fred Nile for giving us an opportunity to show our support for, and our solidarity with, our local Coptic Christian community which has so many friends and family in the Middle East. Members will already know my views on the rights of individuals and families to practice the faith of their choosing. We respect one another's beliefs, even if they are different, and we expect ours to be respected in return. While beliefs of faith are individual and personal matters, the respect we afford one another to pursue our own faiths is a matter of democratic respect and right.

Over the years I have had the honour of working and engaging with people from a variety of faiths through interfaith dialogue. I have noted that interfaith dialogue inevitably enriches people's understanding of their own beliefs and deepens their personal faith. It is my view therefore that a person of any faith should not fear the faith of another provided that basic civil conventions of human rights and respect are adhered to by all—one of the greatest beauties and strengths of human rights in New South Wales. I ask all members to bear that in mind as we consider the current situation in Egypt. About 10 per cent of Egypt's 85 million people are Coptic Christians. In New South Wales about 70,000 people identify as Coptic Christians. It is a well-established community, with many Coptic Christians having migrated to Australia in the 1950s and 1960s, creating long-established communities over many generations.

On 19 January the Sydney Coptic Christian community held a major protest in Martin Place to draw attention to the events that are unfolding in Egypt. My colleague the Hon. Greg Donnelly represented the then Premier, Kristina Keneally, and spoke at the rally. The protestors were drawing our attention to the fact that Egyptian authorities have allowed repeated attacks on Christians with impunity. This, of course, breaks the basic civil conventions of right and respect that I mentioned earlier. Members would be aware of my interest in this region through my activity with the Parliamentary Friends of Israel and the Jewish community. They will not be surprised that I have been following events in the region closely, particularly the so-called Arab Spring. It has become increasingly clear to me, sadly, that the Arab upheavals that swept the Middle East this year are not resulting in a democratic Arab Spring. Rather we are seeing an extreme Islamic awakening occurring alongside a resurgence of extreme Arab nationalism. Unfortunately, in Egypt this has turned into a concerted effort to drive out the Christian minority.

Christians are not the only target, as there has been an unleashing of violent anti-Israel sentiment in Egypt. This was on full display on 9 September when a mob stormed the Israeli embassy forcing the evacuation of the Israeli Ambassador and 86 embassy personnel. Eventually, commandos were sent to rescue the remaining six embassy personnel following the United States intervention. This is especially saddening given that Egypt was the first of Israel's bordered neighbours to recognise its existence and begin a diplomatic relationship under Anwar Sadat. The peace agreement between Israel and Egypt is now under threat since the fall of Hosni Mubarak, due to the unleashing of violent anti-Israel sentiment in Egypt. Egypt's transition to democratic elections should offer so much potential to the region. But democracy depends on the rule of law, and the rule of law in any workable sense is dependent on the ever-tenuous balance of competing rights and responsibilities. Critical among those rights and responsibilities is the right to believe what we believe and to respect the beliefs of others that we do not.

There is widespread concern that the military is failing to protect the Coptic Christians in a post-revolutionary Egypt that has seen the rise of Islamism and sectarian strife. The ruling military council is either powerless or unwilling to do anything about it. In recent months a growing number of attacks have been made on the Christian minority and other minorities in Egypt. In 2009 Amnesty International also expressed concern about attacks on Baha'i families in Egypt. All this is an affront to the human rights of religious minorities and to Egypt's democratic aspirations. The events earlier this week started as a peaceful and unarmed protest in Cairo to draw attention to the attacks on several churches. About 1,000 Christian protesters tried to stage a peaceful sit-in in downtown Cairo. They were attacked by thugs with sticks and the violence then spiralled out of control after a speeding military vehicle rammed into some of the Christians. The resulting outrage turned into what can only be described as a bloodbath. Our thoughts are with the victims and their families at this sensitive time. The attacks on the Christian minority also deserve international condemnation.

These attacks naturally dampen our expectations of Egypt's transition to democracy. But this violence should not derail that progress. Indeed, that would be a double tragedy. The move to elections on 28 November must continue. Hence, the funerals of the 30 victims now begin both as an expression of grief and also as an international protest against the attacks on a Christian minority—indeed, on any minority in an Egypt that aspires to be called democratic. On Monday 10 October the Prime Minister and the Minister for Foreign Affairs issued a joint statement expressing Australia's deep concern at the violence and the loss of life. The Prime Minister and the Minister for Foreign Affairs also called for calm and clear respect for religious freedoms, human rights and the rule of law in Egypt.

Coptic Christians have been suffering persecution since the eleventh century and they continue to fear for their safety in present-day Egypt. The new Egyptian regime must assure the Christian community that all communities are protected from acts of violence and persecution. This violence must cease. Coptic Christians must be allowed to live in peace in the nation of Egypt if Egypt's claim to democratic government is to have any credibility. Respect of these basic rights is a prerequisite to the rule of law and the foundation of democracy. It is also, in my view, a sign of faith—true, secure, solid, mature, unshakeable faith. I commend the motion to the House.

The Hon. LYNDIA VOLTZ [10.14 a.m.]: I support the motion, which has been moved after the recent deaths of 30 Coptic Christians at a demonstration following the partial destruction of their church. My condolences go to members of the Coptic community for their losses. The sectarian violence against the Coptic community, who make up 10 per cent of Egypt's population, is well documented. This violence has been particularly pronounced since the 1970s but dates back to the Roman Emperor Diocletian's massacre of Christians in 248 AD, a date that marks the beginning of the Coptic calendar. Following the Arabic Spring, a movement joined by Egyptians from both the Coptic and Muslim communities, it was hoped that a new era of secular brotherhood would exist in Egypt. The destruction of the church, ongoing opposition to the construction of any church and the targeting of members of the Coptic community spread a pall over the movement for freedom by the people of Egypt.

On 11 May 2011 the Egyptian Government promised to lift restrictions on the building and renovation of churches. However, this has not happened. The Egyptian Government finally has announced a commission to address the issue of Christian places of worship, none of which has a licence to operate anywhere across Egypt. As members know, in this country the issue of new places of worship can be a vexed one. Where I live at Bardwell Park, across the valley one can see a Coptic church and a mosque existing in harmony side by side. This could act as a lesson to the Egyptian Government that this can be achieved on behalf of the Coptic people in Egypt. Whether we are talking about Egypt, Syria, Bahrain or Libya, the right to worship is a basic right and the rights and lives of the citizens, particularly minorities, should be paramount. This is no more so than for the Coptic people who have suffered decades of persecution within Egypt.

The Hon. PAUL GREEN [10.16 a.m.]: I support the motion moved by my colleague Reverend the Hon. Fred Nile to recognise the persecution of Coptic Christians in Egypt. I also support calls for the Government to condemn the persecution and make immediate representations to the United Nations to end the persecution. Of the 85 million people living in Egypt, approximately 10 per cent are Coptic Christians. The Christians in Egypt make up the largest Christian community in the north African region. In fact, before Gamal Abdel Nasser took over as ruler, the Coptics represented 10 per cent of the population but owned 50 per cent of the wealth. As members are no doubt aware, sporadic attacks and petty discrimination have been imposed on the Christian community in Egypt for centuries. However, over recent years there has been a steady rise of increased attacks, suppression, religious intolerance and sectarian violence against the Coptic Christians. The Hon. David Clarke outlined the attacks in his contribution.

I particularly note recent reports of forced deportations, mob violence and targeted murders. In fact, just this week 26—it has been said 30—Coptic Christians in Egypt were killed for their faith. Reports have emerged that Egyptian soldiers drove over protesters with armoured vehicles and fired live ammunition into crowds of Coptic Christians who had assembled to protest peacefully at the government's failure to respond to the burning of a church by Muslim militia. We must not consider these protesters as just people from a distant land. They are mums and dads, sons and daughters, grandparents, friends and relatives. They are people like you and me. They have a right to protest peacefully. Among other ongoing concerns is the Egyptian Government's refusal to allow converts to Christianity to change their religious status on state-issued identification cards and the Egyptian prohibition on the building or renovating of churches unless presidential permission is granted. If we had such a system there would be outrage.

I state emphatically that it is a basic human right for an individual or community in public or private to manifest religion or belief in teaching, practice, worship and observance without persecution. There continues to be a failure by the Egyptian Government to investigate properly and prosecute those responsible. That is unacceptable. I note the Australian Parliament's recent unanimous condemnation of the persecution of Coptic Christians in Egypt and its call for the Government to make immediate representations on the Coptic issue both to the United Nations and to the Egyptian Government. I wholeheartedly implore this Government to do the same. Above human rights comes human responsibility, and it is our responsibility to act when these basic rights are denied. We must continue to pray for peace and unity in the Middle East. I commend the motion to the House.

The Hon. MARIE FICARRA (Parliamentary Secretary) [10.20 a.m.]: On behalf of so many Australian Egyptian Copts—and I welcome representatives in the gallery today who are here at last at short notice representing many tens of thousands of their fellow countrymen—and on behalf of so many decent and peace-loving Australians of all backgrounds, I thank Reverend the Hon. Fred Nile for moving this motion today. Reverend the Hon. Fred Nile and representatives of all parties in this great Parliament have regularly and soundly voiced their protest not only at the current Egyptian military rulers but also at the former Mubarak regime for allowing the continuing persecution of Egyptian Christians over many years. But now the persecution has escalated to a point where world leaders are saying loudly, "Stop immediately."

What is happening betrays the fine and noble history of Egypt and the majority of its people, especially Islamic families and Christian families, who want to live in peace in Egypt. A minority of troublemakers are taking advantage of the current power vacuum to forge their own greedy powerbase to replace the long-term authoritarian rule by Hosni Mubarak. So much for the regime change that we are seeing across the Middle East, which is disappointing. The magic of Egypt, a wonderful country with wonderful people, has captured me on both my visits there. But will I ever return? After my last visit in January this year the undercurrents of sectarian violence, never fully suppressed by the powerful hand of Mubarak, have been surfacing repeatedly and stronger than ever.

The current military control has proven ineffective, giving rise to great concern of ongoing violence. People are dying in unprecedented numbers because of their professions of Christian faith. As we have heard from previous speakers in debate on this motion, in Maspero 24 Copts were violently killed and more than 200 were wounded on Sunday 9 October. Bodies were mashed and bones were crushed, many had fractures and laceration of the intestines from trauma inflicted by armoured tanks, while for others death was caused by gunshots. The inhumanity of some Egyptian soldiers who disposed of nine bodies by throwing them into the Nile is a disgrace. Military soldiers and commanders who participate in such violent acts must be prosecuted publicly and immediately by the Egyptian military rulers.

Incredibly we hear calls from Egypt's military rulers to understand that soldiers in riot gear and armoured tanks were terrified of an angry crowd of demonstrators and had to defend themselves in this brutal

manner. It is laughable; no-one believes that. International leaders condemn the Egyptian military council and its interim government for the continuation of persecution against Egypt's peace-loving Christian community. The European Union and the United States have expressed alarm at the military's aloof response to the bloodshed its troops inflicted on unarmed civilians.

I congratulate Craig Kelly, the member for Hughes in the Federal Parliament, who on 19 September moved a motion similar to the one that is before us today, and yesterday that motion was adopted, sending a strong and clear message to the Egyptian diplomats in Sydney and Canberra representing the Egyptian Government. Today we stand together in a bipartisan manner, of which I am proud, to deliver the same strong message to the Egyptian Government from the New South Wales Parliament. These recent reports of violence were the latest in a worsening pattern of destabilisation, an issue about which many other speakers have spoken today. Arson attacks on the Coptic churches have been going on for years and in my last visit earlier this year newspapers were filled with speculation about why Mubarak, with all the power he has held, was not preventing the attacks or bringing all those behind them to justice.

The majority of Egyptians I have met and talked to about the situation for years have felt betrayed by their military-backed rulers. Families want to live in peace, especially the Islamic Egyptians whose livelihoods have been destroyed, and these families will continue to suffer with little income coming into their households. Egypt depends very much on tourism, but that major sector has died off since January and the escalating economic distress is obvious, causing further anger about the ineptitude and corruption of Egypt's military-backed rulers. The United States of America and other nations have been pouring money into the Egyptian economy hoping desperately that their leaders will be honourable and professional, fair and just to their people and rule with decency. These nations now demand such action. What began as a peaceful demonstration on Sunday became a bloodbath as armed forces, which should be protecting democracy, did more than just turn a blind eye to murderous thugs: the army encouraged and participated in killings.

The word "Copt" has the same origin as the word "Egypt"—the Western world's name for this ancient nation. Christianity was brought to Egypt by St Mark in 45 AD. The Copts split from the rest of the Christian world in 451 over a theological difference. In 629 a messenger from Mohammed was killed on his way to Byzantium. Ten years later Arab armies swept unopposed into Alexandria. The Copts were selectively taxed and their ancient written and spoken languages were suppressed. The monks, carriers of the Copts' faith and knowledge, retreated behind stone walls. By the mid-nineteenth century many monks were impoverished to the point of begging from tourists, and at that time just 10 per cent of the population were Christian.

Since then, largely, if not entirely, through their own efforts, Copts have advanced in their education, professions, wealth and importance to the cultural and economic life of Egypt and, indeed, to every country to which they have migrated. Although they are still a minority—Egypt has 82 million people and 12 million of them are Coptic Christians—these peace-loving people are more than pulling their weight in this multicultural and multiethnic society. From what I have seen and from what I have heard from many voices, they are not seen as any threat by non-Christian Egyptians, who share their longing for a good life. Peace, prosperity, representational government, fairness and, above all, freedom to enjoy family life are what the majority of all Egyptians want, including Islamic families.

So why has violence against Copts flared so often, particularly since 1980? The only obvious answer is that for some people, stirred to intensity by radical preaching, any religious practices other than their own are a threat that must be met with violence. The Copts have not been causing this reaction by any behaviour that sensible, rational people would describe as threatening, any more than the gypsies' and Jewish people's behaviour threatened their countrymen in Nazi Germany. Religious hatred has a tendency to escalate. It provokes even more violent reaction, and we should all fear this. The bloody division of the old Raj into India and Pakistan in 1947 saw sectarian violence in which millions died, many lost their homes, economic progress was set back and the seeds were sown for enduring bad relations between nuclear armed neighbouring states. Even in modern Europe, where major wars over centuries were so destructive that the United Nations, the European Union and the NATO alliance were created at great cost to prevent war in that region, old religious hatreds have flared.

Over the centuries the Catholics of Ireland have repeatedly taken up arms against what they saw as Protestant oppression. In the late twentieth century urban guerrilla religious war flourished in that country, with tragic consequences for many innocent people. In the former Yugoslavian states, religious differences and ancient hatreds flared into a series of open, bloody wars of a ferocity and scale that the rest of modern Europe thought had been consigned to history in that part of the world. Now, observing Egypt, we have to ask ourselves

as elected representatives what we are prepared to do to prevent the escalation of religious violence in a very volatile region—a country that borders the nuclear armed state of Israel. We must recognise that religious violence harms Egyptians of all faiths.

We must not be tricked into broad condemnation of all non-Christian Egyptians. Just because they share some of the religious beliefs and practices of the violent jihadists, that does not mean that they condone this violence. In my experience of such Egyptians, Islam is a powerful moral force and valued religion. Many of their faith-based practices—including regular expression of devotion to one god, giving help to the poor, behaving justly and providing support for their families—are common to the greatest religions of the world, including Christianity. Many courageous and deeply troubled Muslims have joined the Coptic protests, sharing with Copts the view that the real threat to society is religious intolerance, not religious diversity. I believe Egypt can recover from this latest violence and emerge as a strong nation of people who respect each other's right to practise their religion. That is what the overwhelming majority of Egyptians want.

We must not echo any sentiments in favour of a return to the harsh times of Mubarak's rule in which prisons were crowded with outspoken, reform-minded but non-violent people. Under repressive regimes peace comes at a high price the Egyptian people are no longer prepared to pay, hence the peaceful demonstrations at the beginning of this year. For Copts, the peace under Mubarak's rule was always fragile and never total. Fear abounded. Many people of both major faiths died in their pursuit to rid themselves of that oppression. We owe it to them to not support any turning back of the march to democracy and freedom of expression. That is the only true path to sustained religious tolerance, as we Australians know so well.

Finally, we must speak out as we do now. We must not be distantly or fearfully silent. In 2010 when my passport was in Egyptian consular hands awaiting a visa I was proud to speak out publicly in Macquarie Street to express my outrage at what was happening under Mubarak. Today I join with all other members in this great House to again strongly condemn the actions of those who have Egyptian blood on their hands and hatred in their hearts. Australians believe that religious buildings and houses of worship and prayer should never be a target for rage and arson. The provocation of non-violent street demonstrations is never justification for any murderously violent response. Fear should never be forced into our hearts by hateful reaction to the religious views we hold. We must all say this and we must expect our government spokesmen to say it too on behalf of all Australians. It is my great honour to support this motion before the House.

The Hon. SHAOQUETT MOSELMANE [10.32 a.m.]: I also support this motion. I thank Reverend the Hon. Fred Nile and all speakers for their contributions. In particular I thank the Hon. Marie Ficarra for her excellent speech, which she delivered in a balanced and warm manner. I condemn the senseless violence that killed 26 and injured over 300 innocent protesters at the Black Sunday protest. I condemn that act and all acts of violence committed against the Coptic people of Egypt over the last 60 years and longer. Some protesters died of bullet wounds, others were crushed by military vehicles ramming through the peaceful protests. No matter what excuse the military gives, witnesses accounts, videos and autopsies confirm that many of the two dozen killed were crushed to death by military vehicles. One excuse of the military, which is a remnant of the Mubarak regime, was that the 300 soldiers feared for their lives as they faced the 6,000 protesters, a few of whom were apparently carrying knives, sticks and stones. The other reason was that the Coptic priests had allegedly threatened top military officer Field Marshal Mohamed Hussein Tantawi.

As I watched the news coverage I was dismayed by the level of brutality and violence executed against peaceful protesters. It is disturbing and shameful. Such extremist behaviour has no place in modern Egypt or anywhere else in the world. All people of faith must be able to practise and worship in peace and security. The arms of any State should not be stained by the blood of its own citizens. It was said that some sections of the Egyptian media egged people on by telling their readers that the protesters were attacking the army and that people should go and help the soldiers. If such reports of incitement to violence are true those media outlets must be investigated and condemned. The entire incident must be investigated and the perpetrators must appear before a court of law to be brought to account and pay the penalty.

The revolution had progressed quite peacefully. It brought about hope for change and for greater civil rights. It gave life back to the people of Egypt. I hope that those who come to power will transform Egypt into a democratic state that represents the rule of law and that respects the people, the institutions and the rights of workers, women and all minorities. I hope that the constitution that is soon to be drafted will respect the rights of minorities and will make the country a more secular society. I hope that the new political parties will not be infiltrated by people of influence and hidden agenda, be it in self-interest or in the interests of powerful players abroad pulling the strings to divide and conquer. I hope for a bright future for Egypt as I do for Yemen,

Morocco, Syria, Bahrain, Iraq and the entire Middle East. I also hope that the people of Palestine are given what is rightfully theirs. Israel must stop oppressing the Palestinian people and it must give them the land they deserve. I wish the same for the Kurds, Armenians, Australian Aborigines and all people who have been unjustly treated over the past centuries to the present.

I wish to inject a measure of calm into this debate. I fear Egypt sliding into the hands of fundamentalist extremists. I fear for all Egyptians—Christians and Muslims—who want to live in peace and security and to feed their families, educate their children and live a life of respect. Ten to 12 per cent of the Egyptian population today is made up of Coptic Christians. Like most minorities in the Middle East and elsewhere, survival is their main concern. The Copts are discriminated against in all sorts of small and subtle ways. They are virtually powerless and most of their energy is consumed in trying to survive.

Having said this, I wish that the Coptic people of Egypt heed the words and follow the practices of His Holiness Pope Shenouda III, for whom I have great love and respect. I had the honour of welcoming him to Rockdale when he last visited Sydney. I take this opportunity to welcome my friends from the Coptic community in the public gallery. His Holiness has gone through thick and thin. He has been a beacon of hope for the Coptic people of Egypt. He has trodden very carefully. To me he is the Gandhi of the Arab world—a man of peace, a man of brotherhood, always calling for harmony and interfaith. He is always calling for Egyptians to be one people first before being Muslims and Christians. He is reasoned and he is always wary of those politicians and hotheads who want to inflame matters and sink the people of Egypt into a cycle of violence.

We have to be wary of people who want to play on emotions, otherwise the cycle of violence will deepen. I call on all Egyptians to tread warily and carefully and calmly and responsibly. The people of Egypt are now at a critical juncture and the Coptic community must be wise to lead their people into a better and freer Egypt. Copts will for centuries continue to live with their brothers and sisters of all different religions and in the interests of the Coptic community tempers must be contained and violence done away with. We must be careful not to allow extremists to hijack the debate and make out it is a war or a conflict between Muslims and Christians. It is not. Muslims around the world condemn the brutality as all people of good faith condemn such brutality and extremism. Once again I congratulate Reverend the Hon. Fred Nile on bringing forward this motion.

