

LEGISLATIVE COUNCIL

Thursday 23 February 2012

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

The President read the Prayers.

MARINE POLLUTION BILL 2011

Third Reading

Motion by the Hon. Duncan Gay agreed to:

That this bill be now read a third time.

Bill read a third time and transmitted to the Legislative Assembly with a message seeking its concurrence in the bill.

OVERBOARD BOOK LAUNCH

Motion by the Hon. SHAOQUETT MOSELMANE agreed to:

1. That this House notes:
 - (a) the recent launch of *Overboard*, a book, by a Walkley Award recipient Mr Ghassan Nakhoul,
 - (b) Ghassan Nakhoul, a lecturer at Sydney University, is the first journalist from SBS radio and the Arabic speaking community in Australia to receive the prestigious Walkley Award,
 - (c) his career spans over three decades starting in Beirut before he migrated to Australia in 1989 and has been with SBS radio for over 20 years, and
 - (d) *Overboard* is a telling book about the tragic stories of asylum seekers arriving at Australian shores, it explores one of Australia's most contentious decades of refugee policy, shedding light on the human face and hidden aspects of the making of the Pacific Solution and the story that continues 10 years on.
2. That this House congratulates Mr Ghassan Nakhoul on his work and the launch of his book *Overboard*.

TRIBUTE TO MR JOHN BRANDENBURG

Motion by the Hon. SHAOQUETT MOSELMANE agreed to:

1. That this House notes that:
 - (a) Mr John Brandenburg, a horticulturalist for the past four decades, has been honoured in the Parks and Leisure Australia annual awards,
 - (b) Mr Brandenburg, a Rockdale city resident, was awarded the Frank Stewart award for his commitment to the parks and leisure industry in Australia and throughout the world,
 - (c) Mr Brandenburg is the vice-president of the NSW Horticultural Society and an educator in horticulture, land management and parks and recreation management,
 - (d) Mr Brandenburg has currently been commissioned by Botany Bay Council after working for Federal and local governments in the Australian Capital Territory, Tasmania, Victoria and New South Wales,
 - (e) many of Mr Brandenburg's previous projects have gained national recognition, including Australia's first community allotment gardens in Nunawading, Victoria, and the release of koalas into regional parklands,
 - (f) Mr Brandenburg's work is recognised by international organisations, including the International Federation of Park and Recreation Administration, of which he is an executive, and
 - (g) Mr Brandenburg continues as a volunteer with horticultural and environmental groups and as a judge for agricultural society shows, flower shows and garden competitions particularly those of the Royal Horticultural Society of NSW.
2. That this House congratulates Mr Brandenburg for his excellent achievement and leadership in the field of horticulture.

MR SAM ALMALIKI AND CRICKET AUSTRALIA**Motion by the Hon. SHAOQUETT MOSELMANE agreed to:**

1. That this House notes that:
 - (a) Mr Sam Almaliki, a former Iraqi refugee who inspired a junior winter cricket competition in the St George district, has been appointed to Cricket Australia's Multicultural Cricket Reference Group,
 - (b) the reference group includes prominent members of Australia's multicultural communities, as well as Cricket Australia representatives,
 - (c) Mr Almaliki, aged 22, a Commissioner with the Community Relations Commission, is founder and president of the Sydney Junior Winter Cricket Association, which began about eight years ago, and
 - (d) the Sydney Junior Winter Cricket Association has evolved into a junior winter Twenty20 competition, with 900 players taking part across the Sydney metropolitan area.
2. That this House:
 - (a) notes Mr Almaliki's drive and commitment to Cricket Australia, and
 - (b) congratulates Mr Almaliki on his achievements.

JAPAN EARTHQUAKE**Motion by the Hon. SHAOQUETT MOSELMANE agreed to:**

1. That this House notes that:
 - (a) on Thursday 20 October 2011, the Hon. Marie Ficarra and the Hon. Shaoquett Moselmane held a fundraising dinner in support of the orphans of the Japan earthquake on 11 March 2011,
 - (b) over 120 guests attended with special guests, the Hon. Chris Hartcher, MP, Special Minister of State; the Leader of the Opposition, Mr John Robertson; His Excellency Dr Masahiro Kohara, Consul General of Japan; Deputy Consul General Mr Inadome; Channel 10's Mr Josh Murphy; and many others,
 - (c) according to the Japanese Ministry of Health, Labour and Welfare, the latest number indicate that 236 orphans have lost both parents, and 1,295 children have lost at least one of their parents,
 - (d) orphans everywhere suffer the same trauma and a lifelong agony of living without the most important people around them, their own parents, and
 - (e) it has been over eight months since the earthquake, tsunami and nuclear disaster occurred and the people of Japan continue to suffer.
2. That this House congratulates all those who assisted in organising the fundraising function and expresses its continued support to the people of Japan.

HOUSE OF WELCOME**Motion by the Hon. AMANDA FAZIO agreed to:**

1. That this House notes the valuable work undertaken by the House of Welcome at Carramar which is a project of the Franciscan Friars and St Francis Social Services.
2. That this House notes that in 2011, the House of Welcome:
 - (a) established six new houses and assisted 110 new clients,
 - (b) assisted 60 per cent of clients to move from their "Safe Place" housing into independent living within 10 months,
 - (c) assisted 34 clients who were granted Permanent Protection Visas,
 - (d) provided 2,100 hours of case work support,
 - (e) provided food, clothes, toys and furniture for up to 75 people a week,
 - (f) enabled 18 clients and client families who have a regular source of income to develop their skills and access independence through Empowerment Loans, and
 - (g) participated in 14 community events with schools, parishes, universities, local markets and social justice groups to raise awareness of the issues facing asylum seekers and refugees and provide a voice for their clients.
3. That this House congratulates the House of Welcome for its ongoing commitment to provide quality services in the community to support asylum seekers.

UNIVERSITY OF NEW SOUTH WALES LAW FORTIETH ANNIVERSARY**Motion by the Hon. SHAOQUETT MOSELMANE agreed to:**

1. That this House notes that:
 - (a) University of New South Wales Law [UNSW Law] is celebrating its fortieth anniversary,
 - (b) during the course of 40 years, over 10,000 law students have graduated and many now excel in diverse arenas, and
 - (c) University of New South Wales Law alumni are now government Ministers, senior judges, leaders in business and community and public sectors, as well as film-makers, novelists and others.
2. That this House congratulates the Dean, Professor David Dixon, and University of New South Wales Law on its fortieth anniversary.