Mr DAVID SHOEBRIDGE [10.41 a.m.]: On behalf of The Greens I support the motion and thank Reverend the Hon. Fred Nile for bringing the motion to the House. I particularly note the careful and balanced presentation by the Hon. Marie Ficarra of the history of the matter and the care and concern with which she addressed the motion. I fully endorse all the comments she made as well as those of Hon. Shaoquett Moselmane, which is not to ignore the contributions of other speakers all of whom have contributed to this debate and have urged the people of Egypt to be tolerant and to take a step back to ensure that these events do not lead to further hostility and division. This is a point in Egypt's history when all players need to move towards a new regime of tolerance and consideration. Religious tolerance and religious freedom and a society that respects those matters are essential in any modern democracy. That is no less so in Egypt than it is here in New South Wales.

While much of the history of Egypt involves tolerance and acceptance, we all must recognise that for centuries the Copts in Egypt have faced levels of oppression of greater or lesser extent that at times threaten their existence as a community and the safety and welfare of many individuals in that community. We have recently seen repeated attacks on Copts in Egypt, whether as individuals, priests or members of the faith, but we have also seen arson attacks on their churches. All of these acts must be loudly condemned not only in New South Wales and Australia but most particularly by the new leadership in Egypt.

Coptic Christians comprised the great majority of the 25 people killed last Sunday in weekend clashes between totally peaceful demonstrators and Egyptian security forces. Not only were 25 killed but scores and possibly hundreds were seriously injured in those protests in a crackdown of unparalleled brutality by the Egyptian security forces. There have been credible reports, backed up by video evidence and clear testimony from those present, that the Egyptian security forces fired into crowds of peaceful demonstrators and then used armoured personnel carriers to drive over wounded and unarmed protesters, causing some of the horrific injuries that were detailed to some extent in the Hon. Marie Ficarra's speech. Of course all members of this House condemn that. It is a great pity that we have not seen that same condemnation from the current Egyptian leadership. The Egyptian leadership must openly demonstrate its willingness to condemn such actions.

Copts comprise perhaps a little more than 10 per cent of Egypt's 80 million people but the laws that relate to the building and even the maintenance of Coptic churches in Egypt are totally unfair. A comparison

with the far more liberal regime that applies to laws relating to the building and maintenance of mosques demonstrates that this minority is systematically discriminated against, not only in their daily lives but also in the laws of Egypt. Such uneven laws relating to religious groups are unfair and must be opposed wherever they are found. It is good to note that members of the Egyptian leadership have indicated in the past few days that they will be reviewing the laws relating to Coptic churches. I see that as a statement of increasing tolerance from the leadership and a recognition that something needs to be done on the ground in Egypt. Those leaders must also say that they will bring to justice the military perpetrators of last Sunday's violence. Justice is often a necessary element in seeking any long-term solution to these issues. We should all call for justice, as indeed this motion does, and I support it in that regard.

Egypt is at a point in history when there is an Arab spring. All communities across the globe should be pushing the leadership in Egypt to move towards tolerance and not just a constitution that puts rights in place for all minorities but a government that is willing to act on laws and ensure minority rights are respected. I note with great concern the suffering of the Copts in Egypt. I note also that members of the Coptic community are here in the gallery. I look forward to this motion being passed unanimously by this House.

The Hon. TREVOR KHAN [10.46 a.m.]: I also support the motion and congratulate Reverend the Hon. Fred Nile on bringing the motion before the House. I also congratulate each of the previous speakers—the Hon. Marie Ficarra, the Hon. Shaoquett Moselmane and Mr David Shoebridge—on their contributions and their very detailed analysis of the matter. There seems little point in my going through the detail they have already covered. On 12 October 2011 the New South Wales Minister for Citizenship and Communities, Victor Dominello, expressed the Government's condolences to the families of those killed and injured during the recent violent clashes in Egypt. He said:

Our deepest sympathies are with the families and friends of the people who were killed and injured in Egypt over the weekend.

Our thoughts and prayers are with all those affected by these tragic events, including with the local Egyptian Coptic community, which I know is strongly concerned and worried about the situation of relatives and friends.

I take this opportunity to also affirm the NSW Government's unequivocal support for freedom of religion and freedom of assembly, and the universal goals of tolerance, community harmony, and peaceful and democratic governance.

Those final observations very closely mimic the resolution adopted by the General Assembly of the United Nations on 10 December 1948, which resolution we all know as the Universal Declaration of Human Rights. All of us should take the time to read that document from time to time and acknowledge its importance. It is a document that came about through the very important work of a number of very famous Australians, all of whom should be congratulated. I will read a number of the articles in the Universal Declaration of Human Rights. Article 1 states:

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2 states:

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3 states:

Everyone has the right to life, liberty and security of person.

Article 4 states:

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5 states:

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 7 states:

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 18 states:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

This is a great document. Its articles are articles to which we should all aspire, whether in Egypt or here in Australia, and should work to see put into practice. Sadly, they are not in so many countries of the world. And, sadly, from time to time we too forget the words of the declaration. As the Arab spring takes root my hope is that we move towards ensuring all Arab nations adopt the Universal Declaration of Human Rights—and then, not only adopt it, but see its terms moved into action in the countries involved through their legislation and organisations. I congratulate Reverend the Hon. Fred Nile on bringing this motion before the House.

The Hon. AMANDA FAZIO [10.52 a.m.]: I support the motion moved by Reverend the Hon. Fred Nile. We in Australia often take for granted our right to freedom of religion. The television news footage the other evening showing the Egyptian army attacking its own people, who were peacefully protesting for their right to freedom of religion, shocked all of us. I know that prior to the fall of the Mubarak regime there had been ongoing persecution of Coptic Christians and attacks on their churches. It is very disappointing for those who support democracy that those actions continue after the fall of that regime.

I wholeheartedly endorse the motion moved by Reverend the Hon. Fred Nile and call on the Egyptian Government to ensure freedom of religion for all and not use this attack as an excuse for the Egyptian army to delay the introduction of full democracy to Egypt. I sympathise with the Coptic Christians, who simply want their right to pursue their religion in freedom, without persecution, without fear, without having their churches burnt, and without being attacked on the streets when they go about a peaceful protest to highlight their continuing concerns about this persecution.

We all know that Reverend the Hon. Fred Nile is a strong supporter of freedom of religion. We know too, because we have many demonstrations at the front of this Parliament, that the Coptic Christian community here in New South Wales is very concerned about the oppression suffered by Coptic Christians overseas. I wholeheartedly support their campaign for religious freedom in Egypt, and hope that when democracy is fully restored to Egypt it will support the nature of the Egyptian democracy—which is supposed to be a secular democracy, not an Islamic state. I call on all members of this House who support freedom of religion and freedom of speech to support the motion moved by Reverend the Hon. Fred Nile, because this is an important issue and it has serious impacts on the Coptic Christian community here in Australia. We need to show them our support and affirm that we stand in solidarity with them in response to these dreadful attacks.

The Hon. GREG DONNELLY [10.55 a.m.]: I strongly associate myself with and strongly support the motion before the House moved by Reverend the Hon. Fred Nile. I put on record, as members probably already know, that Reverend the Hon. Fred Nile, who this year will have been a member of this House for 30 years, has been a constant flag bearer for the Coptic Christian community in Australia and has moved a number of motions in support of that community. He is to be congratulated on that. The motion specifically concentrates on the attack that occurred last Sunday in Cairo, Egypt. I do not intend to go through what can only be described as the gruesome and terrible detail of that incident last weekend. As many members have already said, that was not an isolated incident but one of a series of incidents that have taken place not only recently but over a significant period.

I note that on 19 January this year a public rally was held in Martin Place. I and a number of other members of this House, including the Hon. David Clarke and the Hon. Marie Ficarra, attended the rally. Its aim was to condemn the killings in November last year and especially the killing and maiming of a large number of people on New Year's Eve in the bombing of a church. At that rally, which was very well attended, were enlarged photographs of people who had lost their lives. It struck me that many of those shown in the photographs were young women and men, children and elderly persons. They were just wanting to practise their faith peacefully but were brutally killed in their church in what was obviously a terrorist act.

Following the rally, as members of the Australian Coptic Movement Association asked me to do, I wrote to both the Prime Minister of Australia and the Minister for Foreign Affairs. I will read onto the record a number of paragraphs of that correspondence, to which I duly received a response. In the letter to the Prime Minister, dated 11 February 2011, I said:

Re: Australia's Recognition and a Support for the Plight of the Coptic Christians in Egypt

I write to you to express my concern and the concerns of the over 80,000 Coptic Christians in Australia about the Australian Government's failure to strongly condemn the persecution and attacks being perpetrated against Coptic Christians in Egypt.

I recently had the opportunity to address a large, peaceful rally in Sydney's Martin Place organised by the Australian Coptic Movement Association. There were a number of speakers at the rally from across the political divide including activists and clergy. The rally was organised in the aftermath of the terrible car bomb attack in Alexandria, Egypt on New Year's eve where 23 worshippers at Midnight Mass were killed and over 70 maimed and injured.

Of course as you would be aware this matter is not an isolated incident. Persecution and attacks on innocent Coptic Christians in Egypt over many decades have been well documented. It should be noted that the attacks have not been provoked in any way and have been launched against innocent people going about their daily lives. I also note that threats were made against certain Coptic churches in Australia earlier this year.

What the members of the Coptic community in Australia do not understand is why the Australian Government has not been forthright in condemning these attacks. As you would appreciate many in the community have family and friends in Egypt and are disappointed that the Australian Government, well known internationally for taking strong stances on fundamental human rights issues, appears to be doing little more than acknowledging the attacks and expressing condolences. This, the Coptic community in Australia believe, is not satisfactory and leaves a lot to be desired.

Of course the issue is further exacerbated by the recent and ongoing protests and instability in Egypt. How these matters finally resolve themselves, only time will tell. Having said that, there are grave concerns amongst the Coptic community in Australia that Coptic Christians in Egypt could be further targeted by religious extremists and other intolerant groups in that country. In these circumstances it seems that consideration should be given by the Australian Government to introduce a specific refugee immigration program for Coptic Christians seeking to flee persecution in Egypt.

I have also been asked to request that the Australian Government obtains, on an ongoing basis from both our Ambassador in Egypt and Egypt's Ambassador in Australia, specific reports about the welfare and treatment of Coptic Christians in that country. Those reports should be made available to the public.

It is also the view of the Coptic community in Australia that Australia, as a member of the international community, should advance the argument in the context of proposed constitutional change in Egypt, that Article 2 of the Constitution be amended to provide for the recognition of freedom of religion in that country.

The Coptic community in Australia is peaceful, devout and family orientated. They are law abiding citizens and just wish to get on with their lives. They wish that their family and friends back in Egypt can be allowed to get on with their lives without fear and persecution. Whatever the Australian Government can do to help achieve this end would be deeply appreciated.

I received responses to both letters and forwarded them to representatives of the Australian Coptic Movement earlier this year. I should like to focus on some points that I believe need further attention by the Australian Government. I call on the Australian Government to give consideration to providing specific refugee immigration accommodation for persecuted Coptic Christians who would like to make their way to Australia to settle with their families. I have no doubt that a strong case exists because of the circumstances being experienced in Egypt. Article 2 of the Constitution of Egypt also deserves attention because its current wording essentially prohibits the recognition of other religions in Egypt. If we are talking about genuine freedom of religion in that country, a new Constitution should be written that does not prohibit the practice of religions other than Islam.

I pay tribute to the Australian Coptic Movement Association for its wonderful tireless work on behalf of Coptic Christians in Egypt. I extend my best wishes and encouragement to the association to continue that work. It is wonderful to see young active members of that organisation speaking out forthrightly on behalf of their community pressing the Australian Government to do more and using social media and other readily available communication to make sure that people in Australia understand what is happening in Egypt. I also acknowledge the work of the Australian clergy.

Australia has 50 churches and all of the clergy are working closely with the Australia Coptic community to give support and comfort and, of course, prayer and spiritual guidance at this time. These are the most terrible events and we just cannot see an end to what has been happening. Certainly, this persecution goes back over a long period, but some of the terrible instances particularly in the past 12 months and over the course of this year must have broken the hearts of the clergy in this country. I ask the association's representatives who are present in the gallery today to pass on to their clergy our appreciation for the wonderful care they provide to their flock.

I shall conclude by simply saying that I associate with the range of comments by other members. We are at one with our condemnation of this action. As elected representatives, we understand how fortunate we are to have a democracy with liberty that enables the practice of religion in a society free from such awful persecution. These atrocities are made worse based on evidence that the Government, through the military, appears to be directly involved. It is unthinkable for such circumstances to occur in Australia. I fully support the motion of Reverend the Hon. Fred Nile. I am sure all members of this House will support it.

The Hon. SOPHIE COTSIS [11.08 a.m.]: I support the motion moved by Reverend the Hon. Fred Nile. I am saddened to see the scenes in Egypt and distressed at the attacks on Coptic Christian citizens.

I express my outrage at these unnecessary attacks against Coptic Christians in Egypt. This is a difficult period for all Egyptians. Regardless of religion or race, it is a difficult time for Egyptian people and the international community stands with them. I find it abhorrent that peaceful protests in the streets of Egypt are being taken over by gangs and people are being butchered. I express my deep sorrow and condolences to the families whose sons and daughters have been butchered in these senseless acts. I have watched these events with horror. I have kept abreast of news and information from Egypt as well as talking to my good friends from the Australian Coptic Christian community who are distressed at what their families in Egypt are experiencing.

I add my voice to those of previous speakers who have indicated their support for this motion and have spoken with passion about this very important issue. I find it distressing that last Sunday 26 Coptic Christians were killed and more than 400 were injured while they were engaging in a peaceful protest. They were protesting against the earlier destruction and burning of a church in Egypt. A place of worship is a very important, special place for whichever race practises its religion there. It is a place where they find comfort and the freedom to practice their religion in safety. It distresses me greatly to see that churches are being burnt and destroyed. This is not a good thing. I have been watching what has been going on, reading information and talking to my friends in Sydney, who are worried about their friends and relatives.

I congratulate the Federal Government on acting quickly and issuing a statement condemning these attacks. I congratulate the Australian Parliament on carrying a resolution and standing shoulder to shoulder in condemning these attacks. All members have heard what has happened and I will not repeat that information. I acknowledge our friends from the Australian Coptic Christian community who are here today in the public gallery. I have a number of friends from that community, as I grew up with neighbours who were Coptic Christians. We shared many good times growing up together. Our values, education and work ethic are similar. I commend the hard work and commitment that the Australian Coptic Christians contribute to the Australian community.

I say to the people in the gallery: We stand with you shoulder to shoulder at this difficult time in the history of Egypt. We do share your pain. We know you are suffering immensely at this time. Your friends and relatives are exercising a right that every citizen should have to peacefully protest. It distresses me that your places of worship are being burnt, and that people are dying and being injured for exercising that right. With the support of the international community, including Australia, hopefully the situation will improve. I commend the motion to the House.

Dr JOHN KAYE [11.13 a.m.]: I give my wholehearted support to the motion moved by Reverend the Hon. Fred Nile and thank him for bringing this extremely important issue to the Chamber. My presentation is much shorter than the gravity, seriousness and human tragedy of the series of events of the last few weeks, years and decades. I thank the Hon. Trevor Khan, the Hon. Marie Ficarra and other members for their contribution to this debate and their commitment to the cause of human rights. Religious violence is as irrational as it is destructive. It is not just destructive of the victims.

I ask members to spend two minutes imagining what it would be like to not be able to live safely in your own country purely because of the religious beliefs you hold, or your ethnicity, or sexuality, or any other characteristic which is yours and your right to hold. The idea that you cannot live safely, that sacred places of worship are at risk, that you and your family are at risk, and that you are systematically discriminated against: no person on the surface of the planet should have to undergo that. It is very clear that not just the present situation but the history of the Coptic Christians indicates that this has gone on too long, and as Reverend the Hon. Fred Nile and the Hon. David Clarke have said, it is time for this to change. It must change. It will change.

Religious violence is not only an assault against the victims, it is also an assault against the reputation of the innocent bystanders. I pay tribute to the Hon. Marie Ficarra for pointing out the millions of innocent Egyptians who are not Copts, whose name and reputation is being smeared by the actions of a minority. It is important that we understand that and redouble our condemnation of the perpetrators of this crime against humanity. It is also an act that damages those who perpetrate it because they themselves are damaged to their core. They are denying themselves that fundamental aspect of humanity which is our respect for each other. By doing so they are taking themselves out of the accepted behaviour of humanity and the values that make a society work.

I want to raise three things: I thank the Coptic Christian community of Australia for keeping this issue alive. I understand that many of them have family in Egypt and that this issue is close and personal. As much as

it is possible to do so, the Parliament weeps and bleeds with you and understands what is going on. I thank you for the courage you have shown in standing up for the minority rights of every individual on the surface of this planet. As the Hon. Trevor Khan said, this is about making the Universal Declaration of Human Rights not a document but a fact, a reality.

The second point I make is that this is a matter that transcends purely partisan politics, the obligations of Australians, and the obligations of people of any particular faith; this is a matter of humanity and must come to an end. Finally, I say thank you to all members of Parliament who have over the past three decades been active on this issue and kept the Parliament focused on it. I strongly support the motion. The Greens strongly support the motion. I am sure that all members of the Parliament support the motion.

Reverend the Hon. FRED NILE [11.19 a.m.], in reply: I thank all members who have participated in the debate on this very important motion. I acknowledge the bipartisan support for this motion by all the political parties represented in this House. The motion has been supported by members who represent all religious viewpoints. I thank each member who contributed: the Hon. David Clarke, the Hon. Walt Secord, the Hon. Linda Voltz, the Hon. Paul Green, the Hon. Marie Ficarra, the Hon. Shaoquett Moselmane, Mr David Shoebridge, the Hon. Trevor Khan, the Hon. Amanda Fazio, the Hon. Greg Donnelly, the Hon. Sophie Cotsis and Dr John Kaye. Each member has made a valuable contribution with their participation not just academically but by expressing heartfelt genuine concern for the future of the Egyptian people and the Coptic Christian community.

I thank again the Coptic representatives who have come here today; they are in the public gallery. I hope the views that have been expressed by members of this House have been of great encouragement to you. Ethnic groups can feel isolated, alone and forgotten. We have shown that you are not alone and forgotten. We stand with you today. I ask that you take back the support of the members of the House to your community, churches and clergy.

Although we now conclude this debate, we will continue to pray for the future of the church as Egypt goes through the stage of developing a constitution and holding elections. I encourage all Egyptians, including the Coptic community, to participate in that process. For the Coptic community, which often has been isolated, this is an opportunity to fully participate in the political process in Egypt and have its voice expressed—an opportunity that is experienced by all in Australia. I have had many happy visits to Egypt and I look forward to future visits. I have always had great fellowship with the Egyptian people. My name, Nile, receives a warm response in Egypt. I have been told by officials that it cannot be my real name and I have made it up. I show them my passport to prove it is my name. Although Egypt is not part of my heritage, I have a very warm love for the Egyptian people. I thank members for their support of my motion.

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

Motion agreed to.

PROROGATION OF PARLIAMENT

Personal Explanation

The Hon. AMANDA FAZIO, by leave: On Wednesday 12 October 2011 the Hon. Matthew Mason-Cox, during his contribution to the Budget Speech, stated:

The Hon. Amanda Fazio was part of that last act of the Labor Government. We all remember clearly her proud act of the proroguing of Parliament.

I want to correct the record. At the time Parliament was prorogued I was not in Australia. I was in Pakistan on a self-funded study tour looking at flood relief. In fact, it is not the role of the Presiding Officers to be involved in such decisions of Executive Government. I correct the record in that way.

TRUTH IN LABELLING (FREE-RANGE EGGS) BILL 2011

Second Reading

Debate resumed from 26 August 2011.

The Hon. STEVE WHAN [11.22 a.m.]: I welcome the opportunity to speak on the Truth in Labelling (Free-range Eggs) Bill 2011. From the outset, I foreshadow that on behalf of the Opposition I will move

amendments in Committee which will enable both the Opposition and the Government to support the bill. The bill was introduced by Dr John Kaye on behalf The Greens. This legislation addresses concerns in the community about truth in labelling of eggs. Many people in New South Wales choose to pay a bit extra and buy free-range or barn-laid eggs. They do so because they believe the chickens producing those eggs are being kept in more humane conditions than are caged chickens. As well as truth in labelling provisions, the bill, in its original form, defines conditions for the keeping of hens in New South Wales.