ROCKDALE CITIZEN OF THE YEAR**Motion by the Hon. SHAOQUETT MOSELMANE agreed to:**

1. That this House notes that:
 - (a) Mikall Chong is awarded the 2012 Rockdale Citizen of the Year,
 - (b) Mikall has made an exceptional contribution to the City of Rockdale community in the areas of community service, charitable works, education, environment, employment, the arts and culture,
 - (c) over the years, Mikall has volunteered with Rotary serving as a past president and has held the position as Chairperson for the St George Migrant Resource Centre,
 - (d) Mikall has also been a volunteer with the River Life Environmental Program, and was a member of the Bexley Chamber of Commerce,
 - (e) as part of his role at the St George and Sutherland Community College Mikall works at promoting education and seeking support for programs aimed at students studying English and skilled migrants wanting help to gain employment,
 - (f) Mikall has assisted hundreds of skilled migrants to obtain employment in their chosen field, often through his contacts with the local business community and has great empathy for new migrants and works tirelessly to make the settlement process easier for them,
 - (g) Mikall volunteers at the Bexley Uniting Church and is always available to assist in fundraising for worthy causes, and
 - (h) Mikall is a leader in our community and is more than worthy as the recipient of the 2012 Citizen of the Year Award.
2. That this House congratulates Mikall Chong on his dedicated community services and on becoming the 2012 Rockdale City Citizen of the Year.

CHINESE NEW YEAR**Motion by the Hon. SHAOQUETT MOSELMANE agreed to:**

1. That this House notes that:
 - (a) the Rotary Club of Sydney celebrated with a Chinese New Year fund raising dinner welcoming the 2012 year of the water dragon,
 - (b) this Chinese New Year fund raising dinner was sponsored by Sydney Rotary Club, Australian Chinese Zhi-Qing Association, Australian Oriental Dancing group and the Australian Chinese Association, and
 - (c) all proceeds of the night went to the president's project, a joint project with Wesley Mission that seeks to establish a Day Centre at Ashfield for young people with disabilities.
2. That this House congratulates the Rotary Club of Sydney and Rotary Club of Sydney International Committee on this most worthy cause.

BUSINESS OF THE HOUSE**Formal Business Notices of Motions**

Private Members' Business item No. 480 outside the Order of Precedence objected to as being taken as formal business.

ROCKDALE CITY SPORTSPERSON OF THE YEAR**Motion by the Hon. SHAOQUETT MOSELMANE agreed to:**

1. That this House notes that:
 - (a) Keona Lee is awarded the 2012 Rockdale City Sportsperson of the Year,
 - (b) Keona has her sights set on being a champion in figure skating and golf,
 - (c) in figure skating, Keona has won numerous championship titles and was awarded a silver medal in the 2010 NSW Figure Skating Championships at the age of 10,
 - (d) during 2011 Keona achieved first place at the primary ladies competition level in the following events:
 - (i) Penrith Ice Palace Trophy,
 - (ii) Sydney Figure Skating Club Championships
 - (iii) Macquarie Figure Skating Club Championships
 - (iv) Fifth place in the NSW Figure Skating Championships during the year,
 - (e) in 2011 Keona won the Metropolitan Junior Open Golf and then went on to win the Primary School Sports Association Regional Golf Championships,
 - (f) Keona was elected into the Sydney East Regional Golf Team to compete in the New South Wales Primary School Sports Association Regional Golf Championships where she won the PSSA Regional Shield as a part of the team,
 - (g) Keona is a member of the Jack Newton Junior Golf Foundation, Bardwell Valley and Hurstville Golf Clubs, member of Ice Skating Australia and Sydney Figure Skating Club, and
 - (h) Keona is not just dedicated in her sporting life, she is an active participant in the student representative council at her school.
2. That this House congratulates Keona Lee on becoming 2012 Rockdale City Sportsperson of the Year and wishes her every success for her future endeavours.

NATIONAL DAY OF SERBIA**Motion by the Hon. SHAOQUETT MOSELMANE agreed to:**

1. That this House notes that:
 - (a) the Serbian Parliament declared 15 February a state holiday to commemorate their National Statehood Day,
 - (b) 15 February is Serbian Statehood Day, Armed Forces Day and Constitution Day, and
 - (c) Rockdale City Council, in conjunction with the Serbian Australian Community Association will celebrate the statehood of the Republic of Serbia and with the Consul of Serbia Mr Branko Radosevic will conduct a flag raising ceremony.
2. That this House congratulates the Australian–Serbian Community on this celebration of Serbian statehood.

YOUTH LEADER ELIZABETH MORA**Motion by the Hon. SHAOQUETT MOSELMANE agreed to:**

1. That this House notes that:
 - (a) 21-year-old Elizabeth Mora is an outstanding youth leader,
 - (b) since her school days Elizabeth has been fundraising and supporting the work of charities like the St Vincent de Paul Night Patrol, the Salvation Army Red Shield Appeal, Clean Up Australia, the Exodus Foundation Christmas and many other worthy causes,
 - (c) Elizabeth has participated in the Spanish Community International Women's Day Walk Against Femicide, the Benevolent Society Social Leadership Program and the Forty Hour Famine,
 - (d) Elizabeth has been an English teacher's aide for Sparks (St Vincent de Paul), which provides curriculum, social and culture support to newly arrived refugee children as well as the Mission Australia and Red Cross home tutoring program,

- (e) in 2009 she was awarded a medallion and certificate of commendation from Her Excellency the Governor of New South Wales,
 - (f) in 2010 Elizabeth was the recipient of a Future Leaders Role Model Award, the Archbishop of Sydney's Award for Student Excellence in Catholic Education and was in a finalist in the Lions Club Youth of the Year Quest,
 - (g) in 2011 she volunteered with the St John Ambulance Program to aid literacy at Rockdale Public School. Elizabeth has also volunteered with Mission Australia Home Tutor School and is a peer health educator for the "Keep It Safe" Program for the Rockdale area. Elizabeth has recently been granted a five-year scholarship from the Federal Department of Education to study at Sydney at Sydney University.
 - (h) the St George Youth Services Anti Racism Project saw Elizabeth serve as a member of the Youth Working Committee. Elizabeth is a youth leader at St George Youth Services Centre and each year has consistently dedicated a great deal of her time to the development of young people in the community,
 - (i) also in 2011 Elizabeth was nominated as youth coordinator for the Australian Ecuadorian Association and received certificates of appreciation from the Columbian Association, and
 - (j) Elizabeth planned and organised a presentation on "Identity and Creative Cultural Expression" Symposium for the 2011 Youth Leader Day which she facilitated for 60 young people from regional New South Wales.
2. That this House congratulates Elizabeth Mora on becoming the 2012 Rockdale City Young Citizen of the Year and wishes her every success in her future endeavours.

CYPRUS DELEGATION

Motion by the Hon. AMANDA FAZIO agreed to:

1. That this House notes the visit to Australia by a multi-party parliamentary delegation from the Republic of Cyprus led by the President of the House of Representatives of Cyprus, Mr Yiannakis Omiroy.
2. That this House notes that:
 - (a) the delegation visited Melbourne, Canberra and Sydney at the invitation of the Presiding Officers of the Australian Parliament,
 - (b) the President of the New South Wales Legislative Council hosted a luncheon for the delegation and His Excellency Yannis Iacovou, High Commissioner of the Republic of Cyprus in Australia, on Friday 10 February 2012,
 - (c) a dinner was held at the Cyprus Community Club of New South Wales on the evening of 10 February 2012 that was attended by a number of members of the New South Wales Parliamentary Friends of Cyprus,
 - (d) Mr Omirou has expressed satisfaction on behalf of the delegation for the contacts made in Australia and also expressed gratitude for Australia's support concerning the conflict in Cyprus.
3. That this House notes the strength of the bipartisan support in Australia for a peaceful resolution of the conflict in Cyprus and welcomes the strengthening of ties between Cyprus and Australia.

ALAMEDDIN FAMILY

Motion by the Hon. SHAOQUETT MOSELMANE agreed to:

1. That this House notes that:
 - (a) Dr Mustapha Alameddin was born in 1955 in El Minieh, North Lebanon,
 - (b) Dr Mustapha Alameddin migrated to Barcelona, Spain in the late 1970's where he studied medicine, met his wife, Dr Barea Alameddin, and graduated in 1983,
 - (c) the Alameddins migrated to Australia in 1987 and began practicing medicine in 1990,
 - (d) Dr Mustapha Alameddin is a former member of the Council for Multicultural Australia and a former President of the Lebanese Community Council of NSW and the Arab Heritage League,
 - (e) Dr Mustapha Alameddin is also the current President of the Australian Lebanese Overseas Trained Doctors and the coordinator of the Australian Christian Muslim Friendship Society,
 - (f) Dr Barea Alameddin is a medical practitioner and an Assistant Professor at the University of Western Sydney School of Medicine,
 - (g) the Alameddins opened their family medical centre at Lakemba in 1992, and

- (h) the Alameddins have a family of three sons and a daughter:
 - (i) Jamil, the eldest, was born in 1987, attended Trinity Grammar, attained a Higher School Certificate mark of 99.70 and graduated with a law degree from the University of New South Wales.
 - (ii) Naji, born in 1990, attended Trinity Grammar, attained a Higher School Certificate mark of 99.85 and currently studies medicine at Bond University,
 - (iii) Tarek, born in 1992, attended Trinity Grammar, attained a Higher School Certificate mark of 99.60 and currently studies engineering at Sydney University,
 - (iv) Badour, born 1994, attended Monte Sant' Angelo Mercy College, attained a Higher School Certificate mark of 96.60 and currently studies medicine.
- 2. That this House notes that this is a great Australian story of migrants driven by commitment to hard work and congratulates the Alameddin family on such an exemplary achievement.

TRIBUTE TO MRS HANIFA BEGUM

Motion by the Hon. SHAOQUETT MOSELMANE agreed to:

- 1. That this House notes that:
 - (a) Mrs Hanifa Begum passed away in Sahiwal Pakistan on Tuesday 14 February 2012 at the age of 70, leaving behind five children and a number of grandchildren,
 - (b) Mrs Begum's son, Mr Iftikhar Rana, is an Australian Citizen, the President of the Australian Pakistani Association and a prominent personality in the Australian Pakistani community, and
 - (c) on Sunday 19 February 2012, community prayers were held at Rooty Hill Mosque, Mount Druitt for Mrs Hanifa Begum, attended by the Consul General of Pakistan, His Excellency Mr Azam; Mr Zafar Hussain from Sadai-e-Watan; Mr Munir Mohamed from Rabbith International; Muhammad Asif From Pak-Link Magazine; and many distinguished and key leaders and members of the Pakistani and subcontinent community.
- 2. That this House express its condolences to Mr Iftikhar Rana and other members of his bereaved family on the passing of his mother, Mrs Hanifa Begum.

TRIBUTE TO RAYMOND KENNETH HARTY, OAM

Motion by the Hon. PETER PRIMROSE agreed to:

- 1. That this House congratulates Mr Raymond Kenneth Harty, OAM, for his induction into the Order of Australia for service to the building and construction industry through vocational training and education and service to the community.
- 2. That this House notes that this award is recognition of Mr Harty's community service, including as general manager of Comet Training Pty Ltd; as fundraiser and supporter of Woodbury Autism Education and Research; as a councillor on The Hills Shire Council; as an inaugural committee member of Hills Relay for Life; as an honorary ranger; and for his role in the Workplace Tragedy Family Support Group.

SELECT COMMITTEE ON THE KOORAGANG ISLAND ORICA CHEMICAL LEAK

Report: Kooragang Island Orica Chemical Leak

The Hon. Robert Brown, as Chair, tabled report No. 1, entitled "Kooragang Island Orica Chemical Leak", dated February 2012, together with transcripts of evidence, tabled documents, submissions and answers to questions taken on notice.

Report ordered to be printed on motion by the Hon. Robert Brown.

The Hon. ROBERT BROWN [9.43 a.m.]: I move:

That the House take note of the report.

Debate adjourned on motion by the Hon. Robert Brown and set down as an order of the day for a future day.

PRIVILEGES COMMITTEE

Report

The Hon. Trevor Khan, as Chair, tabled report No. 58, entitled "Citizen's Right of Reply (Leda Holdings Pty Ltd)", dated February 2012.

Ordered to be printed on motion by the Hon. Trevor Khan.

SPECIAL ADJOURNMENT

Motion by the Hon. Duncan Gay agreed to:

That this House at its rising today do adjourn until Tuesday 6 March 2012 at 2.30 p.m.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Motion by the Hon. Sophie Cotsis agreed to:

That standing and sessional orders be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 434 outside the Order of Precedence, relating to Betty Spears, be called on forthwith.

Order of Business

Motion by the Hon. Sophie Cotsis agreed to:

That Private Members' Business item No. 434 outside the Order of Precedence be called on forthwith.

TRIBUTE TO BETTY MONICA SPEARS, OAM

The Hon. SOPHIE COTSIS [9.53 p.m.]: I move:

1. That this House extends its condolences to the family and friends of the late Betty Spears.
2. That this House notes:
 - (a) the extraordinary contribution of Betty Spears to the lives of working women and men in this State,
 - (b) that Betty was an icon and a trailblazer serving in both the United Services Union and Unions NSW,
 - (c) that Betty was a major contributor to the first equal pay case in 1972 as a member of the Labor Council's Equal Pay Committee,
 - (d) that Betty was a member of the NSW Women's Advisory Council, an active member of the Labor Party and received a Medal for the Order of Australia for her services to the trade union movement,
 - (e) that Betty will be deeply missed by those who had the great fortune to know her well and by the many more whose lives she has improved through her dedication and devotion to the workers of this State.
3. That this House notes that one of Betty Spears's legacies, a demonstration of her tenacity and commitment, was her advocacy at State and Federal levels to garner support for the establishment of the Betty Spears Child Care Centre at Tempe.