The proposed amendments that I will move provide that the conditions mirror the national standards. I strongly believe that we should implement the national standard for the keeping of hens, the production of eggs and the definitions of "cage", "barn laid" and "free-range" eggs. The reason for the amendments is practical. The egg industry crosses State boundaries. New South Wales makes up a large slab of the egg industry and the production of eggs in Australia. However, our product crosses into other States, particularly our border States. As I am a resident of Queanbeyan, I am aware that many eggs sold in the Australian Capital Territory come from New South Wales. It is important that the definitions match Australia-wide so that our trade is not inhibited.

The proposed amendments will ensure truth in labelling of eggs and the conditions for hens match the national standard. The national standard is outlined in the Model Code of Practice for the Welfare of Animals: Domestic Poultry. The current standard is the fourth edition and was agreed to by the Primary Industries Standing Committee. The proposed amendments provide that the New South Wales regulations mirror those standards or the standards that replace them so that we keep up to date with changes without having to amend our legislation.

The bill addresses an issue of concern for many people in New South Wales. Our egg industry is an extremely important industry in New South Wales. Unlike many people, I do not have a problem with buying eggs from caged hens but I do want hens to be kept in reasonable conditions. I do have a problem with people not getting what they pay for. Consumers in New South Wales continue to buy eggs from caged hens because they are a cheaper product. For many families price is important. I, and most members, can afford to pay extra for free-range eggs, if we wish. On many occasions my wife and I buy free-range eggs, but many people do not have the luxury of being able to afford the more expensive option. If I buy eggs for the parents and citizens barbecue on election day I buy the cheaper ones.

Dr John Kaye: I hope you declare them.

The Hon. STEVE WHAN: I should change that—not on election day.

Dr John Kaye: Sprung.

The Hon. Jeremy Buckingham: His chickens have come home to roost.

The Hon. STEVE WHAN: I was determined not to do egg jokes. I will try not to, but we will see. It is important that consumers have a choice about the product they buy and I support their right to continue to have a choice. However, consumers should be confident when they buy a product that is labelled in a certain way that is the actual product they are getting. Historically, change is not always easy in the egg industry in New South Wales. When I was the Minister for Primary Industries standards were introduced for the cleanliness of eggs sold in New South Wales through the New South Wales Egg Food Safety Scheme. That practical scheme ensured that people could buy eggs of best quality and as nutritious as possible.

At the time we were attacked and criticised by a number of small free-range egg producers for insisting that the eggs had to be clean. One of the myths in egg production is that a dirty egg or an egg with faecal matter shows that the egg is a naturally produced and healthy egg. In fact, it can carry harmful bacteria such as salmonella. The egg industry tends to be mired in fallacies. The process of change in the egg industry is often difficult. I was the Minister for Primary Industries at the tail end of the enforcement of new cage standards. The former Labor Government implemented the national standards for larger, more humane cages for hens. That standard was adopted quickly by the larger egg producers but more slowly by the smaller producers.

Those standards have now been enforced in New South Wales. But again that enforcement had some pain to it. I well remember a New South Wales Farmers conference in which the egg committee had, for want of a better word, a stack of people who were opposed to those new standards being implemented. From what I have

heard, that changed again in the following year. But that represented a significant degree of industry resistance to those standards, even though they had been around for some seven years at the time and people had known they were going to be introduced.

The Hon. Duncan Gay: People all over the State didn't like it.

The Hon. STEVE WHAN: The Minister interjected to say that people all around the State didn't like it.

The Hon. Duncan Gay: No, you.

The Hon. STEVE WHAN: I heard the Minister refer to the standards. These standards were introduced nationally over a number of years. I can inform the Minister that the campaign was not against me. The Minister can try to ignore this but the point I am making is that change in industry can be difficult and slow at times, but it has happened. The former Labor Government had a good record of introducing more humane conditions for the production of eggs from caged birds in New South Wales at the same time as ensuring, through our food safety schemes, the safety of eggs. All eggs, regardless of their production system, are an important and nutritious part of people's diets and we want to encourage people to eat them. They are a natural product that has great nutritional benefits for people.

The Hon. Dr Peter Phelps: What about vegans?

The Hon. STEVE WHAN: Of course there are some people who do not eat eggs but they are a nutritious food source for people all round the world. In New South Wales it is important for us to acknowledge that all eggs, regardless of how they are produced, have that nutritional value. However, many people choose to buy eggs that are produced not in cages but are barn-laid or free-range eggs. With the Opposition's amendments this legislation will guarantee that consumers in New South Wales will know that they are getting what they paid for. I do not think anybody would argue with that important principle. The Australian Capital Territory already has similar legislation to this legislation—if the Opposition's amendments are accepted—which goes back to setting the national standard for caged eggs, barn-laid eggs and free-range eggs, but imposing conditions on advertising to ensure they are accurately promoted.

As I mentioned earlier, with Labor's amendments, we are seeking to match this bill with the fourth edition of the Model Code of Practice for Welfare of Animals: Domestic Poultry. If the Government were to agree and this bill becomes law it would be up to the Minister of the day to participate in the Primary Industries Standing Committee on the formulation of changes to those standards. Many members would be aware that currently suggested draft changes to those standards are being discussed. In my view they represent a sensible next step forward. One of the issues raised in the original bill by The Greens, with which I did not agree, was a change to specify that a free-range egg comes from a farm which has 750 hens per hectare. Currently the national standard specifies that the aim is to have 1,500 hens per hectare. But egg farmers raise their chooks in different conditions and many of them move around to different ranges when they are producing free-range eggs. In the past we have seen that effectively, because of those processes, there has not been a national or enforceable standard for the maximum number of chickens per hectare.

Currently people can say that they are free-range egg producers if they have up to 80,000 hens, or thereabouts, per hectare. The new draft standards that are being circulated currently by the industry suggest that the maximum should be two hens per square metre, which effectively is 20,000 per hectare. While that might seem a lot to some people, when one considers that the hens congregate in different parts of the surrounds and in their roost areas, two hens per square metre may not be that much. But the standard that we are looking to enforce with the amendments to this legislation is 1,500 birds per hectare, but with an actual maximum rather than a not-effective maximum per hectare.

I believe that the number of changes we suggest to the original bill introduced by The Greens gives us a very practical piece of legislation to which the Government may not be able to respond today. However, it should be able to consider implementing the legislation in the longer term. Consumers in New South Wales would be grateful for the better definitions and better certainty in relation to what types of eggs they are buying. Enforcement of this legislation would be very similar to enforcement that already occurs in New South Wales. A couple of authorities in New South Wales carry out a lot of enforcement work. The New South Wales Food Authority, which already has a role in the enforcement of labelling in New South Wales, such as beef labelling—which the former Government introduced—is a case in point. The New South Wales Food Authority already undertakes the prosecution of people who are using false labelling for things such as country of origin and so on. Local council inspectors will also be able to undertake some of that work.

The Food Authority is also actively involved in the inspection of egg production facilities to ensure that they are meeting the New South Wales Egg Food Safety Scheme standards. The RSPCA currently is involved in the inspection of eggs produced by caged birds and other egg production facilities to ensure they meet the current standards for humane egg production. So the mechanisms are already in place for that work to be undertaken if this legislation, as amended by the Opposition, is passed by the Parliament in the long term and is implemented.

We want the Government to introduce regulations that mirror the national standards because we received advice from Parliamentary Counsel that that was the most practical way to undertake this work. With national standards the legislation would not need to be changed in future but the regulation would change to go along with the national standard. That would certainly give the Minister of the day and the Government an ability to ensure that industry was being properly consulted as we went through the process and that needs were being met. As I mentioned before, there is similar legislation already in operation in the Australian Capital Territory, with some small differences.

The Hon. Duncan Gay: How many egg producers are in the Australian Capital Territory?

The Hon. STEVE WHAN: The Minister is interjecting. This is exactly the point I was making before about the need for national standards, because most of the eggs produced in the Australian Capital Territory come from New South Wales. But, yes, eggs are still being produced in the Australian Capital Territory.

The Hon. Duncan Gay: How much?

The Hon. STEVE WHAN: I cannot tell the Minister the figure, but I am sure he will enlighten members with the wisdom of your contribution. For many years Parkwood Eggs was a major producer of eggs from caged birds in the Australian Capital Territory, and there are some free-range egg producers in the area.

The Hon. Matthew Mason-Cox: Phelps, how are your chooks going?

The Hon. STEVE WHAN: People like the Government Whip produce eggs in their own backyards. However, the Government Whip does not have to comply with any regulations as I am sure he does not sell eggs at the local market. This is a serious piece of legislation. Having regard to all the interjections that were made relating to the feeding of the chooks, I am reminded of one of the more famous predecessors of those opposite, Joh Bjelke-Petersen, who referred to the media in that way. All members would be aware that members of The Nationals have continued those traditions.

I will make a number of other points about this legislation. We are concerned about some parts of the original legislation that stated that persons must not, on any packaging or labelling of non-complying eggs, make a positive claim relating to the nutritional value of those eggs. As I said earlier, regardless of their production method eggs are still nutritious. I think it is reasonable for egg producers to make claims about the nutritional value of their eggs. Information I have been provided from the Egg Corporation states that it is developing a scientific test that will be carried out on eggs to ascertain their production method. That will give the Government a means by which to check that this legislation is being followed, if it is passed.

As I said earlier, the egg industry is an important \$197 million industry in New South Wales. It produces 44 per cent of Australia's eggs and there are around 7.4 million laying hens. Many of those hens are located in country New South Wales, but there are also some in the Sydney Basin. At some stage I would like to address the importance of the Sydney Basin for food production for Sydney, but that will be a debate for a future motion. I am sure the Government realises that many people in New South Wales are concerned about the conditions in which egg-producing chickens are kept. People want to have confidence that they get what they pay for when they buy eggs or egg products.

That is why the Opposition will support this bill if it is amended in the way in which the Opposition has proposed. I urge the Government to support the Opposition's foreshadowed amendments because, as a former Minister for Primary Industries, I believe these are amendments with which the Government and industry can live and implement and they will provide benefits for the whole community. Although these amendments might not go as far as some campaigners want on this issue, they are practical amendments which will provide the egg industry and its consumers with certainty. I urge members to support the Opposition's amendments to this bill and to support the bill, once amended.

The Hon. DUNCAN GAY (Minister for Roads and Ports) [11.41 a.m.]: I am grateful for this opportunity to inform the House about the Government's concerns relating to the Truth in Labelling (Free-range Eggs) Bill 2011. The Government is passionate about truth in labelling and in ensuring the viability of the egg industry while also protecting consumers. The Government believes that the concerns raised in this bill are genuine. The Opposition spokesman raised some of the community's concerns regarding free-range eggs. I believe the community has valid concerns about shonks and is confused by the problems of free-range product identification. The Greens are good at identifying a niche and going forward. The community concern that has been picked up by the Opposition is shared by the Government. However, the Government holds a different view about the best way to move forward and I understand that the egg industry shares its view.

Most importantly, this bill erodes national consistency in the area of food regulation by creating different labelling requirements for products that are currently traded freely between States. New South Wales should not be going alone in this area. The labelling aspects of the bill have national implications, particularly in the light of the reform agenda of the Council of Australian Governments and the Blewett review on national food labelling law and policy review released in January this year. I find it disturbing that Dr Kaye boasts about this bill and claims to have consulted, for example, with the Australian Egg Corporation or the New South Wales Farmers Association egg committee. Mr James Kellaway, managing director of the Australian Egg Corporation, and Mr Bede Burke from Tamworth who is the chair of the New South Wales Farmers Association Egg Committee are in the House today. They have not been consulted on this bill. I would have thought anyone introducing a bill relating to this area would have consulted these people. The information that I have received indicates they have not been consulted.

Dr John Kaye: Well, they have lied to you. If it is the case that they said I haven't met with them they have lied to you.

The Hon. DUNCAN GAY: My understanding is that they have not been consulted on this bill but I will check on that. I have a good opportunity to do so.

Dr John Kaye: I met with them. I have diary notes of meeting with both of them and they have both been sent copies of the bill. You should retract that statement.

The Hon. DUNCAN GAY: The Australian Egg Corporation wrote a damning letter about this bill to my colleague the Hon. Katrina Hodgkinson, Minister for Primary Industries. They advised the Minister that the Australian egg industry is concerned about the ramifications that Dr Kaye's bill would have to the egg market and the freedom of choice the egg industry is passionate about preserving for New South Wales consumers. To hear that Dr John Kaye has not consulted with the egg industry is not surprising considering his track record, but it is absolutely disturbing when the Australian egg industry states that the contents of Dr Kaye's egg bill will result in the egg industry being "unsustainable, unrealistic, not commercial and discriminatory". That is what happens when industry is not properly consulted.

The Hon. Cate Faehrmann: Pity your prepared speech talks about the lack of consultation so much, Duncan. You should give up your speech.

Dr John Kaye: Your speech is wrong, Duncan. We sent them copies of the bill.

The Hon. Dr Peter Phelps: Point of order: The repeated interjections from those opposite are unnecessary and unhelpful and the Minister should be heard in silence.

Dr John Kaye: To the point of order: I accept what the Whip says, but I am outraged by the lies that are being told.

The Hon. Scot MacDonald: That's not a point of order, John.

Dr John Kaye: I am not making a point of order; I am addressing the point of order. I am explaining to the presiding officer that I am interjecting because what the Hon. Duncan Gay is saying is simply not true.

The Hon. Dr Peter Phelps: Further to the point of order: The member is fully aware that he will have a right of reply. If he believes that any material is incorrect he can exercise his right of reply at that point in time. He should remain silent until then.

The DEPUTY-PRESIDENT (The Hon. Jennifer Gardiner): Order! That is correct. I remind Dr John Kaye that he will have an opportunity to respond to any comments made during the debate.

The Hon. DUNCAN GAY: A letter dated 25 August from the Australian Egg Corporation Limited states:

Dr Kaye has not met or consulted with AECL or the NSW Farmers' Association egg committee in relation to the contents of the Bill which will result in the NSW egg industry being unsustainable.

That letter is dated 25 August, so the bill was in the House and there was no consultation. That is what my comments are based on today. Mutual recognition requirements will mean that eggs coming in from other States that do not comply with New South Wales requirements will still be lawful for sale in New South Wales provided they comply with the requirements of the home State, of which there are none. This is simply unfair for New South Wales businesses. There are no controls in other States but there will be controls here. They should not be punished when we can and should address the issue effectively in a national forum.

Like the Australian Egg Corporation, the New South Wales Government supports truth in labelling and recognised production systems. However, the Government does not support this flawed and misleading bill. An approach we support is a consultative working group with industry and government to work through the issues on which this bill touches. Free-range egg producers are already labelling their product to meet demand, and truth in labelling provisions already regulate this practice. All food businesses in New South Wales must comply with the Food Act 2003 which makes it an offence to falsely describe products. The New South Wales Food Authority has an outstanding record of successful enforcement action against rogue traders, particularly where there has been misleading or deceptive conduct. In June last year one of our State's largest smallgoods manufacturers was fined \$233,325 for false and misleading conduct and product traceability.

These actions were all taken under existing legislation. There is no reason that eggs require a different approach or specific laws of their own. Of course, any specific mislabelling or false advertising of eggs will continue to be scrutinised by the New South Wales Food Authority. The Food Act and the Food Regulation 2010 already contain strong provisions to regulate the labelling of packaged food such as eggs and the safe production and handling of eggs intended for sale. In particular, the Food Act already prescribes offences relating to deceptive or misleading labelling of food for sale, including eggs. The existing offence provisions are supported by severe penalties of up to 500 penalty units, or \$55,000, in the case of an individual and 2,500 penalty units, or \$275,000, in the case of a corporation.

The Truth in Labelling (Free-range Eggs) Bill 2011 would create the offence of advertising, packaging or labelling eggs for sale as free-range or barn eggs unless certain requirements are met. The bill refers to "free-range" or "barn" eggs as compliant eggs and sets very specific and narrow requirements that must be met before these terms can be used. The bill classes all other eggs that do not meet these requirements as non-compliant eggs and provides that these must be labelled as "cage eggs". It is important to point out that this requirement to label so-called non-compliant eggs as "cage eggs" applies even if the eggs were not produced in the well-regulated cage system. This means that eggs could be produced in barns or free-range farms that meet the national standards but not the narrow terms of this bill. These eggs would have to be labelled as "cage eggs" even though they were produced in laying systems where there was not a cage in sight.

It is very clear that this bill would not deliver truth in labelling for eggs because it could require many egg producers to label their product in an untruthful manner. This frankly is untenable, and more so for a bill that claims to be about truth in labelling. There are already two specific Acts that separately regulate animal welfare and food labelling. The bill would add a third Act with provisions that contradict both existing Acts. This will create uncertainty and confusion for both regulators and primary producers attempting to comply with all relevant legislation.

Nationally agreed layer hen housing reforms were introduced in New South Wales in January 2008 and these are set out in the Model Code of Practice for the Welfare of Animals: Domestic Poultry. The New South Wales egg industry has collectively made a very significant investment in layer hen production systems that comply with this model code. It is very important that before we make sweeping changes which affect the utility and viability of these investments—and many people and families have made huge investments and borrowings—we take account of considerations such as the commercial life of the infrastructure involved.

That has clearly not occurred in the case of this bill. If this bill commenced it would prevent eggs from being labelled as free range if the stocking density exceeds 1,500 fowls per hectare. However, four years after

commencement the stocking density permitted under the bill would drop to 750 fowls per hectare. That is only half the stocking density specified in the model code of practice. This would require a free-range farm with 1,000 fowls per hectare, which would be fully compliant with the model code, to falsely label its eggs as "cage" and it would have to take a lower market price as a result.

Then there are the significant incidental costs that are also associated with the bill. New South Wales eggs are marketed in many other Australian States and any move to require different labelling for eggs sold in New South Wales and other States would impose additional and unnecessary costs on New South Wales producers. All these impacts on egg producers would flow through to their local communities and have considerable consequential impacts on the nearly 200 egg producers and almost 4,000 workers currently employed by this industry. These impacts are also likely to flow on to consumers and families through higher prices for eggs.

The Opposition spokesman in his contribution foreshadowed amendments that frankly make the bill a lot better. We will not be opposing the amendments proposed by the Opposition. They take the bill from being absolutely horrible to being ordinarily horrible. The former Minister who has put forward the amendments has form in this area of going it alone. The beef industry amendments that he put forward left New South Wales out of step with the rest of the country. He is doing exactly the same here. He is setting up New South Wales separately and disadvantaging our producers when the proper thing to do would be to go to the Council of Australian Governments and do this in an ordered manner. There is a definite case for this labelling and it is accepted. Anyone who wanders through the markets at Eveleigh or wherever on a Saturday morning—

The Hon. Amanda Fazio: Next to your house?

The Hon. DUNCAN GAY: It is not next to my house. That is where the Hon. Amanda Fazio lives. She will see eggs at any of those markets but people cannot be sure that the description of them is accurate. The only way to do this properly is through national rules.

Dr John Kaye: That is what Steve Whan is doing.

The Hon. DUNCAN GAY: He is not doing that; he is setting up New South Wales with rules that frankly will make it harder for us to go to the Commonwealth meeting and put together a national plan. We would be better to go there with the will to put something together.

Dr John Kaye: You won't.

The Hon. DUNCAN GAY: I believe we will. The Greens do not believe anyone has good intentions. I should not include all The Greens because that is John Kaye's default position—do not believe anyone, do not trust anyone and do not consult anyone.

Dr John Kaye: That is not true. The first two are true and the last one is not.

The Hon. DUNCAN GAY: Two out of three ain't bad.

Dr John Kaye: That is a high strike rate for you, Duncan.

The Hon. DUNCAN GAY: I normally do better. We will argue about the other point later and if my comments earlier were incorrect, and I do not believe they are, I will gladly correct them during the Committee stage. The amendments proposed will definitely make the bill better but it is still an ordinary bill. This bill would not deliver truth in labelling for eggs because egg producers could be required to label their products in an untruthful manner if their production system differs from the narrow terms of the bill. These are some of the very good reasons why the Government does not support the bill. We will support the amendments but even in an amended form this bill will be a detriment to a really good industry. It does not address properly the issues it purports to address.

The Hon. RICK COLLESS [11.58 a.m.]: I wish to put on the record my views on the Truth in Labelling (Free-range Eggs) Bill 2011. As the Deputy Leader of the Government just outlined, the Government will oppose the bill. It is bad enough that the bill does not respond to a real problem; it will create serious problems. For a start, it forces eggs to be labelled in an untruthful manner. Eggs could be produced in a

free-range or barn system that is fully compliant with prescribed animal welfare requirements in the Model Code of Practice for the Welfare of Animals, fourth edition, but still does not meet the strict criteria that the bill establishes for eggs to be labelled as free range or barn laid.