I would like to acknowledge the friends and family of Betty Spears who are in the public gallery today. I wish to acknowledge also the presence in the gallery today of Mike Lennon, the secretary of Unions NSW. I am humbled to rise today to salute Betty Spears, a hero of the Labor movement and of working women and their families across New South Wales. As John Robertson, the Leader of New South Wales Labor, has said:

Betty Spears was an icon and a trailblazer. When the women of New South Wales needed a fighter, Betty Spears never let them down.

Betty Monica Spears was born on the 14 March 1926 at St Margaret's Hospital in Sydney. Betty was born into a working-class family, the daughter of a railway guard, Jack Spears, and his wife, Mary. Betty was educated at St Brigid's in Marrickville. At the age of 16, in the middle of World War II, Betty started working as a junior typist at the New South Wales Department of Labour and Industry. In 1947 she became a clerical employee for the Bread Carters Union, and she became a member of the Federated Clerks Union. In 1954 she started working for the Vehicle Builders Union and later became its office manager until her retirement.

In 1954 Betty joined the Australian Labor Party Dulwich Hill branch only to be expelled four years later, amidst the turmoil of the 1950 split. Betty rejoined the Australian Labor Party in 1974 as a member of the Clovelly branch. Betty's great contribution to the cause of working women came through her relentless campaign for equal pay. Like all things worth fighting for, as we have seen from recent debate in this Chamber, the battle for equal pay was not easy. One can only imagine what it must have been like 50 years ago. When Betty started her working life, the law was that women were paid 75 per cent of the wage paid to men. Betty

took on the fight for equal pay—first working the union movement to make equal pay a union cause, then campaigning in public to build community support, and finally working with the Labor heroes to win the wage cases that established the principle of equal pay.

In Lynn Milne's *The Clerks—A History of the Federated Clerks Union in New South Wales* Betty Spears is recorded as an outspoken and determined figure with a strong sense of the reality of the predominantly male culture of unions at the time. From 1959 until 1988 Betty held a number of senior positions as a member of the Federated Clerks Union executive. Betty was the sole voice for women on the union's executive, and there were very few women in the union movement at the time. In 1956 Betty joined the Equal Pay Committee established by the New South Wales Labor Council.

In the late 1970s Betty was active in forming the Working Women's Charter Committee and in 1975 she was a foundation member of the Women's Trade Union Commission. She represented the NSW Labor Council on the Australian Council of Trade Unions [ACTU] Women's Committee from 1978 to 1985. These bodies worked in unison for equal pay, equal opportunity, childcare, maternity leave, shift work rights and the elimination of sexual harassment. These are the principles that laid the foundation for future generations of working women and their families, and we continue to fight to put them into practice today. But for Betty and her contemporaries, the task was to establish the principle that men and women should be equal at work.

By the late 1960s, Betty had successfully changed her union's policy, convincing it that the argument for discrimination against women based on the idea of a male breadwinner was no longer appropriate. In 1969 the Australian Council of Trade Unions mounted a test case to get rid of the 25 per cent difference that existed between pay rates for women and men. Betty worked with a charismatic Australian Council of Trade Unions advocate, Bob Hawke, to win the case. They established the principle in Commonwealth law that women should receive the same pay as men if they were doing work of equal value. But there was still the matter of establishing this principle in New South Wales law. In 1972 the clerks' State award was selected as a test case. Betty Spears dared a young and brilliant lawyer, Neville Wran, QC, to take the case. He did and they won a great victory for working women in New South Wales.

Betty not only campaigned for the rights of women in the New South Wales workforce; she also was a pioneer for women within the union movement, holding a range of duties and executive positions including being a representative at the International Federation of Commercial, Clerical and Technical Employees in Tokyo in 1977. In 1980 Betty received the Medal of the Order of Australia for her service to trade unionism. She was made a life member of the Federated Clerks Union and given a NSW Labor Council Scroll of Honour. The United Services Union, the successor to the Federated Clerks Union, established an award in Betty's name.

Betty passed away on 19 January this year. She is survived not just by family and friends but by a living memorial that she created and saw while she was alive. In 1984, after a long, hard struggle and a four-year campaign, Betty secured funding from the State Labor Government for a long day care centre for the children of bus employees. Betty was helped by a number of people in that campaign including her very good friend Beryl Ashe, a great advocate who is in the public gallery today. Beryl gave Betty's eulogy a few weeks ago. Beryl and Betty secured \$150,000 for the project. This day-care centre exists today in Tempe and is named the Betty Spears Child Care Centre in recognition of Betty's work to create it. The Betty Spears Child Care Centre is a living monument to Betty's activism and dedication to the practical task of building a better life for working people and their families in New South Wales. I was advised last night that the Labor Party on Marrickville Council moved a motion that will honour Betty Spears by naming a park in her memory to recognise her achievements, and I congratulate that council.

Betty's struggle for the rights of working women continues. Only this year the Australian Services Union won its case for equal pay for social and community service workers. There will continue to be issues for women in the workplace, such as addressing the gap between men's and women's retirement savings, if we are to ensure that women are not disadvantaged in their careers because they choose to have a family and to work. Betty provides an example of what can be done and what working women and women across New South Wales can achieve through networking, working together and collective action.

I never had the privilege of meeting Betty but I am honoured to be a beneficiary of Betty's achievements. These are achievements that must be built on as Betty's heirs in the labour movement fight for equal pay for women across different industries in the campaign for equal opportunity. Betty is an inspiration and a hero and I am proud today to help enshrine her name in our State's history. Imagine a world where our daughters—the daughters of New South Wales—lost a quarter of their hard-earned wages because they were

women. That used to be the law in this country and in this State. Betty and her contemporaries fought against this discrimination. They established the principle of equal pay for equal work, a principle that continues to advance today. We continue that fight as we carry on Betty's legacy to eliminate economic discrimination against women at work.

The Hon. AMANDA FAZIO [10.05 a.m.]: I support the motion of condolence for Betty Spears moved by my colleague the Hon. Sophie Cotsis. I acknowledge the family, friends and colleagues of Betty Spears in the gallery today, in particular Beryl Ashe. Betty and Beryl working together in the Labor Council and the union movement meant there were many gains for working women in New South Wales. I met Betty when I first joined the Labor Party and Young Labor and became an activist both in Young Labor and in the Labor Women's Committee. As has been said, Beryl was a very strong advocate for the right of working women to pay equality.

I came to recognise how tenacious Betty could be in her fight for the rights of working people when Betty was campaigning for the childcare centre at Tempe. At that time I worked for the Commonwealth Government in the Office of Child Care. We had a pretty good way of funding childcare centres which was fine if a childcare centre wanted to operate between, say, 7.30 a.m. and 5.30 p.m. Betty rightly recognised that a centre that operated for those hours would not meet the needs of the parents who worked in the bus industry. Buses probably ran a bit later then but as we all know buses run at all hours of the day and night. The parents who worked on the buses were shift workers.

Betty was very firm in her view that a centre to cater for workers primarily at the Tempe bus depot had to operate at hours that suited their family needs. That was a big stumbling block but with Betty's perseverance and negotiating skills, both with the State Government and the Commonwealth Government, she was able to get the centre up and running with the hours being flexible enough to meet the needs of bus workers. She used to say how unfortunate it was if both parents worked in the bus industry. Sometimes the children were left for an hour in a car in the car park at the bus centre in between shift changeovers. That was completely unacceptable but nobody else was going to look after a child at four in the morning or nine at night in those circumstances.

We have to recognise that Betty not only was a trailblazer in her campaign for equal pay for women and for a childcare centre that would meet the needs of bus workers in Tempe; she also put on the agenda the need for child care to be flexible enough to meet the needs of working parents who did not work in a nine-to-five environment. There are a lot of working parents in Australia today who should be thankful for the tenacious campaign Betty ran to ensure that child care could be flexible enough to meet the needs of parents. Betty dedicated her life to the trade union movement and to ensuring that the rights of working women and working parents were met. As my colleague the Hon. Sophie Cotsis said, there are an awful lot of working women and working parents in Australia today who owe a debt of gratitude to Betty Spears and other pioneers like her who put their personal life second and their campaign for equal rights for women first.

The Hon. MELINDA PAVEY (Parliamentary Secretary) [10.08 a.m.]: I warmly join the Hon. Sophie Cotsis in supporting this motion relating to Betty Spears. It is a very worthy motion that enables us to recognise the trailblazers who have gone before us to make what we do very possible. I acknowledge the Hon. Amanda Fazio's contribution highlighting Betty's work on childcare arrangements for shift workers, whether they were in cities or regional New South Wales. We now have a much better system than existed before.

I thank Betty for her work as a trailblazer. As a member of the Labor Council's Equal Pay Committee, Betty was a major contributor to the first equal pay case in 1972. It is incredulous to someone from my generation that by law women could earn only 75 per cent of what men earned. However, those draconian laws no longer exist. We still have to overcome a number of other issues but women now receive equal pay for equal work and they have the same rights as men, which is as it should be. I thank Betty and acknowledge the presence in the gallery of her family and friends, including Beryl Ashe who presented her eulogy. This worthwhile motion acknowledges Betty's wonderful work for women across New South Wales and Australia.

The Hon. CATE FAEHRMANN [10.10 a.m.]: I speak on behalf of The Greens in support of the good motion moved by the Hon. Sophie Cotsis to honour the extraordinary life of the late Betty Spears. I acknowledge the presence in the gallery of some of Betty's family, friends and loved ones and state at the outset that they must be very proud of Betty and all that she achieved during her extraordinary life. While I never had the privilege of meeting or knowing Betty, her extraordinary dedication to ensuring a fairer society for all, in particular women and children, ensured that her life touched many people other than those whom she knew. Betty Spears died in January this year at the age of 85. Born on 14 March 1926 at St Margaret's Hospital

in Sydney, Betty's life was truly remarkable. She was born into a world that officially defined a wage as money that a man earned to support a wife and children. She started work at a time when it was accepted that a woman's pay should be 75 per cent of a man's pay, and she left this world when, in Australia at least, it has been accepted that women should receive the same pay as men if they are doing work of equal value.

The focus of Betty's whole working life was to play a key role in shifting attitudes and pay packets to bring women in line with men. She started full-time work at the age of 16 with the New South Wales Department of Labour and Industry and then moved into a union career, starting as a clerk with the Bread Carters Union and moving on to a 34-year span with the Vehicle Builders Union. Undoubtedly her work as a union member and official of the Federal Clerks Union, as well as her role on the then Labor Council of New South Wales—now Unions NSW—was the most important platform for her relentless advocacy for equal opportunity and equal pay. In 1972, as head of the Labor Council's equal pay committee, Betty Spears led the political and legal campaign that resulted in the first successful equal pay case in New South Wales. Members should remember how much more of a fight this would have been for women in the 1950s, 1960s and 1970s. Many members would be aware that even in 2012 women throughout the world are still struggling for equal pay. Betty's obituary, which appeared in the *Sydney Morning Herald* on 20 February, states:

In November 1968, during National Equal Pay Week, she addressed public meetings. She spoke anywhere, including the park outside Central Station, and weathered the abuse of passers-by.

In 1972, she met delegates from the Shop Assistants Union in a ladies room and there they decided to push the national case for equal pay with the ALP. It was also decided that a working women's charter committee be started to work for equal pay, equal opportunity, child care, maternity leave, shift-work rights and the elimination of sexual harassment.

The movement for women attracted attention. In the five years from 1970, there was more than a 50 per cent rise in women's membership of unions. In 1974, Spears rejoined the ALP, became a member of its Clovelly branch and in 1975 a foundation member of the Women's Trade Union Commission. By now a delegate to the ACTU congress, Spears said the commission had an excellent chance of improving the status of women in the union movement. The commission was "the best thing that's happened in the trade union movement because it has made men realise that they don't know enough about women's problems", she said.

I am sure Betty's family is very proud of that great article. Betty Spears twice joined the Australian Labor Party—first in 1954. After being expelled from the Australian Labor Party for standing on a unity ticket in the Federal Clerks Union elections, she rejoined in 1974. Earlier the Hon. Sophie Cotsis and the Hon. Amanda Fazio expanded on Betty's strong involvement in the Australian Labor Party. Betty Spears was a feisty, passionate woman and a tireless campaigner who was determined to make the world a better place. She achieved her goal. Betty Spears lives on in the childcare centre at Tempe which bears her name. That centre was not set up as the usual childcare centre model; it was set up for the children of working parents and working women, initially as a long-day centre for bus employees. The Hon. Amanda Fazio spoke eloquently about the fantastic role Betty Spears played in making that happen. Today the centre embodies the wonderful legacy left by Betty Spears. This non-profit and community-based centre, which aims to provide an accessible and affordable service, states on its website:

Our aim is to ensure each child feels that they are lovable, capable and unique individuals with a right to equal opportunities with others regardless of gender, race, ability, culture or temperament.