These eggs would be designated as non-compliant, and the bill would require them to be labelled very obviously as "cage eggs" in print at least 10 millimetres high, although I acknowledge that the Opposition proposes an amendment to remove proposed section 6 (3) from the bill. It is incomprehensible that a so-called truth in labelling bill could force sellers to label legitimate free-range and barn laid eggs as cage eggs when they are clearly not cage eggs, have not been produced in a cage, thereby forcing those producers to take the lower cage-egg price. This is despite the fact that these eggs could be legally sold in any other States as free-range or barn laid eggs.

Effectively, the bill would force producers to either adopt the new stocking densities and animal husbandry agenda imposed by The Greens or accept cage egg prices for their eggs. Dr John Kaye spoke about stocking densities of 750 birds per hectare. One argument is that stocking densities of 1,000 to 1,500 birds per hectare will lead to bare paddocks. This was one of the arguments put forward by supporters of The Greens. It was mentioned in some of the thousand emails I received on this issue. Those are the sorts of issues they are bringing up. The Greens need to understand that controlling the impact on the land is not about stocking density, that is, the actual number of animals per hectare; it is about the way the animals are managed.

The Hon. Robert Brown: It is the impact.

The Hon. RICK COLLESS: It is the impact. You could have 50,000 birds per hectare and not have an impact on the land but have 10 birds per hectare and have a big impact on the land.

The Hon. Jeremy Buckingham: Rubbish.

The Hon. RICK COLLESS: It is not rubbish. The Greens' members do not understand because they assume the birds are on the same parcel of land all the time. What happens where the farmer uses a chook tractor to move his birds around on a regular basis? Those birds have no impact on the land, despite the fact there might be 20,000 to 50,000 birds per hectare. The same thing applies where farmers manage livestock such as sheep and cattle. If sheep or cattle are left on the same block of land all the time they will impact the land; keep them moving around and they do not have such an impact on the land. That is what I am talking about, and the Hon. Jeremy Buckingham does not understand that. It is about management, not numbers.

Whatever happens, this bill will impose a significant financial impost on the egg industry, in complete disregard for the commercial life span and investment decisions relating to existing poultry farm infrastructure and equipment. The bill also contains vague and undefined terminology such as easy access, adequate shade, adequate dry litter, palatable vegetation, and continued production of vegetation. Of course, that inevitably raises questions about what those terms actually mean and how they will be enforced. For example, what is palatable vegetation? Is it vegetation that the chickens prefer to eat, or vegetation that chickens will ordinarily eat, or even vegetation that chickens will eat but only if there is nothing else for them to eat? This is about management, and that is what The Greens do not understand. Who decides those questions relating to impact given the many vague terms contained in the bill? I note that another amendment will be moved to remove some of that terminology from the bill and to specify in regulations how those conditions can be met.

One of the tragedies of the bill is its failure to recognise that unilateral New South Wales labelling requirements can only be applied to eggs produced by New South Wales producers. The bill would have no effect on interstate egg producers, who could continue to label eggs as they do now and sell those eggs into New South Wales markets. The bill would create the unfortunate situation where many free-range and barn-laid eggs produced in New South Wales would have to be labelled cage eggs and attract cage egg prices, while at the same time eggs produced in exactly the same circumstances in another State could be freely labelled and sold in New South Wales as free-range or barn-laid eggs.

This is a recipe for exporting New South Wales egg production and egg industry jobs to other States. The Truth in Labelling (Free-range Eggs) Bill will not fix any of those problems, but it certainly will create plenty of uncertainty. That is the reason the Government will oppose the bill. As the Leader of the Government said, the amendments will slightly improve the bill, but even amended the bill would seek to give legitimacy to an issue where there is no need for it. While we all want animals of all descriptions better looked after in farming situations, to go to the prescriptive stage that this bill does is not the answer.

The Hon. ROBERT BROWN [12.04 p.m.]: I will make but a brief contribution to the debate. At the outset I will say something that is probably historic and may never be repeated in this House: We will support The Greens bill. More correctly and more to the point, we will support the bill as amended by the Opposition amendments. First, let me make a couple of things clear. Members of the last Parliament would recall that the Shooters and Fishers Party probably stood as the silent, lone champions of the small egg producers when discussing a matter which the former Parliamentary Secretary referred, the imposition of national standards in New South Wales. At the time I presented to the House some photographic evidence of just how humane those new standards were.

If I could give an imperfect example, were the Hon. Walter Secord a chook—gender aside, but a very large chook—he would not be able to stand upright in one of the new standard automated cages. Running beneath his tail end would be the poo conveyer; and above his head, if he were on other than the top layer, would be the underside of the return poo conveyer. That results in chooks with pooey heads—not very nice. Because there are multiple chooks per cage, those chooks are kept in the dark. They have to be, otherwise they peck each other. The guy who goes round to check on the chooks has to carry a torch. He checks on the cages at ground level and those higher up—all with a torch.

I almost had the Hon. Ian Cohen over the line on that one. He was going to lend his voice to support us in the House but in the end he could not do that because, from an ideological point of view, Ian felt that bill either would force the small egg producers out of business or would force the industry more towards open-range and barn-fed chooks. This is not a perfect bill, I am sorry to say to Dr John Kaye. I understand why it is not perfect: the minor parties in this House have a great deal of difficulty trying to put together legislation, particularly legislation that may have far-ranging impacts. However, I think the Opposition's amendments will perhaps ameliorate some of the shortcomings that we see in the bill. As I said, the Shooters and Fishers Party will support the amended bill.

The Hon. WALT SECORD [12.07 p.m.]: I will make a brief contribution to the Truth in Labelling (Free-range Eggs) Bill 2011. This is an important bill to New South Wales as the State provides almost half—44 per cent—of Australia's total egg production. It is worth \$197 million to the New South Wales economy. I support the principle of this initiative for two reasons. Firstly, it is about providing information to the consumer. Families doing their weekly shop have a right to know what they are buying. They may want to know this for nutritional reasons, culinary reasons, religious reasons and ethical reasons.

The fact is that if information about production is going to be part of a product's brand, for example, a free-range egg, barn, organic or caged egg, our communities expect that such information is accurate. It is quite simple: a free-range egg should come from a free-range hen and not a caged bird. It protects consumers from unscrupulous cage egg farmers who misleadingly label their eggs to suggest a level of animal welfare that does not exist. I do not believe any member could argue that our communities would reasonably expect otherwise, especially if they choose to pay a little bit extra. Secondly, this bill ensures that people who want to purchase free-range eggs can do so in the knowledge that the hens have been treated humanely.

This also rewards producers who engage in proper ethical standards. My personal experience in this area informs my views on animal treatment. In high school one of my first jobs was at a livestock auction barn that sold cattle, sheep and poultry. Unfortunately, the treatment of animals in this environment was often needlessly cruel. In addition, I had friends who worked in a battery chicken farming operation.

The Hon. Duncan Gay: Where in Australia was that?

The Hon. WALT SECORD: It was in southern Canada. The conditions for the chickens in this environment were deeply disturbing. There was massive overcrowding and little opportunity for the birds to rest. Unfortunately, at times hens in that facility resorted to cannibalism and to attacking each other due to their cramped conditions. I totally reject the arguments about debeaking, which also is known, disingenuously, as beak trimming, on the grounds that it prevents cannibalism. Debeaking is the partial removal of the beak. Most commonly, the beak is shortened permanently. Although regrowth can occur, more often than not it does not. The trimmed lower beak is somewhat longer than the upper beak. Debeaking is already banned in Sweden, Finland, Switzerland and Norway. Put simply, debeaking simply imposes a second cruelty to mitigate the first. Why not just deal with the primary cruelty—overcrowding?

Cannibalism is due to overcrowding and in some cases the stressful conditions of battery hens when they are packed so tightly together means they are unable to even stretch their wings. I have been advised that in

other instances some chickens are forced to share an area the size of an A4 sheet of paper. I share these observations because they profoundly shaped my views on animals and animal welfare. I abhor unnecessary cruelty to animals. I believe that Labor's amendments to the bill strike the right balance between the commercial demands, which I appreciate places a real pressure on our farmers, and the welfare of the hens that make this production possible. This bill imposes a maximum penalty of \$55,000 for corporations and \$5,500 for individuals and/or six months imprisonment for breaking these laws.

In supporting these amendments I support the aims of this bill, and Labor supports truth in labelling. However, the bill—unamended—goes much further and in my view would have negative consequences that ultimately could result in a setback to this important humane cause. Current egg standards are agreed nationally. There is a case for putting in place a tighter restriction on the definition of free-range chickens; however, it is not appropriate to have those changes only in New South Wales. Our proposals set definitions that differentiate from agreed national standards. Consistent national standard definitions of free-range, barn-laid and cage eggs are important because eggs are traded interstate. Our State industry does not exist in a vacuum. If the legislation remains unchanged these companies would either close up shop or move interstate. This would cripple the New South Wales industry.

We want to work with the industry. We want producers to know that standards are changing but that they have a chance to change with them. We want transitions to help provide a better way of doing this business rather than just leaving it. The industry has shown that it wants to work with consumers on this issue. The Australian Egg Corporation has indicated that the industry is moving towards a national definition for free-range producers. This will allow producers to adjust to the impacts on their businesses. It serves this important cause little good if the consequence for families and communities is that New South Wales businesses go broke. While regulation sometimes is the only option, let us first see if the industry can respond appropriately. I think it can and will. The result will be a national benefit. I assure members that if the industry does not change I will strongly advocate revisiting this issue at a later date. Labor supports The Greens attempt to improve consumer confidence through egg labelling, but will ensure that this is achieved without crippling the New South Wales industry but will bring the country in line with us. I commend the bill, as amended, to the House.

The Hon. NIALL BLAIR [12.13 p.m.]: I oppose the Truth in Labelling (Free-range Eggs) Bill 2011. I shall outline how the inadequate consultation in developing this bill will impact on producers who are doing the right thing. In researching this matter I met with an organic free-range egg farmer who uses a practice of strip grazing for egg production. The farmer has approximately 1,700 fowl per half hectare plot, from which they move every 48 hours. The birds produce eggs in knee-high grass and the farm is certified as organic. The restrictions contained in clause 4 of the bill will prohibit these hens' eggs from being labelled free range, despite the environment in which they are produced, because there will be more than the permitted 1,500 birds per hectare for the immediate four-year period after the Act commences and more than the permitted 750 birds per hectare thereafter.

Depending on changing circumstances, this organic farm paddock provides three or four caravans as shelter for the birds. The birds choose which caravan they sleep in at night, which sounds to me like these hens have a good arrangement, something akin to a great commune. A nice and happy environment is provided for these hens to lay their free-range eggs. Under the provisions of the bill the eggs of these birds will have to be labelled as cage eggs because of the density in which the birds roam in the sheltered area. As the Hon. Rick Colless mentioned, whether eggs are classified free range is determined by the management of the hens. I am happy to provide members with photographs of the operation to which I have referred. Any consumer seeing the photographs would have no doubt that the eggs produced from these hens are free range.

The Hon. Cate Faehrmann: Are the hens debeaked?

The Hon. NIALL BLAIR: I reject some of the notions in this bill about debeaking. The birds on this organic farm are not debeaked. However, this poorly consulted on bill will impact unfairly on this producer because its prescriptive provisions will restrict the operations of the farmers that proper egg-labelling laws are designed to protect. Telling people what will happen without listening to their concerns is not consultation. A bill that affects an entire industry must be subjected to wide consultation with all stakeholders, not merely dictate its narrow terms to those who will be affected. For those reasons I cannot support the bill.

Mr DAVID SHOEBRIDGE [12.17 p.m.]: I echo the words of my colleague Dr John Kaye in introducing this bill and commend it to the House. In doing so I note that a series of amendments have been foreshadowed by the Australian Labor Party, which will be accepted by The Greens in order to try to advance

matters not only for consumers but also for the welfare of chickens in New South Wales. The bill involves two aspects. The first is that we do what we can to ensure that consumers are protected. Consumers should know that a product they are buying purporting to be free range is genuinely free range.

The current system in New South Wales does not give that protection to consumers. The bill enables us to do what we can to improve the welfare of egg-producing chickens in New South Wales. The Hon. Robert Brown noted some of the grossly inhumane conditions in which caged chickens are kept. Similar observations could be made about chickens that are purported to be free range but are held in inhumane conditions. Chickens are relatively intelligent and social animals. Anyone who has experience with chickens recognises that they are intelligent and social creatures who deserve greater protection than this Parliament has provided to date.

The Hon. Dr Peter Phelps: They're only intelligent compared with Greens voters.

Mr DAVID SHOEBRIDGE: I note another offensive interjection from the Government Whip. My family has had a couple of chickens.

The Hon. Charlie Lynn: For lunch or dinner?

Mr DAVID SHOEBRIDGE: Also for lunch and dinner, but not the ones we keep in our backyard. When you spend time interacting with chickens you realise they are quite sociable animals and they are clearly animals of some intelligence. They enjoy company, the capacity to roam and have some freedom, and to be treated with respect. If you do that you get more eggs out of them as well. I thought I would deal with some of the issues in relation to consumers because that involves the second part of this Act.

In September 2009 the Australian division of the Humane Society International released results of its consumer survey of labelling here in Australia. It found 98 per cent of respondents said they agreed with the statement that full and adequate labelling is every consumer's right, yet only 6 per cent of respondents to that survey thought that current labels gave them enough information to allow them as consumers to make informed purchasing decisions. An extreme case of that is found in relation to free-range eggs. For too long retailers and producers have had excessive influence over the power and rights of consumers in making purchasing decisions. As the survey shows, consumers are disenfranchised by companies who are not truthful in their labels. The Greens Truth in Labelling (Free-range Eggs) Bill 2011 aims to go some way to bridging that imbalance by introducing quality information, which is central to fair trading, a fair marketplace between producers, and rights for consumers.

Labels are the interface between consumers and producers. If there is insufficient regulation of what is required on egg labels it will allow unscrupulous producers to exploit consumers for profit. Honest producers who are genuinely producing free-range products are disadvantaged and ought to be protected by this Parliament. Less than 20 per cent of eggs purported to be free-range on the shelves in Coles and Woolworths have accreditation logos with established schemes that can be relied upon. Caged egg producers complicate the market by saying that their laying hens are "happy and healthy", even though everybody who has looked at that production system realises that intensive cage production systems produce eggs that could not possibly be fairly reflected in those claims. Those eggs could not come from happy and healthy chickens and those statements made by cage producers are simply untrue. You would think that the New South Wales Fair Trading Act would be a way of addressing this. It says that "a person shall not in trade or commerce falsely represent that services are of a particular standard, quality, value or grade". Part 5 section 42 says:

A person shall not in trade or commerce engage in conduct that is misleading or deceptive or is likely to mislead or deceive.

This includes how a product is promoted, including information provided on the label, but the marketing of free-range eggs and brands of cage and barn eggs clearly violate the spirit of the Act. Regulations that surround the use of the term "free-range" and the texts and imagery that are used on caged egg carton labels would greatly minimise the use of marketing to confuse and mislead consumers about the product they are buying. We have seen difficulties with prosecution at the Federal and State level because there are no agreed standards on what is free-range. The Australian Egg Corporation itself does not deny that mislabelling occurs in the egg industry. In its 2009 annual report it acknowledged that mislabelling and deceptive conduct had become a key issue for the egg industry itself. It stated its support for the full weight of the law coming down on any egg producer who deceives consumers. The real problem is the full weight of the law when there is no agreed standard about what free-range is.

A report for the year 2000 on hen housing and egg labelling released by the then Department of Agriculture, Fisheries and Forestry detailed how prosecution under the trade practices legislation is extremely

difficult because there is no clear definition of what free-range egg production actually constitutes. The same applies for prosecutions under the Fair Trading Act. Because there is no agreed standard it is next to impossible for prosecuting authorities to prosecute producers who purport to have eggs that are produced free range that clearly, from a moral point of view if not a legal point of view, are produced in circumstances that no-one could describe as free range. It is almost impossible to get a successful prosecution because there is no agreed standard for terminology. That means that two groups of people are being prejudiced and misled: consumers who are buying products that are labelled free-range which in truth are not, and those hundreds of genuine producers of free-range eggs marketing them as such who are prejudiced because unscrupulous producers are able to get away with mislabelling eggs as free-range.

There was a statement that New South Wales cannot act because we are in a national economy. The Australian Capital Territory and Tasmania have acted. They have put in place standards and we have seen international action with the European Union putting standards in place. Why is it that the New South Wales Government refuses to legislate for consumer protection and truth in labelling? In 2004 the European Union defined different systems of egg production and has mandated clear labelling obligations in legislation. We are not talking about being the first to implement this legislation; it has been implemented since 2004 in the European Union. Both the Australian Capital Territory and Tasmania have introduced legislation that will regulate egg production and egg labelling.

What are the lessons from the Australian Competition and Consumer Commission free-roam case? Last month the Australian Competition and Consumer Commission launched Federal Court action against two large chicken meat producers who supply chickens to the Steggles brand because those companies alleged that their chickens were free to roam. That is the assertion made by those companies. The Australian Competition and Consumer Commission states that those statements made by producers in advertising that the animals are free to roam have breached consumer guidelines. The Australian Competition and Consumer Commission also alleges that the Australian Chicken Meat Federation has engaged in misleading and deceptive conduct in promoting that their chickens have enough space to roam around freely, when in reality the chickens are housed in barns where stocking densities are so high that no-one could realistically or honestly claim they have freedom to roam.

Claims against the misuse of the term free-roam in animal product labelling are just the tip of the iceberg. Egg substitution and mislabelling is rife in the egg industry. However, the Australian Competition and Consumer Commission is not able to launch proceedings against every egg company that misuses the words "free-range", or when cage egg producers allege positive hen welfare through their labelling. There has to be a clear system in place to prevent this type of systematic abuse of the fair trading laws in the first place. The way to do that is to implement clear standards for free-range eggs, to mandate those standards in legislation, require the producers to meet them and require producers to fairly label their eggs in the market place. That gives consumers the information that they need and the genuine free-range egg producers the fairness they need. And it would be a major step forward for the welfare of chickens and hens, consumers and honest producers. I commend the bill to the House.

The Hon. LYNDIA VOLTZ [12.28 p.m.]: I support Dr John Kaye's Truth in Labelling (Free-range Eggs) Bill 2011 and note that the Labor Party will be moving the amendments the Hon. Steve Whan has outlined to reflect the national standards as part of the bill. Dr Kaye has comprehensively outlined the issues related to the lack of labelling and definition standards in New South Wales for free-range eggs and the suffering of hens classified as free-range being debeaked and bred in appalling conditions. I reiterate the sentiments of this bill, which will protect free-range egg producers. Many are forced into unfair competition with cage egg producers who misleadingly label their eggs as free-range. We are all familiar with the images of happy hens roaming lush green fields that grace many egg cartons in our supermarket forays. Despite these pictures that portray carefree hens wandering around lush acreage, many consumers may not realise that Australia's free-range industry is not a happy place. It is an unfortunate state of affairs but countless consumers in New South Wales are being deceived into thinking that they are purchasing free-range eggs when they are in fact buying eggs produced under conditions that greatly compromise animal welfare.

The large number of misleading consumer labels and images affixed to egg cartons can leave one feeling confused. One carton may label its eggs "organic grain fed" or "free range," while yet another may claim its eggs are "certified organic." How are consumers who want to express their ethical values by purchasing free-range eggs supposed to know whether these labels and pictures really describe the contents of the egg cartons on the shelves? For example, the label on Veggs for Families cartons has "organic grain fed hens" in large letters on the carton. People could mistakenly believe they are organic eggs but they are barn-laid eggs. Certified organic eggs must be from free-range hens. Similarly, Wattle Ridge, the Environmental Egg,

enthusiastically declares its environmental credentials with a "completely biodegradable, environmentally sound pack, recycled water and a recycling program second to none that turns the chicken's waste into valuable compost." But one could easily miss the word "cage" in text only slightly darker than the background.

The truth is that many egg labels have little relevance to animal welfare. If they do, they have no official standards or any mechanism to enforce them. These are classic examples where the lack of clear labelling makes it difficult for conscientious consumers who wish to buy eggs that have not caused any suffering to the hens that lay them. How free are the hens that lay free-range eggs? Have producers redefined the free-range imagery to suit themselves? To make my point, I give an example of marketing deception from an article by Steve Pennells published in Western Australia. Steve Pennells writes:

The most expensive eggs in the supermarket last week came courtesy of Giuseppe, a third-generation egg farmer who lives with his wife, Victoria, and daughter, Annie, on their family farm built from scratch more than 70 years ago on their own "little piece of Australia".

It's heart-warming stuff, told by Giuseppe on the egg carton in intricate detail, illustrated with family photos and his gratitude for "supporting our family". Sadly he says, Giuseppe Sr, who started the farm in 1948, is no longer with us. But Nonna still lives in the family home. There's a black and white picture of her there too, laughing next to Giuseppe Sr in happier times.

Except it's not Nonna and Poppa.

The people in the picture never farmed eggs and never set foot in Australia. They're not Italian migrants ... The image is a US Library of Congress picture of two Polish immigrant tobacco farmers in Connecticut who were battling poverty in post-Depression America when the photo was taken in 1940.

Almost nothing else on this \$7 carton of eggs is real, either. Despite the family photos and heart-warming history, Giuseppe and his family don't exist.

"It is not misleading", says Brian Ahmed, the managing director of LT's Egg Farms, which distributes the "Down on The Farm" gourmet free-range eggs, who actually established the company in 1970.

The images that do not match the reality of intensive farming and Giuseppe's fabricated story feed into long-outdated myths surrounding the food that ends up on our plate. It demonstrates ironically how many consumers—who subscribe to the romantic notion that the food we eat got to our plate in the best, most ethical and humane way—are being conned. It is unfortunate that consumers who want to make a difference to animal welfare and the environment can be swindled into thinking that they could be eating free-range eggs when, in fact, these eggs could have been produced on an industrial scale from flocks of up to 120,000 birds housed in huge sheds. We are willing to pay more for them because it eases our guilt. It is quite outrageous. As Dr John Kaye said:

If the caged bird industry is okay about what it is doing with animals let it put a picture of a caged bird on the egg carton—a bird that has been force moulted or a bird with a trimmed and mutilated beak. Let it be honest about its standards. That is fair trading.

Another sinister aspect of this misleading production and labelling system is that many of Australia's major egg producers run properties with mixed systems where hens lay in cages as well as in barns and free-range conditions. It is therefore not uncommon for eggs produced in either system to end up labelled "free range" on the supermarket shelves. In fact, with the current high demand for free range and the over-production of eggs from barns and cages, thousands of eggs produced on caged hen farms are being falsely labelled "free range" and sold for premium prices. Needless to say, there is a significant price difference between free-range and cage eggs. Phil Westwood, an independent auditor who does work for the Australian Egg Corporation Limited, believes that around half the eggs labelled "free range" in Australia are in fact not free range. He says:

With no legal definition of what "free range" actually means, even farmers who are knowingly using the label in a misleading way can do so without fear of prosecution.

Mr Westwood goes on to describe the worst case scenario that he has come across:

There are some farms that we understand that go around some of the Farmers' Markets, in particular, that have virtually no chooks. They might have 20 chooks or so, but they're selling hundreds of dozens of eggs each week, and they're just buying them from the local cage farm, packaging them, and going along to Farmers' Markets and passing them off as free-range eggs and selling them for \$6 or \$8 a dozen.

So not only are we consuming falsely labelled free-range eggs that have come from overcrowded barns, we are consuming battery-cage eggs that come from hens in cages that hold four or more hens crowded into an area measuring just 16 inches wide. These cages are stacked in tiers and lined up in rows in huge sheds. The hens are crowded so tightly that they cannot even stretch their wings or legs. Constantly rubbing against the wire cages,

they suffer from severe feather loss and their bodies are covered with bruises and abrasions. Some birds do not survive this ordeal. It is not uncommon to discover rotting bird carcasses inside the cages. In close confinement cannibalism and aggression is common amongst hens. So, ironically, in response to these already atrocious conditions hens are debeaked with machinery and without painkillers. Debeaked hens can suffer acute and chronic pain in their beaks, heads and faces because the nerves of the beak are connected to the nerves in the face and the brain.

Debeaking can make eating, foraging and exploratory activities very hard and it also hinders the chicken from normal preening. The beak contains receptors that sense pain and noxious stimuli. After the beak is trimmed, the receptors in the beak stump show abnormal patterns of neural discharge—which has been interpreted as acute pain. Cutting off beaks to prevent hens from enjoying their natural instincts is not good practice or necessary if the hen flocks are managed well, as this bill aims to regulate. Ian Duncan, Professor of Poultry Science at the University of Guelph, points out:

Feather pecking is NOT aggression; rather it's foraging behaviour gone wrong. The solution of industry is to chop off beaks.

Sweden, Norway, Finland and Switzerland have successfully banned beak modification to stop birds from pecking each other to death. As I present these distressing details on animal husbandry, which have been changed successfully in other countries, the industry body dominated by Australia's three largest egg producers, the Australian Egg Corporation [AECL] is objecting to this bill amidst claims it is unsustainable and unrealistic. The Australian Egg Corporation is determined to lobby New South Wales members of Parliament to vote against the bill because it wants to maintain and increase these repellent and intensive production processes, which would allow 20,000 debeaked chickens per hectare to lay eggs that can be sold as free-range eggs.

An analysis of egg industry data from 2006-07 showed that egg producers are substituting cage eggs for eggs labelled as "free range". In order to produce the quantity of eggs sold as free range according to the Australian Egg Corporation, the overall flock of laying hens would have needed to increase by over 200,000. In fact, they decreased by 6 per cent during 2006-07, indicating that 36.8 million eggs were incorrectly labelled. Over time there has been a significant shift in consumer demand for better treatment of animals in Australia. The rise of ethical consumerism in New South Wales has led to a rise in ethic-based decisions in the supermarkets, which has been enabled by increased understanding and information about businesses practices. If these practices do not exist, how can the consumer make any fair decision about free-range eggs?

The Australian Capital Territory and Tasmania have passed legislation to regulate the production and labelling of eggs. Canberra retailers have reported increases as high as 90 per cent in the sales of free-range eggs since new labelling laws came into force. I urge members of Parliament to look at the food industry with a critical eye, acknowledge the groundswell of support in the community for the humane treatment of animals and put in place provisions that are sustainable and, above all, humane, such as the provisions in this bill. Quality information is central to both fair trading and the rights of consumers. This bill will provide protection to genuine free-range egg producers who respect both consumers and the birds in their care.

The Hon. JEREMY BUCKINGHAM [12.38 p.m.]: I speak in support of The Greens Truth in Labelling (Free-range Eggs) Bill 2011. I also speak in support of the ethical consumers of the State who are being misled because of the lack of mandatory labelling laws in New South Wales, as well as genuine free-range egg farmers who deserve a fair go and legal protection for their hard work in building an industry that has developed a loyal customer base for its ethical product. The Greens continue to be a leading voice for consumers and ethical producers in New South Wales. The question for the other parties today is whether they will continue to be the representatives of big business, who are demanding that their profit interests are protected against the interests of the public. The public has a right to know what they are eating and direct their consumption towards ethical options.

At the moment we know that some of the eggs being sold as free range in New South Wales are simply not. There are not enough free-range chickens to produce the number of eggs being sold under the label. That can happen because there is no legislated definition of "free-range egg". Unscrupulous producers are cashing in on the extra money consumers are willing to pay for ethically produced and healthy food. I speak on this issue as the Greens spokesperson on Agriculture. Near Parkes, in the Central West, at a place called Cookamidgera—which I am sure honourable members will have visited a few times—is a free-range egg business called the Happy Chook Company.

It supplies local businesses with free-range eggs and has a permanent stall at the Orange farmers market. The eggs are fantastic. Their chooks are free to range on a large paddock and are kept in a secure shed at

night. The only way that genuine free-range egg farms such as this can continue to prosper and provide the local community with ethical produce is to implement strong regulatory standards that stop unscrupulous producers from hijacking the term "free range". Claims by industry that with the stocking densities proposed in this bill there would be a shortage of free-range eggs are a mystery of logic. Many of these eggs have never been truly free range. They never walked like free range chickens, they never clucked like free range chickens—they are not free range.

The Hon. Scot MacDonald: You are being a rooster.

The Hon. JEREMY BUCKINGHAM: One day a rooster, the next a feather duster, Scot. Remember that. The truth is that this bill might result in a glut of eggs produced in far from free-range conditions being sold under labels other than free range, as they should always have been, for prices that more accurately reflect the consumers' willingness to pay for cruelly produced eggs. In fact, far from there being a shortage of free-range eggs, this bill will result in an accurate picture of genuine free-range production and allow those farmers that have been operating genuine free-range farms to expand and for new competitors to enter the market. We should reward the producers who have made that capital investment and have implemented those management practices by allowing them to capitalise on that market.

Free-range eggs and other sustainable animal and agricultural industries are essential for the economic future of New South Wales. Regional communities are looking for genuinely sustainable, long-term industries that can sustain regional economies as a buffer to the encroachment of mining into virtually every corner of the State. Local and sustainable food production is an important part of building social and economic resilience. If we do not put in place the provisions to support the development of industries such as genuine free-range farming the power over these industries will continue to rest with a few major producers.

I congratulate my colleague Dr John Kaye on introducing this bill and his engagement with genuine free-range eggs producers to collaborate on the details. I welcome the support of the Labor Party and the Shooters and Fishers Party on this bill. If passed, eggs sold in New South Wales that are labelled "free range" will truly be free range. It is telling that the Australian Egg Corporation has been so strident in its public criticisms of the bill. The only impact on industrial egg producers is that they will have to label their product in accordance with community's expectations. If they are so concerned about having to do this, it just demonstrates how necessary this bill is. I commend the bill to the House.

The Hon. CATE FAEHRMANN [12.42 p.m.]: I support the Truth in Labelling (Free-range Eggs) Bill 2011, which was introduced by my Greens colleague Dr John Kaye. I congratulate him on introducing this important piece of legislation. This Parliament has a history of legislating to prevent and reduce cruelty to animals. Thanks to the good conscience of this Parliament, the following measures have been banned: tail docking of dogs, tethering of pigs, cock fighting and dog fighting, selling pound dogs for experimentation, force-feeding geese to produce pate and bullfighting. Dr John Kaye's bill is the next step and an historic opportunity. By properly informing consumers we can reduce the worst cruelty to which hens are subjected in battery and cage systems.

As animal welfare spokesperson for the Greens, I wish to focus on the animal welfare aspects of caged hens to highlight the need to ensure the bill's strong stance on conditions for free-range hens are not watered down during the Committee stage. Battery cages are a form of animal cruelty that cannot be justified in the twenty-first century. Tolerance of the appalling treatment of battery hens no doubt has a lot to do with the fact that hens are seen as unintelligent animals. But this view is contradicted by a range of international experts, including Dr Chris Evans, Dr Lesley Rogers, Dr Joy Mench, Dr Christine Nicol and Dr Bernard Rollin. These animal behaviour scientists, and many more, have shown that the cognitive abilities of chickens are more advanced than those of cats and dogs.

Cages in battery farms are usually stacked in tiers to maximise the number of birds that can be packed into one shed. In these bleak enclosures hens are denied the freedom to express important natural behaviours such as being able to stand on a perch to keep their legs strong, dust bathe to keep their feathers clean and free from parasites, and the strong urge to lay their eggs in a secluded nest. Hens can also suffer severe de-feathering from rubbing painfully against their wire enclosures. Their feet can become entangled in the wire that they are forced to unnaturally stand on for 24 hours a day. Weaker birds may die unnoticed in their cages, trampled by cage mates.

Nobel Prize winner and animal behaviourist Professor Konrad Lorenz described the situation as follows, and I paraphrase: the worst torture to which a caged hen is exposed is the inability to retire somewhere

for the laying act. For the person who knows something about animals it is truly heart-rending to watch how a chicken tries again and again to crawl beneath her fellow cage mates to search there in vain for cover. A hen's desire to use a nest is so strong she would prefer to go without food or water than be without a nest. It is true that New South Wales introduced a minor increase in cage size for laying hens. Despite that move, caged hens still live in an area smaller than the size of an A4 piece of paper or six credit cards in a single row. By any definition that is disgraceful. There is no moral or ethical reason why an advanced, civilised nation such as Australia should tolerate such cruelty.

Like tail docking or the tethering of pigs, caging hens for egg production has had its day. It is time for change. There are now feasible alternatives that will ensure an adequate supply of eggs and enable providers to make a profit.

The Hon. Matthew Mason-Cox: I doubt that.

The Hon. CATE FAEHRMANN: I know that. Properly informing consumers about the conditions hens are kept in is the logical first step, especially given the already rapidly growing market for free-range eggs. More than one-third of eggs sold in New South Wales are now free-range. As lawmakers we have a duty to ensure that people who wish to purchase ethical goods can do so, and the way we can do this is by legislating truth in labelling. Already, large organisations such as McDonald's, the University of Newcastle and Melbourne University are moving away from using eggs from caged birds. In fact, McDonald's buys 70 million eggs a year, and its move to non-caged sources will be a huge boost to the free-range industry. Truth in labelling for free-range eggs is not a novelty. Members need not be concerned that we are leading the world—as if that would be a reason not to act. In fact, our colleagues in Europe and the United States of America are well ahead of us. In January 1999 the European Union voted to ban the battery cage system of eggs.

[Interruption]

All because of the eggs? That's right: that is why their economies are going down the tube, Charlie! Countries were given 13 years notice: all cages will be banned by 2012. In New South Wales progress is underway. Randwick, Marrickville, City of Sydney and North Sydney councils all voted to go cage free. It is time to extend that humane approach to the whole State with truth in labelling to properly inform consumers. I have no doubt that there will be additional costs, but a few extra cents for a carton of eggs is a small price to pay to stop millions of animals from being tortured every year.

It is not acceptable that many consumers who buy free-range eggs thinking they are ensuring the welfare of defenceless animals are buying a less than humane product. This is an insult to conscientious consumers. Consumer awareness of the ethical, environmental and health considerations involved with intensive farming practices is growing, and consumers are increasingly wanting to make informed choices on the animal-derived food products they purchase. But currently in New South Wales the only way for consumers to be sure of the treatment of the hens from which they are taking eggs is to seek out special consumer guides produced by animal welfare organisations.

Voluntary standards, third party certification schemes and good intentions are simply not enough to ensure the welfare of hens and accurate information for consumers. Current ambiguity in labelling is a barrier for consumers who would otherwise like to make informed product purchases. I note that Labor has issued a press release today and has indicated in the House today that it will support this bill, but will move amendments to ensure that the New South Wales legislation adheres to the Model Code of Practice for Welfare of Animals Domestic Poultry at the Federal level. Like many other people in this country who are concerned about animal welfare, I have grave reservations about this code of practice, which I will address when we are debating the amendment. I hope that all members will see the common sense behind Dr John Kaye's bill. This is not a dramatic change and certainly does not address all my concerns about the welfare of hens in New South Wales. However, it is a logical and reasonable first step and a very good piece of legislation. I support the bill.

The Hon. SHAOQUETT MOSELMANE [12.49 p.m.]: I have received an avalanche of emails on this important matter. Some emails were titled "Outdoor chickens", "No debeaking", "Defeat factory-farmed free-range egg proposal", "Are they really free-range?", "Free-range labelling" and "Make free-range free-range". The title "Justice for all" by Jane Hendy was the one I liked most. That is an excellent catchcry because justice must be observed for humans and animals alike. All the emails contained reminders that we are about to vote on the Truth in Labelling (Free-range Eggs) Bill 2011. One email stated:

As a consumer and as a compassionate citizen I urge you to support this important bill.

Like all those who emailed me, I was surprised to learn that there are no legally enforceable standards for the protection of free-range eggs. Adopting this bill as amended will ensure that consumers will know that eggs they purchase are truly free-range and that conditions for free-range hens are not eroded. We should protect free-range hens, consumers and genuinely free-range producers by voting in favour of the Truth in Labelling (Free-range Eggs) Bill as amended by the shadow Minister, the Hon. Steve Whan. There is no argument that there has to be a distinction between barn-laid eggs, free-range eggs and caged eggs. It is in the best interests of hens, farmers and consumers for labelling to be clear, consistent and truthful.

Today people have exposed the truth about how hens are crowded into long, poorly ventilated, completely dark sheds with fully automated egg collection systems and filth, death and suffering. Their recognition of the horrible short lives of battery hens has led many people to stop purchasing eggs, which in one way or another has brought on this bill. All animals must be protected. Their rights as animals must be observed and enforced by governments, government departments, farmers and producers. It seems to me that we have an issue with labelling in Australia and we must streamline the process and harmonise all laws.

I will briefly address the issue of the "Australian Made" label. This issue is not the subject of this bill but I bring it to the attention of members as a clear argument that standards must also be established in this regard. Consumers are being deceived by confusing laws and deprived of a genuine understanding of what is Australian produced. According to Roy Morgan data, more than two-thirds of consumers buy Australian made whenever possible or often, so there must also be clarity and truth in labelling for this. The use of the Heart Foundation Tick is similar. The Heart Foundation says:

The Heart Foundation Tick is a self-funded health program which aims to improve the nutrition of the foods Australian eat most often and deliver better nutritional health outcomes for all Australians.

I will not read the rest of that statement, but it is amazing that even McDonalds was able to obtain the Heart Foundation Tick of Approval. I believe it is imperative that truth in labelling be enforced so that consumers are protected and the conditions for free-range hens are not eroded. Laws should be put in place and enforced as standards for the production of free-range eggs. We should protect the hens and vote for truth in labelling. I believe that the entire issue of labelling must be examined and national standards set. I support this bill as amended by my colleague the Hon. Steve Whan.

The Hon. SCOT MacDONALD [12.53 p.m.]: I was going to oppose the Truth in Labelling (Free-range Eggs) Bill 2011, but when I heard that Marrickville Council was backing it I started to reconsider. But, no, I am going to oppose it, even though Marrickville Council made me weaken for a moment. I oppose The Greens bill. This bill may have worthy aims and it has excited cyberspace with hundreds of emails with strange titles and interesting content. Nevertheless, it is misguided and would most likely lead to poorer animal welfare conditions and higher cost to consumers.

"Free-range" sounds wonderful but it comes with many consequences. Disease management is more difficult, waste disposal is less certain and aberrant behaviour, such as cannibalism, is more likely. In addition, there is a greater chance of offsite pollution of nearby waterways as nitrogen and phosphates are washed off paddocks. Erosion can occur as vegetation is disturbed by the birds. I had the opportunity to look at some Moonbi enterprises that have a mix of battery and free-range hens. In my mind they both have their place. I do not think the treatment of battery hens is cruel, as has been asserted by other members. In many cases the hens are not challenged by competitive behaviour relating to securing food and nesting places. The size of their cages and the door sizes have been improved and will continue to be looked at in the future. The cages are clean, the waste is removed and there is no cross-contamination. Often the eggs are transported without any matter on them. The eggs go forward through the system and are packed and sent to the consumer in a safe condition. The farms at Moonbi have various free-range enterprises ranging from small scale to barn-sized and probably every complexity in between.

Obviously a lot of people are comforted by the thought of free-range eggs and even barn-laid eggs. But, as I say, it is not without its handicaps. The birds often congregate in a small area and denude the vegetation. Especially in sloping areas with light soils such as granite, the vegetation washes away pretty quickly. In my mind free-range eggs have a small although important market. Some people prefer free-range eggs but that is not the case for the bulk of the population. As I respond to The Greens bills I keep thinking that a lot of them seem to be aimed at what I would call the elite end of the market—people who have the means and the wherewithal to seek out a higher-priced product and are prepared to pay for it.

This bill does not address the great bulk of the market. I would be interested to see some figures because I question those I heard earlier. I thought the figures for barn-laid was much higher than that stated.

Most of the eggs from that market are distributed through our main outlets such as Coles, Woolworths, Franklins and so on. They are produced to a price that the consumer can afford. It is a part of their grocery basket that does not generate too much financial pressure. But they cannot afford an \$8 to \$12 carton of eggs. Most families need to rely on a \$2 to \$4 carton.

I do not believe it is the responsibility of Parliament to prescribe bird density if it can avoid it. The industry is competently self-regulating. It is adapting to consumer preferences and expectations for animal welfare. I question whether we need a prescription or regulation for every agricultural industry and every aspect of them, as if Parliament will be able to keep up with changing expectations. I also believe it is undesirable to prescribe a particular bird density number—whether it is 750 or 1,500 or up to 20,000-odd—when environmental conditions are so wide ranging. I have seen the birds produced in places such as Griffith or Leeton where it is drier and there is probably not much vegetation.

It would be difficult to compare that to a high rainfall area where there may be more vegetation and the conditions would allow a higher bird density. I question whether Parliament is the best judge of needed bird density. This would have detrimental consequences for the consumer and I do not think The Greens addressed that aspect at all. They are looking to give comfort to a particular part of the industry, whether that is the barn-laid sector or the free-range sector. I believe that will drive up the cost of production for the entire egg industry. I do not believe we can afford that.

Dr John Kaye: How is that?

The Hon. SCOT MacDONALD: That will happen as there are more free-range and barn-laid eggs at the expense of battery hen eggs.

Debate adjourned on motion by the Hon. Scot MacDonald and set down as an order of the day for a later hour.