That statement alone speaks volumes about Betty's values and her contribution to that childcare centre. Betty Spear's legacy lives on—in equal pay, in increased gender equality, in the ongoing fight for workers rights, in the union movement, no doubt in the Labor Party and in the childcare centre at Tempe. She was an extraordinary woman who will never be forgotten. Betty Spears contributed a great deal to creating a fairer and more just society. Her loved ones can be very proud of her legacy.

The Hon. GREG DONNELLY [10.17 a.m.]: I warmly associate myself with the motion moved by the Hon. Sophie Cotsis which will be recorded in *Hansard* in a fitting and proper tribute to Betty Spears who is fondly remembered and always will be by members of the Australian Labor Party. I do not intend to go through the matters canvassed by other members in their contribution to debate on this motion. However, I wish to record my own reflections on the life of Betty Spears. I acknowledge the presence in the gallery of Mark Lennon, Secretary, Unions NSW; Beryl Ashe, Betty's close friend and colleague for many years; and Betty's family and friends. We are pleased that they are here today and extend to them a warm welcome.

Much has been said about how Betty was a role model for women in New South Wales, which is very true. Betty Spears was a role model also for many men and women in the Labor Party as she represented the interests of working people. In 1986, when I was a bright-eyed and bushytailed young industrial officer with the

Shop, Distributive and Allied Employees Association, one of my first jobs was to attend meetings of the then Labor Council of New South Wales—which is now Unions NSW—on Thursday nights at Trades Hall. In the early part of 1986 when I first attended those meetings it did not take me long to identify Betty whom I heard speak passionately and strongly about various matters apposite to the interests of the union membership at the time.

Week after week she would speak in support of motions about key themes such as equal pay, child care and so on. It should be noted that she was concerned also about less significant issues. She was a macro thinker, but she never allowed issues which might not be seen as significant on the broader stage, but which were significant to individuals to be forgotten. She would take up matters of concern to individuals and work tenaciously in advocating for them in an attempt to achieve just outcomes.

I did not know Betty well; she was a colleague at the Labor Council. She was not a very tall woman but was extremely tenacious. People knew that if they wanted to challenge her principles, the position she was taking on, an issue or the facts she was presenting, they would have a fight on their hands. Betty also had a wonderful mind for detail and was very precise in the way in which she articulated and prosecuted her arguments. She never ran an argument from details on the back of a coaster; every argument she put was well presented and well articulated and that was the key to her success in her representation of her members.

Other members have not mentioned the extraordinarily important work that Betty did to ensure that her members could have access to superannuation. It was logical and consistent with what she did throughout her working life for her to advocate for occupational superannuation. Members know that before 1986 in Australia superannuation was available only to people who worked in the Federal or State public sectors and those few who worked in the private sector who were eligible to participate in defined benefits schemes. Those schemes were referred to as a "golden handcuff" because their members had to be full-time employees and they had to remain with their employer for 15 to 20 years to gain full vesting. Of course, members also had to be senior managers, and in those days that meant the overwhelming majority were men. As a result, virtually no women outside the public sector in Australia received occupational superannuation.

The campaign to address that inequity commenced in the early 1980s. The first breakthrough came with the introduction of the 3 per cent occupational superannuation, which was achieved through a test case run by the Australian Council of Trade Unions that flowed on to national and then state awards. Betty was there fighting to ensure that the 3 per cent flowed into the State awards as quickly as possible for the women she represented. That was the first time that those women had access to universal superannuation entitlements. Of course, the superannuation contribution is now 9 per cent of ordinary time earnings. The union movement and the Labor Party hope to have that increased to 12 per cent so that when workers reach retirement they will receive a reasonable superannuation payout. When the 3 per cent superannuation contribution was introduced in 1986 the employers said that the sky would fall in and that the Australian economy would go over the cliff.

I well remember the test cases run in the New South Wales Industrial Relations Commission that resulted in the superannuation breakthrough for those working in the building, construction and transport industries. It then flowed to those working in the clerical and retail sectors. Members are aware of my association with the retail sector. The employers in those two sectors were the hardest to get over the line. In fact, retail and clerical workers were amongst the last to get the 3 per cent superannuation contribution. I remember Betty advocating at Unions NSW that we must not give up and stating that the employers were being intransigent and completely unreasonable. She was determined that justice would be done.

I attended Labor Council meetings at which Betty called on the delegates from the building, construction and transport sectors to continue to provide support for their brothers and sisters whom she represented who did not have as much industrial muscle. It is one thing to represent workers who have industrial muscle and who can negotiate with a bit of argy-bargy, but it is another thing to deal with people who for a range of reasons are not and do not want to be militant. If the occasion arose, Betty was not averse to putting pressure on an employer, but she did not believe that issues were best resolved by going straight to industrial action. She passionately believed in conciliation and arbitration and that was the foundation of the great outcomes she achieved.

Members have spoken about the link between the industrial and political wings of the Labor Party. Betty believed passionately in the link between those two wings and that the two come together as one. She understood that it was vitally important and fundamental for working people to have collective organisation in the workplace and for that to be manifested in the political forum of the State Parliament and, indeed, the

Commonwealth Parliament. That is why she gave her unwavering support to the Labor Party. I do not want to be controversial, but I know that Betty would have been absolutely appalled at the passage of the election funding legislation last week in this Parliament. It was introduced by the Government to do nothing more than drive a fundamental wedge between the political and industrial wings of the great Australian Labor Party. I am sure Betty is in heaven looking down and I promise her that notwithstanding this Government's best endeavours to drive that wedge through the Labor Party, it will not succeed.

Reverend the Hon. FRED NILE [10.28 a.m.]: On behalf of the Christian Democratic Party I express our condolences to the family and friends of the late Betty Spears, and especially those in the public gallery today. I note her outstanding achievements as a pioneer for workers' rights and particularly for female workers' rights. She was a major contributor to the first equal pay case in 1972 as a member of the Labor Council's Equal Pay Committee, a member of the New South Wales Women's Advisory Council and as an active member of the Labor Party. She was awarded the Order of Australia for her services to the trade union movement. It is always encouraging to hear about someone who has participated, as we hope all citizens will, in our political processes, especially women. I congratulate her on her outstanding efforts as a pioneer in this area.

The Hon. SOPHIE COTSIS [10.29 a.m.], in reply: I thank my colleagues the Hon. Amanda Fazio, the Hon. Melinda Pavey, the Hon. Cate Faehrmann, the Hon. Greg Donnelly and Reverend the Hon. Fred Nile for their informative and wonderful contributions. I again thank Betty Spears's family and friends for being here today. We are very proud of Betty's achievements and her amazing personality and commend what she was able to achieve for working women and their families in New South Wales. We will continue the fight. I commend the condolence motion to the House.

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

Motion agreed to.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Dr JOHN KAYE [10.31 a.m.]: I move:

That standing and sessional orders be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 346 outside the Order of Precedence, relating to the Save Gosford Public School Bill 2011, be called on forthwith.