[The Deputy-President (the Hon. Natasha Maclaren-Jones) left the chair at 1.00 p.m. The House resumed at 2.00 p.m.]

Pursuant to sessional orders business interrupted at 2.00 p.m. for questions.

QUESTIONS WITHOUT NOTICE

HUNTERS HILL FORMER URANIUM PROCESSING PLANT REMEDIATION

The Hon. LUKE FOLEY: My question is directed to the Minister for Finance and Services. Given that the State Property Authority has appointed Enviropacific Services as the remediation contractor for the former uranium processing plant at Hunters Hill, will the Minister advise the House where the contaminated material will be sent?

The Hon. GREG PEARCE: Is it not good to see the Leader of the Opposition leading with that glass chin? There are any number of catastrophes that the Labor Party left for this Government to fix. Which one does the Leader of the Opposition choose today? It is one of the most embarrassing. I am sure The Greens would be interested in this. What did the former Government do? It knew for 16 years about the contamination of the site at Hunters Hill. It hid away from it. It got reports, doctored reports, and tried to pretend the site did not exist. Eventually, through the good work of—

The Hon. Duncan Gay: Robbo the good.

The Hon. GREG PEARCE: Yes, Robbo the good, the Hon. Anthony Roberts.

The Hon. Michael Gallacher: No, Michael Richardson.

The Hon. GREG PEARCE: And Michael Richardson, the former member for The Hills. Is the Hon. Penny Sharpe interjecting today?

The Hon. Penny Sharpe: Never.

The Hon. GREG PEARCE: What did the Labor Government do? It tried to hide for as long as it could. When it was found out by our diligent Liberal members, it finally admitted it had to do something about the site. What did it do? It looked at a couple of options. The most obvious was to remediate the site and dispose of the fill at the only place that can take it, the SITA facility at Kemps Creek. That was moving along and moving along, but what happened? As is usual for the Labor Party, it was got at by some of its union mates. It was got at by some of its then western suburbs members. Instead of doing the responsible thing—remediate the site and properly dispose of the material at the only place in Australia where it could be disposed of—that genius Kristina Keneally, in her usual manner of decision-making, asked the local unions and Labor members, "What should we do, children?" Of course, they said, "Oh, let's not put it out there because we might have a political problem, and we're only interested in our own political futures; we're only interested in saving our seats." So Keneally came out and canned it, announced that the Government would not do the remediation, that it would not dispose of the material in the only place in Australia to which it could be taken.

The Hon. Luke Foley: Point of order: I asked a very direct question: Where will the contaminated material be sent to? I have waited patiently for more than three minutes, but the Minister is yet to address that very specific question. Where will the remediated waste be sent to? I would like an answer.

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

The Hon. GREG PEARCE: Because of the former Labor Government's behaviour and actions on this issue, there is a problem because the material was not sent to the place to which it was meant to be sent. [*Time expired.*]

NSW ROADS AND MARITIME SERVICES

The Hon. JOHN AJAKA: I direct a question to the Minister for Roads and Ports. Can the Minister update the House on the formation of the new organisation Roads and Maritime Services?

The Hon. DUNCAN GAY: In July this year I announced that the Roads and Traffic Authority and Maritime will be abolished as part of the most significant restructure of transport in the history of New South Wales. Some of the functions of the Roads and Traffic Authority and Maritime are being absorbed by the new organisation Transport for NSW, and a new body called NSW Roads and Maritime Services is being formed. It will build and maintain roads, conduct driving tests, issue licences and registrations, and oversee harbours and waterways. In its place will be a streamlined, customer-focused organisation to deliver essential front-line services to the people who use our roads, our harbours and our waters. With strategy and policy work now taken care of by Transport for NSW, the task of making sure motorists can get from point A to point B quickly and safely is right in focus.

Today I can inform the House that a new chief executive for Roads and Maritime Services has been recruited after an extensive process. A number of high-quality candidates from the public and private sectors came forward, and I can inform the House that Peter Duncan, who is currently Deputy Director General of the New South Wales Department of Premier and Cabinet, has been appointed to lead Roads and Maritime Services at this important time for transport in New South Wales. Mr Duncan brings with him a wealth of knowledge and senior experience in New South Wales government roles. He has held a range of senior positions in New South Wales government, including previous roles as the Director General of the Department of Services, Technology and Administration, chief executive of Forests NSW and Deputy Director General of the Department of Primary Industries.

Mr Duncan also spent the early years of his career in road design for the Department of Main Roads and the Roads and Traffic Authority, giving him a strong insight into the functions and requirements of the roads agency at a grassroots level. He has an extremely impressive background and record of achievement in government, and we are delighted he has been appointed to the position. Mr Duncan will take on his new role from 31 October, ahead of the proclamation of legislation on 1 November which will formally create Roads and Maritime Services. I take this opportunity to thank outgoing chief executive Michael Bushby for his dedication and commitment to the Roads and Traffic Authority over the past 13 years and particularly the past two and a half years that he has led the organisation. I would like to wish Michael Bushby all the best in his future endeavours. He will finish with the organisation on 27 October. I know that all members send their best wishes to Michael for his future and for his great contribution to New South Wales.

COUNCIL AMALGAMATIONS

The Hon. ADAM SEARLE: My question is directed to the Minister for Finance and Services, representing the Minister for Local Government. In light of the Local Government Amendment Bill 2011 reducing the period that local government workers are protected from three years to one year, why should workers have to suffer job cuts for the Minister to encourage local councils to merge?

The Hon. GREG PEARCE: The Minister for Local Government introduced the Local Government Amendment Bill 2011 in the other place. As the bill has not reached this place, I have no problem talking about it. One of the sensible provisions proposed in the bill is the restoration to local government councils of their status as bodies corporate, rather than bodies politic. This change was specifically supported by the Local Government and Shires Associations. The amendment will mean that councils will be able to conduct their business in a more straightforward way. In particular, they will be eligible for a range of Commonwealth funding. I emphasise that, contrary to the assertions of the Leader of the Opposition, Mr Robertson, to which I shall return shortly, the change of status will have no effect whatsoever on the industrial relations arrangements of local councils.

The previous Government enacted the Local Government Amendment (Legal Status) Act 2008 in November that year regarding uncertainty as to whether the industrial coverage of local government was part of the Federal WorkChoices system or the State system. This issue no longer exists. As members are aware, from 1 January 2010 a national workplace relations system was created for the private sector by referral of powers by the New South Wales Government, supported by the Liberals and The Nationals. A key feature of the referring legislation and the corresponding Commonwealth legislation is that it is made absolutely clear that local government stays in the New South Wales industrial relations system.

To ensure that workplace arrangements for local government employees will be determined in accordance with New South Wales law, declarations named each and every local government, shire and county council as a body that was not referred to the national system. The Leader of the Opposition, Mr Robertson, got it wrong again. Yesterday Mr Robertson was joined by the shadow Minister for Industrial Relations, the Hon. Sophie Cotsis, to issue a joint press release. I do not know where the Hon. Sophie Cotsis is anymore; hopefully she is doing something important. She does not ask me any questions anymore. The press release was another scare campaign, another bunch of statements bearing no relationship to the truth under the dramatic headline, "O'Farrell threatens wages and conditions of 50,000 local government workers." All they do is talk rubbish. The press released stated:

Barry O'Farrell's legislation could freeze the wages and conditions of 50,000 garbage collectors, child care workers, librarians and other local employees in New South Wales.

Talk about hypocrisy and temerity. Opposition members are saying that if these workers were transferred to the Federal system, they would be worse off. They claim that Julia Gillard's system would be worse than what they have in New South Wales. They know that they have been featherbedding themselves for the past 16 years. This mob and their mates have spent 16 years—

The Hon. Charlie Lynn: In the troughs.

The Hon. GREG PEARCE: Thank you, Charlie. They have been featherbedding themselves in the troughs. They do not just have the snout in the trough: they have the front feet, the back feet and the little tail all in the trough. [*Time expired.*]

BROTHELS

The Hon. CATE FAEHRMANN: My question is directed to the Minister for Police and Emergency Services. Has the Minister promoted within his Government a licensing scheme for brothels, or have the New South Wales police promoted such a licensing scheme to him?

The Hon. MICHAEL GALLACHER: To the best of my recollection, no and no.

AUSTRALIAN SAFER COMMUNITIES AWARDS

The Hon. DAVID CLARKE: My question is addressed to the Minister for Police and Emergency Services. Will the Minister inform the House of New South Wales winners of the Australian Safer Communities awards?

The Hon. MICHAEL GALLACHER: Earlier today, I was delighted to present the New South Wales winners and highly commended entrants of the 2011 Australian Safer Communities Awards. In February this year the Council of Australian Governments adopted the National Strategy on Disaster Resilience. The strategy recognises that disaster resilience is a shared responsibility for all of us as well as for governments. Time and again we see the effect of natural disasters on all community members. It is important that we all pitch in to ensure the safety of life and property. We have seen and experienced the benefits of a coordinated and collaborative system. The Australian Safer Communities Awards aim to recognise this as a whole-of-community system.

This year's nominations across government and non-government sectors demonstrate this approach in preventing, planning for and responding to natural disasters and other emergencies. Now in their twelfth year, the awards showcase the best of the best in the agencies that took part. This year the New South Wales winners are the Hotspots Fire Project, Campbelltown Home Emergency Kit, Calling an Ambulance Migrant Education Program, and Tweed Shire Aged and Disabled FloodSafe Guide. The Hotspots Fire Project is led by the New South Wales Rural Fire Service and combines best practice fire management and sustainability principles. It brings communities and representatives together, including landholders, fire authorities, fire-ecology scientists, Indigenous groups and natural resource managers. The program trains landholders and land managers in skills to actively participate in fire management to ensure healthy landscapes, safe communities and sustainable ecosystems. By upskilling private landholders, the program puts fire management back into the hands of local communities.

Campbelltown City Council's Home Emergency Kit helps individuals gain the knowledge they need to prepare themselves and their families. The kit contains information from the Rural Fire Service, Fire and Rescue NSW, the State Emergency Service, the NSW Ambulance Service, the Police Force, Red Cross and Campbelltown City Council. A key part of the kit is that it is presented in a tough canvas satchel that residents can use to hold important documents—an important start to any emergency kit. One of the most important actions in any emergency is being able to call 000. As many migrants are not conversant with the 000 emergency number, the NSW Ambulance Service has developed the Calling an Ambulance Migrant Education Program. The program helps newly arrived migrants and refugees understand how to call 000 in a medical emergency and how to answer questions that the call-takers ask.

Developed in partnership with the Adult Migrant English Service, teachers can integrate this information into English as a second language programs. Information on the Calling an Ambulance Migrant Education Program has been distributed to over 270 organisations and includes wallet-sized reminder cards translated into Arabic, Bengali, Chinese, Dari, Farsi, Hindi, Indonesian, Korean, Thai and Vietnamese—languages spoken at home by more than 600,000 people in New South Wales. The Tweed Coast is growing fast with a large number of retirees and families with members with a disability moving to the area. The State Emergency Service, in a first of its kind, has developed the Tweed Shire Aged and Disabled FloodSafe Guide providing targeted information to the aged and people with a disability in the Tweed shire. These projects now become the New South Wales finalists in the national competition. I extend my congratulations to the winners of this year's division as well as the NSW Ambulance Service for its Renal Enable Project, Canyonleigh Rural Fire Brigade's Women's Fire Awareness Program and the Goodooga Community Working Party for their good work in these areas.

BOTANY GROUNDWATER CONTAMINATION

The Hon. PAUL GREEN: My question without notice is directed to the Minister for Finance and Services representing the Minister for the Environment. Contamination of the Botany groundwater supply is currently being remediated by Orica. Can the Minister confirm whether the contamination is depth specific? For example, is there less concentration of contamination in the more shallow levels of groundwater? What specific timeframe is anticipated for the residents to resume their use of groundwater for non-drinking purposes?

The Hon. Amanda Fazio: He won't know anything about it.

The Hon. GREG PEARCE: I do know quite a bit about that issue, but given that I am being asked a direct detailed question I will refer it to the Minister in the other place for a complete answer.

REGIONAL RELOCATION GRANT SCHEME

The Hon. STEVE WHAN: My question is directed to the Minister for Roads and Ports on behalf of the Deputy Premier. Is he aware that more than 17,000 jobs in regional New South Wales have been lost since his Government came to office? How can he expect the take-up rate for regional relocation grants to increase if there is no work available to encourage people to move?

The Hon. DUNCAN GAY: I thank the honourable member for his question. The preface asked whether I was aware that 17,000 jobs have been lost in New South Wales. The member has no idea what the facts are behind the allegation, where they have come from, which area, whether they are government jobs or what. I do not believe that that statement adds up at all. There is nothing to back it up. He did not say what the rationale is behind the statement of 17,000 jobs. Frankly, it is a question that has no relevance to the Deputy Premier because it does not refer back to some action that the Deputy Premier may or may not have taken. If the member wants to have a go at the Deputy Premier he needs to detail where the Deputy Premier removed a job or has caused a job not to be created.

The Hon. Steve Whan: Point of order: I have waited for a while for the Minister to become relevant in his answer. He does not seem to be aware of the Australian Bureau of Statistics job statistics. Now that he has received advice from his advisers perhaps he could answer the question.

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

The Hon. DUNCAN GAY: He now indicates that he is referring to Australian Bureau of Statistics job statistics. He is pretending that he lives in Australia. He is not living in the Australia of Julia Gillard, who has destroyed this country by adding a carbon tax, destroying business and jobs across this country. He wants to pretend—someone who was part of the Government that brought New South Wales to its knees. Any job statistics that are around at the moment reflect when the member was at the Cabinet table with the puppet master, rewriting scripts for Cecil Hills High.

The Hon. Michael Gallacher: The marionette.

The Hon. DUNCAN GAY: The marionette. This question is a farce. He is pretending that history has not happened and he is trying to blame the Deputy Premier, who is doing a cracking job.

The Hon. Steve Whan: Point of order: On relevance, we have heard a ramble for nearly four minutes. The Minister has not addressed the question at all. Does he or does he not acknowledge the statistics and does his Government intend to do anything about the situation?

The PRESIDENT: Order! There is no point of order. I refer members to a ruling of President Johnson, which states:

Past Presidents' rulings indicate that a Minister does not have to answer a question. A Minister may indicate that he does not wish to answer the question. He may answer it partially. He may answer it in his own manner. One would hope that Ministers would conform to past precedents and the standing orders. However, the Chair cannot compel the Minister to answer a question other than in the way he wishes.

I remind the Minister that his answer should be relevant to the question.

The Hon. DUNCAN GAY: I have answered this question comprehensively. The member maintains that my answer is not appropriate because he does not like the answer. The fact is that the figures he was talking about were caused by the former Government and his mates in Canberra— *[Time Expired]*.

HUNTER WATER CHIEF EXECUTIVE OFFICER APPOINTMENT

The Hon. MATTHEW MASON-COX: Can the Minister for Finance and Services update the House on the recent appointment of Hunter Water's Chief Executive Officer?

The Hon. GREG PEARCE: I thank the Parliamentary Secretary for his interest.

The Hon. Luke Foley: Are you bringing him to estimates?

The Hon. GREG PEARCE: He will kill you in estimates, I can assure you of that.

The Hon. Luke Foley: You will have someone who can throw a punch then.

The Hon. GREG PEARCE: Not to your glass jaw. I am pleased to announce the appointment of Mr Kim Wood to the position of managing director of Hunter Water. Mr Wood possesses strong commercial acumen combined with a sound understanding of governance issues. He has demonstrated strong results in roles

at the highest levels over an extended period and is a well-tested and proven leader with extensive experience in utilities. Mr Wood joins Hunter Water from Allconnex Water in Queensland and has extensive experience leading a number of power and water utilities, including Queensland power generator Stanwell Corporation, Power and Water Corporation in the Northern Territory and Victoria's City West Water. He also has experience in the telecommunications sector and holds a Bachelor of Engineering degree with Distinction and a Master of Business Administration qualification.

Mr Wood has delivered outstanding results in his previous positions, having played an integral role in the establishment and development of several water and electricity corporations. He was the first chief executive officer of City West Water, one of three retail water businesses in Melbourne, and was at the helm when Allconnex commenced trading in 2010. With a firm focus on reliable, environmentally sustainable operations and driving customer improvements, Mr Wood has an impressive record of achieving results for both the business and its customers.

He joins Hunter Water at a time when the lower Hunter region faces significant water security challenges for the future. The population is predicted to grow, requiring an upgrade expansion of the current water and wastewater network. At the same time much-needed investment is required to droughtproof the region. Mr Wood will take responsibility for a \$133 million investment program this financial year in water and wastewater infrastructure across the lower Hunter to tackle these issues. This includes \$49 million on upgrading and expanding the water network and \$84 million on upgrading wastewater treatment plants and the distribution network.

Yesterday I announced the establishment of an independent water advisory panel to oversee the development of the lower Hunter water plan. Mr Wood will be a key stakeholder in the plan's development and will work with the panel to ensure the security of water in the region into the future. Hunter Water will benefit from another leader that is committed to achieving improvements for customers and is focused on delivering reliable services to the community continuing the legacy of the great work achieved by Kevin Young. I congratulate Mr Wood on his appointment and look forward to working with him as he leads a team of experienced people that is Hunter Water. I must commend Mr Wood's transparency and accountability. He will ensure a great deal of consultation. For the information of my colleague the Hon. Dr John Kaye, I remind him that the Government has delivered several boxes of documents today that he can spend his weekend looking through. There are some lovely emails there and I wish him well in finding them and publicising them.

PUBLIC SECTOR WAGES POLICY AND TEACHERS

Dr JOHN KAYE: In recognition of the previous answer of the Minister for Service and Finance my question is directed to him. It relates to the awards covering public school teachers, TAFE teachers and corrective service teachers which expire on 31 December 2011. Minister, has the Wages and Policy Task Force or Expenditure Review Committee finalised the bargaining parameters for the negotiations of the new awards as required by section 8.6 of the Government's New South Wales Public Sector Wages Policy 2011, as amended in June this year? If so, have those parameters been communicated to the New South Wales Teachers Federation and the Public Service Association? If not, why not?

The Hon. GREG PEARCE: It would be inappropriate for me to indicate the status of the Government's consideration of its bargaining position on those matters, other than to refer Dr John Kaye to the Government's wages policy.

KINGSCLIFF POLICE STATION

The Hon. WALT SECORD: My question without notice is directed to the Minister for Police and Emergency Services. What steps will the Minister take to ensure proper probity occurs in relation to his new Parliamentary Secretary for Police and Emergency Services, who has publicly lobbied to relocate the Kingscliff police station upgrade to agriculture land owned by his National Party predecessor?

The Hon. MICHAEL GALLACHER: Recently I was asked a question about Leichhardt police station.

The Hon. Walt Secord: There's more coming your way, Duncan.

The Hon. Duncan Gay: Did you hear that?

The Hon. MICHAEL GALLACHER: I do not listen to him very often. I cannot understand him. My ears do not seem to be able to pick up such a high pitch. Whenever he speaks fruit bats circle around. Members will recall the concerns I had about Leichhardt police station and the need to get that police station up and running. The good news is that someone in our midst knows how to get things through Leichhardt council. Whilst Leichhardt council says no to the men and women—

The Hon. Walt Secord: Point of order: On relevance, I asked about Kingscliff police station.

The PRESIDENT: Order! I am waiting patiently to see the direct linkage. I am sure the Minister will come to the issue shortly.

The Hon. MICHAEL GALLACHER: The link is: How do we get new police stations through council in New South Wales? We must look at other examples and the most recent one that comes to mind is Leichhardt police station.

The Hon. Amanda Fazio: Point of order: On relevance, the Minister was asked a question about what he would do to make sure his newly appointed Parliamentary Secretary would not be involved in some corruption in terms of Kingscliff police station.

The PRESIDENT: Order! The amount of time that has elapsed since the previous point of order made it impossible for me to judge whether the Minister was being generally relevant.

The Hon. MICHAEL GALLACHER: They all have crystal jaws. I raise an issue and all of a sudden those precious little petals want to dump on a member in the other House. I merely raised an issue about Leichhardt and how we should go about getting new police stations through council. We have someone in our midst who knows how to get things through Leichhardt council. If he is happy to do so, I could suggest that the Police Force speak to him on future applications for police stations because what he achieved in Leichhardt was miraculous.

The Hon. Steve Whan: Point of order: I am sure the honourable member's development application is very exciting for the House, but I draw attention to relevance.

The PRESIDENT: Order! There is no point of order. The Hon. Steve Whan should not take points of order to make debating points. He will resume his seat.

The Hon. MICHAEL GALLACHER: I did not even mention development applications. It seems it is common knowledge on the other side what is going on. If a member wants to get something through Leichhardt go and see big Walt because he has the answer.