This legislation will prohibit the transfer of students from Gosford Public School to Henry Kendall High School and will require the Minister to consult with the community before any moves to shut down Gosford Public School go ahead. This matter is urgent because the Department of Education and Communities already has commenced planning the move, with the aim of transferring the students by 2014. Parents and teachers have repeatedly tried to meet with the Minister for Education but have had no success. Members of the community met with the architects yesterday and a development application for the first phase of the project will be before council next week. It is a matter of urgency that the bill is before the House.

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

Motion agreed to.

Order of Business

Motion by Dr John Kaye agreed to:

That Private Members' Business item No. 346 outside the Order of Precedence be called on forthwith.

SAVE GOSFORD PUBLIC SCHOOL BILL 2011

Bill introduced, and read a first time and ordered to be printed on motion by Dr John Kaye.

Second Reading

Dr JOHN KAYE [10.34 a.m.]: I move:

That this bill be now read a second time.

This legislation responds to the urgent cries for help from the Gosford community, in particular, from the parents and teachers at Henry Kendall High School and Gosford Public School. The New South Wales Teachers Federation has made representations on behalf of teachers, as well as on its own behalf. The bill will stop the dash-for-cash sale at Gosford Public School and the transfer of students into very cramped conditions at Henry Kendall High School. These cramped conditions will interfere not only with the education of the students who are currently at Gosford Public School but also with the education of students at Henry Kendall High School, particularly secondary students with special needs.

The Save Gosford Public School Bill 2011 will achieve these aims by prohibiting the relocation of Gosford Public School to the grounds of Henry Kendall High School, and ensuring that teachers, parents and the general community are notified and consulted—including a meeting with the Minister—before a decision is made on any alternative site for Gosford Public School. The bill requires the Minister to attend a meeting with the local community to discuss alternative sites and to consider their submissions before making any decision, and to permit Gosford Public School to continue to operate on its current site until an alternative site is found that is consistent with the other clauses of the proposed Act.

Many concerns have been raised about the plan—developed by the previous Government and enacted by this Government—to force a relocation of Gosford Public School to Henry Kendall High School. Principal among The Greens' concerns are that the Special Needs Unit at the high school will have to be moved to make way for the new primary school buildings. Rather than the promised state-of-the-art buildings with the latest equipment, the unit now will be situated in refurbished technology rooms in a building that is on the State's asbestos register. That is a less than satisfactory outcome, particularly for those students with mobility issues.

Our next concern is that two separate schools deserve two distinct sites. Gosford Public School and Henry Kendall High School are separate schools and it is inappropriate and unacceptable to locate a primary school and a high school on the one site. Further, the projected student enrolment will be 1,300 students. Those students will be educated in cramped and noisy classrooms. The playground area—which is crucial to the development of students—will be inadequate in size and location. The total size of the land of the two schools is 4.65 hectares. Section 3 (a) of the New South Wales Government's own Asset Management Directorate Site Procedures for New South Wales government schools as at 1 February 2008 states:

Primary school sites should be around three hectares in size, while six hectares is desirable for a secondary school.

If these two schools are located on the one site, according to the Government's own policy that site should be nine hectares in size. The site proposed is just over 55 per cent of the requirements. As a measure of how cramped conditions will be on the proposed new site, in A block of Henry Kendall High School students from both Gosford Public School and Henry Kendall High School will share one building, with primary school students on the top level and directly below them the secondary school science laboratories. The movement of students and the subsequent noise will impact on educational outcomes for both sets of students. Most importantly, the co-location will block forever any potential expansion of the schools. The local member, Mr Chris Holstein, stated some time ago that Gosford would attract about 10,000 new residents to the area because of the redevelopment that is taking place. That would put an additional burden on the public education system. A combined Gosford Public School and Henry Kendall High School site would not be able to cope. It would be too cramped to cater for such a growth in population.

This proposed merger has created a massive response from the community—from parents, teachers and community members. Since the announcement in June 2010 there have been protests, public meetings, a petition with in excess of 10,000 signatures and a letter-writing campaign. Every request to meet with the Minister has so far been rejected. A survey conducted by the previous Government found that 77 per cent of parents were totally opposed to the relocation of Gosford Public School to the Henry Kendall High School site. Instead of an open consultation process to look at alternative sites for Gosford Public School, if it had to be moved, the previous Government and this Government conducted a behind-closed-doors review of alternative locations. The review was conducted without consultation and was cut short, without warning. No-one really knows the alternatives that were looked at, despite a large range of alternatives being put forward by the community.

The bill is important for the community of Gosford. Passing the bill through this Chamber will send a message to that community that this Parliament cares about the future of public education on the Central Coast. It will send a message that the Government cares about the concerns of parents with young children who want the security of knowing that high-quality primary and secondary education within the public system will be

available as their children grow up. This bill is not just about education in Gosford; it is about the future of public education across the State. If this bill fails to be passed and the Government pushes ahead with its forced co-location of the two schools, then a nasty and dangerous precedent has been set.

In 2010 the Boston Consulting Group presented a report to the previous Government that suggested \$850 million in potential savings from forced school closures and forced mergers. Given that all governments are now driven by Treasury and Finance and Services, and given that the primary objective of government is not the delivery of high-quality services but the balancing of budget, Gosford Public School and Henry Kendall High School, and hundreds of schools like them around the State, will become an attractive target to a government that is fixated on the budget bottom line and not on the needs of the community.

If this bill is not passed and Gosford Public School is shoehorned into Henry Kendall High School, then every school in this State must be aware that it too may be on the chopping block and become part of a grab-for-cash land sale that is not in the interests of its community or public education. This co-location is being driven purely by budgetary reasons; it is not being driven by any sense of providing quality education or creating a better future for the students. The Parliament has an obligation to the Gosford community, and to like communities around New South Wales, to stand up and be counted. The Government must undo not only its errors but also the errors of its predecessor. The Government must begin genuine open consultation with the folk in Gosford.

This bill follows a textbook campaign to secure the future of the children of Gosford. I acknowledge the parents and citizens associations from Gosford Public School and Henry Kendall High School. In particular, I acknowledge the extraordinary work done by Jackie Draper and Helen Vocalan, parents at Gosford Public School. They have put their lives on hold to battle not only for their own children but also for the children of Gosford, New South Wales and Australia. This country is well served by the parents and citizens associations of this State, which battle for their public schools. It should not be that any government puts the future of any public school on the line in this way, but it is so. Because of parents like Jackie and Helen, and hundreds of others who have attended meetings, baked lamingtons and obtained 10,000 signatures on a petition, this bill is before the House today with an urgent plea for support.