The Hon. Amanda Fazio: Point of order: My point of order again is on relevance. The Minister was asked a discrete question about the location of Kingscliff police station. The question had nothing to do with Leichhardt police station or the business of other members of this House. I ask that the Minister be directed to answer the question he was asked.

The Hon. Duncan Gay: To the point of order: The question was clearly about probity and the Minister was talking about probity—probity in all areas. The Minister should be allowed to answer the question. The member raised the issue of probity and the Minister is speaking to the issue of probity.

The PRESIDENT: Order! As the Minister's time has expired, I will not rule on the point of order.

SPRING CYCLE EVENT

The Hon. NIAL BLAIR: My question without notice is addressed to the Minister for Roads and Ports. Can the Minister update the House on the upcoming Spring Cycle event and traffic arrangements?

The Hon. DUNCAN GAY: The 2011 Spring Cycle will take place this Sunday 16 October 2011. The Spring Cycle is a unique event for Sydney. It provides a one-off annual opportunity to introduce inexperienced cyclists to urban cycling in a safe and supportive environment, to improve riding confidence and to encourage an increased uptake of cycling for day-to-day transport. The New South Wales Government is the major sponsor for the event, providing financial and in-kind support valued at over \$600,000. That is very generous. The event

this year is promoting the Government's one-stop shop for all bike-riding information: bicycleinfo.nsw.gov.au. This year 10,000 people are expected to participate in the two events, a 16 kilometres city ride and a 55 kilometres classic ride. Both rides start in North Sydney. The 16 kilometres city ride will finish in Pyrmont, while the longer 55 kilometres classic ride will finish at Sydney Olympic Park.

The Spring Cycle is a great event for Sydney. It is important that it is managed properly to minimise impacts on roads and road users. Road closures in North Sydney, lane 6, 7 and 8 of the Sydney Harbour Bridge, the Cahill Expressway over Circular Quay, Sydney central business district, Pyrmont, the Western Distributor and at Rozelle will commence from 4.00 a.m. until midday at the latest. Special event clearways are in place from 3.00 a.m., with all clearways lifted by 4.00 p.m. Customers have been advised to check signs before parking, as vehicles parked in special event clearways will be towed, and fines apply. Full details of road closures and special event clearways that will be in place are available on the Roads and Traffic Authority and Live Traffic websites. Travel by train and ferry is free for riders, but ferries fill up quickly on Sundays and bikes can only be taken on board at the crews' discretion. Participants travelling by ferry will need to allow other passengers to board or alight a ferry before taking their bicycle on board and must stay with their bicycle during the journey. Participants are encouraged to use public transport to and from the event. Trains are the best option, with extra services running that day.

A communications plan has been put in place to notify road users, local residents and businesses of the road closures and special event clearways being put in place to support the Spring Cycle. Newsrooms in the Sydney metropolitan area already have been advised of the road closures this week. Media also will be kept updated on road closures and openings during the day on Sunday by radio interviews and regular electronic alerts from the Transport Management Centre, which does a terrific job. To raise the awareness, press and online advertising, public notices, media releases, radio advertising and electronic message signs also are being used to inform road users, businesses and the wider community. Detailed information about road closures and special event clearways also has been published on the Live Traffic website, iPhone app, Twitter feed and Facebook page. A joint operations centre will operate at the Transport Management Centre and the Police Operations Centre will monitor the event. I wish all participants well. After I recover from the Parliament's Spring Ball I will take my lycra home to Crookwell.

CARBON TAX

Reverend the Hon. FRED NILE: I ask the Minister for Finance and Services a question without notice. What impact will the new Brown-Gillard carbon tax of \$23 per tonne have upon the State of New South Wales, particularly as the legislation was passed by only two votes with one Coalition member suspended for 24 hours? What impact will it have on the State's economy, coal industry, jobs, housing, new developments and so on?

The Hon. GREG PEARCE: I thank Reverend the Hon. Fred Nile for his interest in this matter and for his interest in the people of New South Wales. I note that he made reference to the authorship of this horrid legislation by Senator Brown, who is certainly no Green, and Ms Gillard. The fact is that it is more like a red scorched-earth policy than a Greens policy and it will be particularly devastating for New South Wales. Labor's dishonest carbon tax will hurt families and seniors, result in the loss of thousands of jobs and force a sharp jump in power prices. Labor's dishonest decision to ram this legislation through will be a disaster for New South Wales families and communities. The New South Wales Liberals and Nationals have done everything we can to stand up for families and others in the community in New South Wales, as has Reverend the Hon. Fred Nile and his colleague the Hon. Paul Green, in the face of this scorched-earth policy of The Greens and Labor. New South Wales Treasury analysis has found that the Labor-Senator Bob Brown carbon tax will cost at least \$31,000 jobs and deliver a \$3.7 billion annual hit—

The Hon. Penny Sharpe: That is not what they said. That is not accurate.

The Hon. GREG PEARCE: Now, Penny. Penny is interjecting.

The Hon. Adam Searle: Point of order: The Minister is debating the question and he is not referring to the honourable member in the proper and appropriate fashion. I ask you to call him to order.

The PRESIDENT: Order! I encourage the Hon. Greg Pearce not to respond to interjections.

The Hon. GREG PEARCE: Especially when they are from the Hon. Penny Sharpe. This despicable carbon tax, as Reverend the Hon. Fred Nile has pointed out, will force electricity prices up in New South Wales,

with households seeing an average \$498 extra a year in their electricity bill and businesses paying \$927 extra a year, on average, depending on usage, of course. The Federal Labor Government has continued to betray the people of Australia. Labor has now shown just what a disgrace it is to the entire population of Australia. The precedent set here in New South Wales with this mob will be repeated right around Australia as the effects of this carbon tax start to impact on people.

Let us also note that job losses resulting from the carbon tax will be felt most strongly in regional New South Wales. Labor hates regional New South Wales. Let us face it: Labor made Eric Roozendaal Minister for the Illawarra. What greater contempt could it have for the people of regional New South Wales? Treasury estimates that as a result of the Federal Labor Government's carbon tax 18,500 jobs will be lost in the Hunter region and 7,000 in the Illawarra—and that was before the unfortunate measures adopted by BlueScope to reduce jobs in the Illawarra. So the Illawarra will be the worst-hit region because of this dreaded tax. [*Time expired.*]

SPEED CAMERAS

The Hon. HELEN WESTWOOD: My question without notice is directed to the Minister for Police and Emergency Services. Has the Minister or the Commissioner of Police issued any directives to increase the police presence in areas where speed cameras have been removed or turned off?

The Hon. MICHAEL GALLACHER: I assure the honourable member that I do not interfere in operational matters. The Highway Patrol is deployed as the commissioner and the assistant commissioner for traffic see fit. It is intelligence led. The important factor that determines the distribution of the Highway Patrol is one of intelligence showing where they are needed. For some time we have been very critical of those opposite because for far too long they allowed the Highway Patrol to be taken off Highway Patrol work to do other things such as prisoner escorts or going around and checking people's firearms licences—

The Hon. Dr Peter Phelps: Special events.

The Hon. MICHAEL GALLACHER: And special events. As important as that is, road death and road trauma are a bigger priority in New South Wales. I continued to raise that matter in this House when we were in opposition and it most certainly fell upon deaf ears.

[*Interruption*]

Peter Primrose talks about the road toll as if it is acceptable.

The Hon. Duncan Gay: It was Eric Roozendaal.

The Hon. MICHAEL GALLACHER: Was it Eric? The similarity between the two of them is just remarkable. I am sorry about that.

The Hon. Peter Primrose: I have the same problem with you and Duncan.

The Hon. MICHAEL GALLACHER: If it was Eric Roozendaal so be it. Those opposite are trying to show a level of satisfaction.

The Hon. Eric Roozendaal: Point of order: My first point of order is on relevance. The honourable member knows he can report low road tolls over the last five years. Secondly, if he is going to make a substantive attack on me or anybody else in the House he should do it by way of substantive motion. Thirdly, I ask him to use members' proper titles when answering questions in the House.

The PRESIDENT: Order! I uphold the third part of the point of order.

The Hon. MICHAEL GALLACHER: If the backbencher feels so upset about it then so be it.

The Hon. Melinda Pavey: The honourable backbencher.

The Hon. MICHAEL GALLACHER: The honourable backbencher, as he heads towards the departure lounge. It is a bit like the Qantas lounge. We are and have been concerned about a lack of focus by the

previous Government in ensuring that the important work of the Highway Patrol required the assistant commissioner for traffic to have the overall responsibility of determining where the Highway Patrol should be. The former Government interfered and refused to accept that its model of the Highway Patrol was wrong. In fact, during the Easter weekend, shortly after coming to government, we put into place and trialled what I had proposed for some time—a centralised command of the Highway Patrol. The Hon. Helen Westwood will be interested to know that that was about the Highway Patrol determining where officers were needed.

We will continue to discuss with the Highway Patrol what we hear that the community expects. But at the end of the day, when it comes to the distribution and allocation of police resources in relation to the Highway Patrol, such as what roads and streets they will be on, the final decision will be made by the assistant commissioner for traffic.

NO FIRE DEATHS STRATEGY

The Hon. NATASHA MACLAREN-JONES: Will the Minister for Police and Emergency Services inform the House about the no fire deaths strategy of Fire and Rescue NSW?

The Hon. MICHAEL GALLACHER: Fire and Rescue NSW firefighters are well-known for their expertise not only in extinguishing fires but in rescuing people from car accidents, building collapses and other dangerous situations. The State's firefighters also play a vital role in helping the community to prepare for and prevent emergencies and, as far as possible, in reducing the sometimes devastating impacts of fires and other emergencies. Every day firefighters witness fires and their impacts, and it is particularly traumatic for a firefighter who responds to an incident in which somebody dies. That is why Fire and Rescue NSW has a goal of no fire deaths.

That aim is based on three main pillars: first, planned and coordinated response; secondly, effective community safety programs and fire research; and thirdly, safer buildings. To this end Fire and Rescue NSW conducts a comprehensive program of fire safety activities including Fire Prevention Week, Change Your Clock Change Your Battery, Seniors Week, Brigade Kids Day and fire station open days. All of these programs are aimed at educating people about the steps that they can take to prevent fires in their own homes. Fortunately, it appears that these messages are starting to get through. Between June and August this year there were five fatalities compared with 12 over the same period in 2010.

This was largely the result of a highly effective winter fire safety campaign that featured brave firefighter Linda Buchan, who shared her story with the people of New South Wales to encourage them to be more aware of fire risks in their home. However, there is still much to be done to achieve the no fire deaths target. That is why Fire and Rescue's community safety team is helping firefighters to strengthen their knowledge and understanding of fire risks overall, as well as to gain an appreciation of the risks unique to their local communities. By identifying the risks and demographic profiles of their local area firefighters can deliver more targeted and tailored education and safety messages to their communities.

Firefighters are also being provided with additional training in fire investigation, structural fire safety, false alarm reduction management and commercial fire safety training. All of these activities assist firefighters to build resilience and knowledge in their local communities. This in turn helps residents to prepare for and prevent fires and other emergencies. There is no doubt that the no fire deaths target is ambitious, but Fire and Rescue New South Wales and this Government are committed to achieving it.

KINGS CROSS SECURITY

Mr DAVID SHOEBRIDGE: My question without notice is directed to the Minister for Police and Emergency Services. Given that Bureau of Crime Statistics and Research statistics show that the security industry is responsible for one in eight assaults in licensed premises in New South Wales, what steps has the Minister taken to ensure the safety of the public and patrons in Kings Cross in light of the recently announced substantial increase in the size of the security force in that area?

The Hon. MICHAEL GALLACHER: I thank the honourable member for his sensible question. I do not distinguish between Kings Cross and any other part of the State. I recognise that Kings Cross is a focus and has been for many years, but we need to focus on the whole industry. Sadly, the previous Government had an opportunity to do something about it. It had an opportunity to recognise that there was a problem in one key area—and I suspect it is the issue that Mr David Shoebridge is looking at. That is the area of crowd control. The security

industry is made up of more than just crowd control, but it is the visible face of the industry. It is that part of the industry in which we and our loved ones place our faith and trust when we enter licensed premises. In the event of an emergency these people are professionally skilled and trained to get us or our loved ones out safely. They are skilled and trained professionally to ensure that the wrong sorts of people do not enter nightclubs.

Mr David Shoebridge: To de-escalate it.

The Hon. MICHAEL GALLACHER: They are trained to de-escalate a situation at the door and to de-escalate it inside as well. For the first time in history, I believe, I brought together key representatives of the security industry. They represented not only crowd control, but also locksmiths and people involved in cash in transit, stationary security in other locations and the electronic side of security such as closed-circuit television. I brought them together and explained to them that I was not happy with the direction the security industry was travelling in. I did not believe that the co-regulatory model of the security industry had worked. That was something that the previous Government assured us would work and fix the problems—it did not. The previous Government took its eye off the ball and now we have a lack of confidence in the security industry, particularly the crowd control aspect of it.

I have indicated to the industry that I intend to end the co-regulatory model in the security industry. I want to bring it back under the control of the New South Wales Police Force. We will put together a regulatory body called the Security Licensing Enforcement Directorate. It will deal with the regulatory side of the security industry. I also intend to bring it under the crime agencies area because I am concerned about the potential of organised crime being involved in some aspects of the security industry. We must ensure that we restore confidence in that industry. We must ensure that we have the right level of regulation to ensure that those who should not be in the industry do not get their feet in the door. We must also ensure that a legitimate operator who is working hard to provide a quality product has every opportunity to participate with police in providing that product to the public.

I am on the record for many years as saying that I have long-held concerns about the involvement of organised crime in crowd-control aspects of the security industry. Whoever controls what comes in through the front door of a nightclub or licensed premises can control what is distributed on the dance floor. That is why organised criminals get involved in security. It is not because they see it as an enterprise business; they see it as an opportunity for them to continue with their organised crime activities. There will be significant reforms to the industry over the next months and beyond, but the bigger shift will be to recognise that the industry can no longer govern itself. It will fall under police, but it will not be merely part of a back area of policing as it was in the past under the previous Government. I intend to bring it under crime agencies and to ensure that it is addressed properly.

AUSTRALIAN SECURITY INTELLIGENCE ORGANISATION

The Hon. PETER PRIMROSE: My question is directed to the Minister for Police and Emergency Services. At a policy level, how is the Government responding to the Australian Security Intelligence Organisation's concerns expressed in its annual report this week about the growing threat of extreme right-wing groups?

The Hon. MICHAEL GALLACHER: I thank the Hon. Eric Roozendaal for his question. The honourable member is obviously trying to—

The Hon. Melinda Pavey: To fill in question time.

The Hon. MICHAEL GALLACHER: No, he is obviously trying to get some information from this side of the House in respect of reports that the Australian Security Intelligence Organisation may or may not have given to the Government. As a former Minister he should recognise that any information that comes from the Australian Security Intelligence Organisation to any government will be handled with a degree of confidentiality and will not be openly discussed in Parliament. The question was discrete; it was about the Government's interaction with that organisation. I assure the honourable member that I will not discuss any advice or discussions that the Government has with representatives from the Australian Security Intelligence Organisation in the public domain of Parliament because I do not believe it would be appropriate to do so.

UNIVERSITY OF WOLLONGONG

The Hon. SARAH MITCHELL: My question without notice is directed to the Minister for the Illawarra. Will the Minister inform the House about his recent visit to the University of Wollongong's Innovation Campus and the University of Wollongong's SMART Infrastructure Facility?

The Hon. GREG PEARCE: I thank the honourable member for her interest in this issue and her question. Honourable members are aware that I am committed to the Illawarra—unlike those opposite. Unlike the former Minister for the Illawarra, I attend every function I can. I do this to gain a fuller understanding of the problems and aspirations of the Illawarra communities and to provide interested parties with access to the Government.

Last Friday I met with the team of the SMART Infrastructure Facility and the Commercial Research Unit at the Technology Campus of the University of Wollongong. I acknowledge the expertise of the people that I met with at SMART, including Chief Executive Officer Garry Bowditch, Professor of Infrastructure Governance Geoff Cohen, and Director of Rail Logistics Andrew McCusker. They are representative of the talent and skills of the people of the Illawarra. The facility, which was opened to students earlier this year, is going to use the University of Wollongong's consistent ranking as one of Australia's most focused universities on engineering, information communication and technology and science to create a new branch of research called integrated infrastructure planning and management. This branch of research is aimed at cultivating a deeper understanding of infrastructure systems and converting conceptual insights into practical initiatives—something completely lacking in those opposite.

The team at the SMART Infrastructure Facility gave me a tour of the building, which boasts 30 specialist research and education labs and is built to accommodate large research teams. In due course the faculty will accommodate approximately 200 PhD students and will be one of the leading research facilities in the world. The labs are integrated by a simulation centre which can generate powerful models of various infrastructure services such as electricity, water, energy, gas transport and road and rail, including how people interact with these assets.

I then headed to the university's Innovation Campus to meet with Elisabeth Eastland, the director of the commercial research unit to discuss the iAccelerate Program. This program is another demonstration of the university's commitment to creating a culture of productivity and increasing the opportunities of young entrepreneurs in the region. Unlike those opposite, who under the so-called leadership of Nathan Rees stymied the moves by the Illawarra to host the national headquarters of the National Broadband Network, this side of the House encourages and recognises the hard work of the staff and academics at the university and the future of the Illawarra as the information and communications technology capital of New South Wales.

This Government is committed to rebuilding the Illawarra after it was neglected for 16 years by those opposite. We are embracing the work done by the University of Wollongong to contribute to making the region a leading information and communications technology hub in New South Wales. We applaud its groundbreaking work in integrated infrastructure planning. So that members get a feel for it, I am now holding up a wonderful photo of me under the SMART logo, which was put together specifically to show just how smart I am.

ABORIGINAL EMPLOYMENT

The Hon. MICHAEL GALLACHER: On 9 September 2011 Ms Jan Barham, representing the Minister for Aboriginal Affairs, asked me a question relating to Aboriginal employment. I now provide the following response:

1. Job projections and initiatives against stated commitments and timelines will be finalised.
2. The Jobs Action Plan seeks to stimulate an additional 100,000 new jobs in New South Wales. The Jobs Action Plan is targeting businesses by lowering the tax burden for businesses. There is a specific regional focus with a target of creating 40,000 of these positions in regional New South Wales.

From the 2006 Census, there were 78,751 Aboriginal people living in regional New South Wales, and 66,068 living in major cities. Therefore, it is expected that Aboriginal people of New South Wales will benefit from jobs opportunities created in cities and regional New South Wales.

COUNCIL OF AUSTRALIAN GOVERNMENTS

The Hon. MICHAEL GALLACHER: On 13 September 2011 Dr John Kaye asked me a question relating to the Council of Australian Governments. I now provide the following response:

At the meeting of the Council of Australian Governments on 19 August 2011, New South Wales agreed to a national framework of objectives and principles for a reformed national vocational education and training system. This framework will guide the development of reform directions for consideration by COAG in early 2012, following extensive consultation with stakeholders.

Questions without notice concluded.

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

The House continued to sit.

LOCAL GOVERNMENT AMENDMENT (ROADSIDE VEHICLE SALES) BILL 2011
UNIVERSITIES GOVERNING BODIES BILL 2011
LOCAL GOVERNMENT AMENDMENT BILL 2011

Bills received from the Legislative Assembly.

Leave granted for procedural matters to be dealt with on one motion without formality.

Motion by the Hon. Michael Gallacher agreed to:

That the bills be read a first time and printed, standing orders be suspended on contingent notice for remaining stages and the second readings of the bills be set down as orders of the day for a later hour.

Bills read a first time and ordered to be printed.

Second readings set down as orders of the day for a later hour.

TILLEGRA DAM

Production of Documents: Further Return to Order

The Clerk tabled, pursuant to the resolution of 16 September 2011, documents relating to a further order regarding Tillegra Dam received today from the Director General of the Department of Premier and Cabinet, together with an indexed list of documents.

Production of Documents: Claim of Privilege

The Clerk tabled a return identifying documents received this day from the Director General of the Department of Premier and Cabinet which are considered to be privileged and should not be made public or tabled. According to standing order the Clerk advised that the documents are available for inspection by members of the Legislative Council only.

ADJOURNMENT

The Hon. DUNCAN GAY (Minister for Roads and Ports) [3.06 p.m.]: I move:

That this House do now adjourn.

JULIAN BURNSIDE, QC

The Hon. Dr PETER PHELPS [3.06 p.m.]: I speak today about certain comments made by Julian Burnside, QC. Mr Burnside has been in the media recently with some appalling faux pas about the Hon. Tony Abbott, but this is not the cause of my speaking today. No, what causes me to speak today is an article written by Burnside entitled "Let's Focus on what Matters", in which he attacks both the Gillard Government and the conservative Opposition and which appeared on 6 June 2011 in the *Australian*, where he hypocritically lamented about "matters that have been studiously ignored" and piously asserted "It is unethical—immoral—to mistreat people in order to achieve another objective". Perhaps it is time to look at the sort of lawyer who would use people for his own political ends and then discard them once they no longer were useful.

On 16 December 2003, 325 plaintiffs claiming to be detained on Nauru commenced an action in the Supreme Court of Victoria. The claim alleged that the plaintiffs had been detained at the request of, or by agents of, the Australian Government, and that the detention amounted to false imprisonment. The plaintiffs, or rather the Lionel Hutz of the limousine left who purported to act on their behalf, sought a declaration that they had been falsely imprisoned by the Australian Government, an injunction to restrain the Australian Government or its agents from continuing to detain the plaintiffs, and damages. Of course, for damages read: "Australian taxpayers' money to pay the illegal immigrants for being prevented from violating Australian sovereignty."

The claim was launched in a blaze of publicity. There was the *Herald-Sun*, the *Australian*, the *Age* and the *West Australian*—and the media ran with the lines spun to them by lawyers Burnside and Eric Vadarlis. Vadarlis opined that "an off-site detention centre is outside the rule of law" and described Nauru as "Australia's Guantanamo Bay". He declared that "Australia and the Government have no right to detain people the way they have there". Burnside quavered that "The situation in the Nauru detention centre is deteriorating every day" and the case—involving a multimillion-dollar claim—"needed to be heard as soon as possible". Later Burnside told the court: "Whose act is it that detains the plaintiffs? If the people are Australians, paid by Australia, it's difficult to escape the conclusion that the detaining is done by Australia."

Of course, the action was a farce. Anyone could see that this was a vexatious claim, designed only to garner media attention. It was an abuse of the court processes by Burnside. But the media lapped it up: Noble human rights lawyers operating out of the goodness of their heart—if we overlook their cut of the potential multimillion-dollar damages claim for a moment—versus "The Evil Howard Government". Who could deny the justice of their cause? Well, let us fast forward a bit. In October 2005 an offer was made through the legal representatives of the plaintiffs—I repeat, "the legal representatives of the plaintiffs"—for a discontinuance of proceedings, on the condition there was no order to costs, which would normally fall on the plaintiffs in a discontinuance.

Hang on a moment. If Burnside had such a good case—as he had told all and sundry in the media—why did he now want to pull out before the claims had been fully tested? They were pulling out because this claim was a legal farce from the start. It was a disgraceful example of abusing the court system—and the boat people themselves—to gain publicity and make a political point. In fact, on hearing the news of the capitulation of the plaintiffs, the Australian Government solicitor decided to give them a good old-fashioned bitch-slapping. The Government made a counteroffer, seeking an assurance against a revival of the claim—even individual claims—and the Government would only reserve its position on costs, stating it would pursue them if the same claim or claims were revived.

How bad was the actual legal position espoused by Burnside? Burnside would know that, especially in test cases, the courts are usually reluctant to award costs to the Federal Government. But their case was so bad, so pathetic, that the plaintiffs accepted this counter proposal without a whimper. Court orders were made in favour of the respondent on 2 December 2005, and the potential liability was removed from the account of the Department of Immigration and Multicultural and Indigenous Affairs, and Finance. So in one fell swoop Burnside not only screwed his clients' minimal chances of getting their hands on taxpayers' money, he also left a massive potential costs claim from the original proceedings hanging over the plaintiffs' heads in case of any future application.

And all for what? So that Burnside could make himself the darling of the bourgeois bien pensants of Toorak and the Canberra press gallery. And guess what? No media statement from Vadarlis. No media statement from Burnside. Why would that be? Ride into town in a blaze of publicity; skulk out on the midnight train. Let us return to Burnside's own assessment: It is unethical—immoral—to mistreat innocent people in order to achieve another objective.

GLOBAL BANKING ALLIANCE FOR WOMEN SUMMIT

The Hon. SOPHIE COTSIS [3.10 p.m.]: I wish to speak about the Eleventh Annual Global Banking Alliance for Women Summit, which was held in Sydney this week and hosted by Westpac. I particularly thank Gail Kelly and her team at Westpac for supporting this event and bringing together more than 200 women leaders in banking from around the world to celebrate leadership and the ongoing commitment to addressing the challenges of financial inclusion for women. Delegates came from across the globe, including the United Kingdom, Canada, China, the Pacific, Turkey and every corner of the African continent. My colleagues the Hon. Penny Sharpe, Ms Linda Burney and I attended the dinner held on Tuesday 11 October, when delegates and guests heard from Gail Kelly and the Minister for Finance, Penny Wong. We were treated to a special performance by the Bangarra Dance Company.

I would like to add my support to the Global Banking Alliance for Women and commend the work it does internationally, particularly in our region. Achieving the objectives of the third millennium development goal, that of empowering women and gender equality, requires economic empowerment. By connecting women with the economic tools of capital, credit and financial services, the alliance is contributing to this very important cause, halting poverty and disenfranchisement, and improving the lives of thousands of women around the world. The barriers to equality are real. It is only through the efforts of organisations such as the Global Financial Alliance and its member companies that we see results.

Ms Gail Kelly announced she would upgrade the targets of women in senior roles at Westpac and would aim to have 50 per cent of executives and senior staff by 2017. That was a fantastic announcement, and it was warmly welcomed. I congratulate Westpac and Ms Kelly on this initiative. Minister Wong told the audience that the Gillard Government's election promise to have women appointed to 40 per cent of government board positions would be extended to its major business operations. That announcement is very welcome, and I congratulate the Gillard Government on that initiative.

Westpac has a unit exclusively dedicated to supporting women. It is called Our Westpac Women. The aim of the team is to provide women with education, information and networking opportunities through a national program run across metropolitan and regional Australia. Westpac also has a new program called the

Ruby Connection, an interactive online website designed to promote, connect and inspire Australian women. I commend these very important initiatives and will work with private, community and non-government organisations and other sectors to close the pay gap between men and women. One of my big concerns is the shortfall in retirement savings for women, as well as helping women in poverty as a result of broken family situations, loss of job and sickness. I hope I will have the support of government and other organisations to help achieve better results.

V8 SUPERCARS

Dr JOHN KAYE [3.15 p.m.]: This evening I address a legacy of the previous Government and in particular former Minister Ian Macdonald. I refer to two street motor races that are deeply opposed by the local community and are an assault on the environment. They are also a drain on the public purse. The Homebush Bay racing legislation that overrides the Environmental Protection and Biodiversity Conservation Act, the Environmental Planning and Assessment Act and many other important environmental protections remains in place. Two races, one at Homebush Bay and one at Coffs Harbour, continue to be conducted under that legislation.

In his enthusiasm for the events, Minister Macdonald committed New South Wales to hosting these two races without appropriate protections for the public purse, the local communities or the natural environment. It is disappointing that the O'Farrell Government has not followed the example of the Australian Capital Territory or of Hamilton, New Zealand, in turfing these races out and extricating New South Wales from these unpopular and damaging V8 Supercars races to be held on 2 to 4 December this year and the next two years, or for the World Championship Rally, held last month in Coffs Harbour.

The V8 Supercars race was caned by the June 2010 Auditor-General's report, which found that New South Wales is to fork out more than \$45 million over the five-year period from 2009 to 2013. The Labor Government breached the Independent Commission Against Corruption guidelines for managing risk by its direct negotiations with the V8 Supercars racing authority, and former Minister Macdonald overstated the benefits of the race to New South Wales by a whopping 24 per cent. The people and possibly the Government itself were misled in creating these races. As was warned by the opponents of the race during the 2008 public debate over the Homebush Bay event, both the set-up and take-down imposed massive inconvenience on the community and lasted for many months. The race itself is noisy, polluting and an attack on the environment.

It is not that the community objects to events being held at Homebush Bay. They knew when they moved there that Homebush Bay would be the home of events. They welcome concerts as part of their local neighbourhood. But Homebush Bay was never designed as a race venue. It was never designed in a way that would host those races. Trees had to be removed, local populations of frogs are at risk, and the event remains deeply opposed by the local community and the councils that surround it. It was imposed by legislation that rides roughshod over the local community's rights as well as their rights to be consulted, and it was imposed by legislation that is designed to ramrod these events through.

To its credit, during the vote in this House on the legislation in 2008 the then Coalition Opposition opposed the legislation. Barry O'Farrell said in the 2011 election campaign that it was his preference to move the event back to Eastern Creek. It was made clear again that the Coalition was not enthusiastic for the event when it did not oppose the motion that I moved in this place. However, the Premier is taking no action. He is saying he will take no action, despite the huge impact on the local community and the taxpayers, who will see at least \$6 million a year going down the drain—money that would be far better spent at Eastern Creek. Now we see the demeaning result of needing to have the Chilletes—scantily clad women who are being used to promote the event but degrade half the population and insult the intelligence of the other half of the population.

It is not impossible to remove these events. In 2002 Canberra pulled the plug on the race for 2003, after only three of the five years. When costs blew out for years after former Chief Minister Kate Carnell's initial estimation, some Canberrans believed the money would be better spent elsewhere. On 13 September 2011 the contract for the Hamilton, New Zealand, street circuit V8 supercars was cancelled by Hamilton City Council. It is possible to get out of these events. This Government should get out of these events. The only argument for holding the V8 Supercars race at the Homebush Bay venue is that it annoys people around there. If it true that the benefit of having it there is the annoyance of people, then this is truly a hoon event and we as a community should not be putting money into either sexist promotions or events that are destroying the community and destroying their amenity.

PALLIATIVE CARE

The Hon. GREG DONNELLY [3.20 p.m.]: On 10 August the first debate under a new sessional order in the other place was held in respect to palliative care services arising from a petition signed by 10,000 or more persons. The person involved in organising the petition was Dr Yvonne McMaster, who I did not know before the preparation of this petition but with whom I spoke in the lead-up to that debate. She is a retired palliative care doctor and is devoted to the practice of palliative care. She became concerned about the reduction in the provision of palliative care in northern Sydney and set out to put together a petition on the matter. After working exceedingly hard over a period of weeks Dr McMaster garnered over 23,000 signatures and, of course, that led to the debate in the Legislative Assembly. Contributions were made in the debate by the Premier, the Minister for Health, the shadow Minister for Health and Richard Amery. The debate was not just on the issue of palliative care on the North Shore, but on the whole question of providing palliative care in New South Wales. I refer specifically to the comments of the Minister for Health who said:

I place great importance on the provision of palliative care services to people with advanced diseases or terminal illness. I believe that palliative care not only helps those people but is of enormous benefit to their families and friends.

Further in her contribution she said:

I have asked the department—

obviously, that is the health department—

to present an analysis of the demand for palliative care services in New South Wales to ensure we provide adequate services across the whole State. New local health districts and boards are learning about their local community needs as they assume their responsibilities and I will ask those boards to understand my priority in this area ...

Over the coming year my department will map our current palliative care services against population needs and we will investigate appropriate palliative care population planning tools used in other jurisdictions to assist in future service planning. We will look at the current palliative care workforce and identify any current workforce gaps that can be addressed. We will examine current training and resources available to support volunteers. A very important part of the work in palliative care is that of our wonderful volunteers to support carers and health workers involved in palliative care. Strategies from these plans and this work will be incorporated into local health district palliative care service plans and will be incorporated into the service agreements with local health districts and affiliated health organisations.

I affirm the comments of the Minister in making palliative care a priority in this State. It seems that the debate in the other place resulted in general bipartisan support for greater concentration on how we provide palliative care in New South Wales. I was disappointed that the recent budget did not provide any additional funding for palliative care. However, the Minister has given a commitment to improve the provision of palliative care in New South Wales. Certainly, those involved in palliative care—the peak organisation, providers, doctors, nurses, allied health workers and volunteers—all look to the Government to take the lead. This House was informed previously that in May this year the Victorian Government increased palliative care spending by \$34.4 million. I am sure we can do a lot better in New South Wales.

MILK PRICES

The Hon. PAUL GREEN [3.24 p.m.]: The aggressive competitive retail pricing of milk is impacting on the dairy farmer industry. The recent survey of the NSW Farmers Association showed that the aggressive retail pricing of milk between two large supermarket chains has impacted negatively on the New South Wales dairy industry. This survey showed that the average price paid to farmers for a litre of milk has dropped by over 1¢ per litre from 47.7¢ last year to 46.3¢ this year. While a drop of 1¢ per litre of milk does not sound like much, it has had the significant effect of costing the dairy farmer industry \$15 million, or around \$18,000 per farm. With the rising costs of living, struggling farmers simply cannot afford these expenses. NSW Farmers Dairy Committee Chair, Terry Toohey, said:

Most of the 60 members we surveyed, who have recently renegotiated contracts with processors, say they were forced to accept lower prices for their milk.

Australian Dairy Farmers President, Chris Griffin, said that in the past eight months many dairy farmers in Queensland, northern New South Wales and Western Australia have left the industry because of the cutthroat discounting of milk by leading Australian supermarkets. According to the dairy farmers, the two main supermarkets are simply selling milk at unsustainable prices. Griffin further went on to say:

Milk priced at \$1 per litre does not bring in enough money to support farmers, processors and retailers. The ADF (Australian Dairy Farmers) is calling on the Federal Parliament to support industry's recommendation for an enforceable and mandatory Code of Conduct for supermarkets that covers the entire value chain, from farmer to retailer.

Mr Griffin further stated that the dairy industry has modelled the potential impact of milk discounting, and this modelling outlines a potential annual loss of \$44 million from the value chain due to the shift to home-brand products. He explained that this trend has the capacity to cause loss of any profit margin on their milk. Another farmer from Milton, a dairy farmer and NSW Farmers dairy executive, Robert Miller, says the price wars have left him much worse off than statistics show. He said:

I have been paid a very low price of about 25 cents per litre, all the other milk is being paid at about 48 cents per litre.

Mr Miller further explained:

Literally in New South Wales, the processors are not looking for any more milk, they're stopping growth on dairy farms, and that is a disaster for an industry where we have to keep making productivity gains.

Someone is showing productivity but is being paid much less for it. This situation is not entirely unique to Australia; it has happened overseas. Mr Griffin showed that a similar situation had occurred previously in England, which experienced similar milk price wars. In response to that situation, the United Kingdom Government developed a grocery supplied code of practice. The Australian dairy industry is calling for a supermarket commissioner or ombudsman to be established to investigate complaints and enforce a similar new code in Australia.

What would be the ramifications if this situation were left unchecked? In its recent submission to a Senate inquiry in Melbourne, NSW Farmers predicted two possible scenarios resulting from the devaluation of milk caused by the current retail price war. Firstly, processors would directly shoulder the burdens of these reduced margins. For example, this would result in a further loss of sales, well-recognised brands would be devalued, there would be a reduction in the competitiveness of smaller retail outlets, and there would be an increased market share of the respective home-brand milk products. An increase in the market share of home-brand milk would result in the supermarkets having an increased market power and influence in contract renegotiations with processors. The NSW Farmers speculate that these reduced prices once again would be passed on to farmers. It stated:

The altered market distribution will further reduce dairy farmers bargaining power [and] farmers will be forced to produce under cost price, driving sections of the dairy industry out of the market.

DHARAWAL NATIONAL PARK

The Hon. WALT SECORD [3.29 p.m.]: As the duty member for Campbelltown, Camden and Wollondilly I express my alarm about the State Government's inaction on its promise to create the Dharawal National Park. On 8 January Barry O'Farrell promised to protect the pristine wilderness. I support that pledge. It will provide one of the final pieces of the jigsaw of protected wilderness around Sydney. However, this week, in response to a series of questions on notice lodged by me, the Minister for the Environment, Robyn Parker, refused to spell out a timetable on the declaration. I call on the State Government to provide an ironclad commitment that it will honour its promise and turn the 6,200 hectares into a national park. Get on with it, Barry, and create that national park.

STILLBIRTH REMEMBRANCE DAY

The Hon. SARAH MITCHELL [3.30 p.m.]: I congratulate the Minister for Health, and Minister for Medical Research, the Hon. Jillian Skinner, for announcing today that in October next year there will be a State remembrance day for babies lost during pregnancy; whether through stillbirth or miscarriage. About 30 per cent of families deal with losing a baby during pregnancy. My family was one of those families that went through that process. My mother had a stillborn baby after the birth of my brother. He was the fourth child in our family, his name was Jacob and he was born and passed away on my father's birthday—the day on which our family remembers him. It is great that we will now have a day in this State on which other families can remember the babies that they have lost.

CARBON TAX

The Hon. MATTHEW MASON-COX (Parliamentary Secretary) [3.31 p.m.]: Earlier this week we witnessed the passage of the carbon tax legislation through the Federal House of Representatives amid scenes of contrived jubilation from those on the Labor side. Predictably, the front pages of all the daily newspapers carried the defining image of this act of political treachery—the kiss between the current Prime Minister and the former

Prime Minister whom she so ruthlessly betrayed. One headline trumpeted it as the "kiss of death" delivered publicly, in the finest mafia tradition. The glint in Kevin's eye was unmistakable as was his plastic, flashing smile as he summoned all the grace he could muster to savour the political triumph of his nemesis on the issue she used to destroy his prime ministership.

Sadly, this is just another chapter in the story of betrayal that now defines the Australian Labor Party. This soap opera is all about personal ambition and a feudal-like system of patronage and entitlement. It is all about the naked pursuit of power and of course the highly prized accoutrements of power. It is all about self-interest, rather than the pursuit of good government in the national interest. Sadly, we are all diminished as a result. The office of Prime Minister stands diminished, the noble vocation of public service stands diminished and as a result, our nation stands diminished. Australians will never forget the deception that the Prime Minister perpetrated by her now infamous commitment just days before the last election:

There will be no carbon tax under a Government I lead.

The passage of the carbon tax legislation, sealed by that kiss, our very own Judas moment, is an unforgettable image of Australian Labor Party illegitimacy that will haunt both Prime Ministers for the rest of their political lives. Indeed, we will all pay a high price for this political treachery as we reach into our own pockets to pay more for the cost of everything—from groceries to electricity and petrol—adding huge pressure to household budgets that are already under enormous stress. This carbon tax threatens thousands of jobs across the nation, from people working in the manufacturing industry to people working in local small businesses. A New South Wales Treasury analysis has found that Labor's carbon tax will cost at least 31,000 jobs and deliver a \$3.7 billion annual hit to the State's economy. Its impact will be especially felt in the Hunter and Illawarra regions with the loss of more than 18,500 jobs in the Hunter region alone and a further 7,000 job losses expected in the Illawarra. Indeed, BlueScope Steel, one of the most vocal opponents of the carbon tax recently shed 1000 jobs in the Illawarra alone.

New South Wales Treasury modelling also shows that Labor's carbon tax will force up electricity prices for New South Wales households by up to \$498 a year. Businesses will pay \$927 to \$4,191 more a year, depending on their power usage as power prices are expected to rise by at least 15 per cent. This new tax is the last thing businesses need after 16 years of New South Wales Labor's economic mismanagement. The New South Wales economy is already struggling. The last thing this State needs is a great big new tax to hamper growth. Labor's carbon tax will reduce the dividends from New South Wales electricity generators by about \$45 million this financial year, rising to \$290 million in 2014-15. It will also significantly devalue the remaining power assets owned by the New South Wales Government, yet the Federal Labor Government refuses to consider compensating New South Wales for these losses despite offering compensation to privately owned generators.

The New South Wales Government finds this treatment particularly egregious and will act to offset the impact of Labor's carbon tax on New South Wales by increasing mining royalties. In doing this we will await the passage of Federal Labor's next new tax, the mining resource rent tax, to ensure that mining companies in this State are not disadvantaged under our proposed clawback. Recently, I spoke with representatives of the cement, concrete and aggregates industry who expect the cement manufacturing industry to largely cease operating in Australia within 10 years under Labor's carbon tax. This industry is part of a sector that directly employs over 18,000 Australians and a further 80,000 indirectly, with annual revenues in excess of \$7.21 billion.

Ironically, this important industry largely will be exported to China where cement will be manufactured under less stringent environmental conditions, then loaded onto ships and imported to Australia. The perverse outcome will be a net increase in carbon emissions from both the manufacture of cement overseas and its transportation to Australia. This is one of many practical examples of why Labor's tax is simply an exercise in futility—an ideological frolic that will cost our nation dearly over time, particularly given the continuing international reluctance to move to a comprehensive and compulsory emissions trading scheme. I congratulate the Federal Leader of the Opposition, Tony Abbott, for his principled stand against this insidious tax and for his commitment to rescind it if elected to government. That day of reckoning cannot come soon enough for the long suffering people of New South Wales.

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

Motion agreed to.

The House adjourned at 3.36 p.m. until Tuesday 18 October 2011 at 2.30 p.m.