I thank the New South Wales Teachers Federation, in particular, its Central Coast organiser, for its tireless work to protect the education of children and public education outcomes on the Central Coast. Importantly, this bill is a matter of conscience. Members should stand up to the Government. The Government needs to put a hold on this plan. The community should be consulted and a better outcome developed—one that may not be as financially advantageous to the Government in the short term but one that will serve the economic, social and justice needs for the future of New South Wales. I commend the bill to the House.

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

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Motion by the Hon. Charlie Lynn agreed to:

That standing and sessional orders be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 504 outside the Order of Precedence, relating to the seventieth anniversary of the bombing of Darwin, be called on forthwith.

Order of Business

Motion by the Hon. Charlie Lynn agreed to:

That Private Members' Business item No. 504 outside the Order of Precedence be called on forthwith.

DARWIN BOMBING SEVENTIETH ANNIVERSARY

The Hon. CHARLIE LYNN (Parliamentary Secretary) [10.43 a.m.]: I move:

That this House:

- (a) acknowledges the seventieth anniversary of the bombing of Darwin by 188 Japanese aircraft on 19 February 1942; and
- (b) pays tribute to the citizens and service men and women who lost their lives.

On 19 February 2012 I was privileged to represent Premier Barry O'Farrell at the official commemoration of the seventieth anniversary of the day war came to Australia. The Premier has an intimate knowledge of our northernmost frontier city, as he lived there as a young army brat during his father's posting as a warrant officer. My first visit to Darwin was an overnight stop on my way home from my tour of duty in Vietnam in 1967. Over the following 15 years I visited the Northern Territory and the city on army exercises and I always felt I was in the real Australia amongst real Australians. Territorians are dinkum, tough, resilient and politically incorrect.

As the storm clouds of war gathered over the islands to our immediate north after the bombing of Pearl Harbour, the authorities took the precaution of evacuating women, children and the elderly from the city. By early February only a couple of thousand residents remained. It is hard for us to imagine the hardships the local population had to endure during this period. Food and petrol were rationed to the extent that people had to leave their cars in queues overnight just to get their allocation of two gallons. Food supplies and other necessities were below subsistence levels—one had to be hardy just to live there. Our northern defensive screen was limited to three inexperienced and ill-equipped battalion elements in Timor, Rabaul and Ambon, known as Sparrow Force, Lark Force and Gull Force. There were no plans for their reinforcement and none for their evacuation. As a result, most were sacrificed. Whilst it was clear that Australia was ill-prepared for a war against the Japanese in the Pacific, it was not as though they had not been warned. In 1933 General Sturdee warned that Japan would pose the major threat to Australian security. He predicted that:

... the Japanese would act quickly, they would all be regulars, fully trained and equipped for the operations, and fanatics who like dying in battle, whilst our troops would consist mainly of civilians, hastily thrown together on mobilisation, with very little training, short of artillery and possibly of gun ammunition.

Professor David Horner, head of Strategic Studies at the Australian National University, observed:

It is now generally agreed that the Australian defence policy between the wars and until the fall of Singapore was, at the best, naively optimistic, and at the worst, some might say, close to treason.

Whilst our political leaders may have neglected their national insurance policy between the two world wars, our service men and women answered the call and the challenge. They were ably supported by their families, who were left behind to manage families, businesses, farms, industry and government services and agencies. After Japan entered World War II with a surprise attack against the United States Pacific fleet at Pearl Harbour on 7 December 1941, they deployed their forces to secure a co-prosperity sphere in the Asia-Pacific area. Their aim was to strike swiftly, secure the natural resources they required and then negotiate a peace settlement with the United States. Australia was vulnerable, as we had committed our fighting troops to the European war against Germany.

To allay our fears against a militant Japan entering the war, we were assured by Prime Minister Winston Churchill that an impregnable fortress would be established in Singapore with around 130,000 British Empire and Commonwealth forces. These included the 8th Australian Division of the Australian Imperial Force, two front-line battleships and the promise of more warships from the British fleet. These were integral to the pre-war Singapore strategy, but they never arrived. Hong Kong had fallen and Thailand, the Philippines and Malaya fell as they advanced towards Singapore. The speed of the Japanese push southward through South-East Asia and the Pacific was unparalleled in modern history.

On 19 February 1942 the impregnable fortress of Singapore also fell and more than 130,000 Commonwealth troops surrendered to become prisoners of the Japanese. It was a devastating blow to our national security and the beginning of the end of the British Empire. The Dutch East Indies were next to fall and our three Australian battalions in Ambon, Timor and Rabaul were sacrificed. In February 1942 Darwin, a remote town of fewer than 6,000 residents, was the closest Australian port to South-East Asia. It was defended by almost 15,000 Australian and American troops, but most were untrained militia units mobilised on the outbreak of the war. Darwin was poorly defended by the Air Force and only a few Hudson bombers and Wirraways were stationed there. However, a squadron of American P40 Kittyhawks had recently arrived expecting to deploy to Java.

In mid February 1942, a Japanese fleet with four aircraft carriers sailed into the East Indies to support an attack on Timor. On the morning of 19 February 188 Japanese aircraft from the carriers led by Commander Mituso Fuchida—who had led the raid on Pearl Harbour two months earlier—attacked the crowded harbour and town of Darwin. A Catholic missionary on Bathurst Island saw the aircraft heading for Darwin and radioed a warning, which was not heeded, and the Japanese aircraft caught Darwin's defenders by surprise. The American Kittyhawks, returning from an aborted flight to Java, were unaware of the approaching Japanese and were

attacked as they tried to land. All but one was destroyed. Anti-aircraft gunners raced to their guns but the Japanese had the initiative. About midday 54 Japanese bombers from bases in Ambon and Sulawesi conducted a high-level raid on Darwin airfield.

Ten ships were sunk in Darwin harbour, including an American destroyer and eight transport ships, while a further 25 ships were damaged during the two air raids. Twenty-three allied aircraft and a small number of Japanese aircraft were destroyed. According to the official commission of inquiry, 243 military and civilian people were killed and about 350 were wounded. Many thought an invasion was imminent and headed south for protection. The Japanese dropped more bombs on Darwin on 19 February 1942 than on Pearl Harbour, but because there were fewer warships at Darwin the attack was not quite so damaging. However, the attack was a considerable psychological blow to the Australian Government and the general population, although the extent of the damage was not publicised at the time.

Australians had every cause to think that a Japanese invasion of the mainland was imminent as Japanese aircraft carried out about 100 bombing missions across our northern cities of Broome, Wyndham, Derby, Katherine, Horn Island, Townsville, Mossman, Port Headland, Noonamah, Exmouth Gulf, Onslow, Drysdale River Mission, Coomalie Creek and Darwin. Our lack of defence preparedness due to our over-reliance on Britain led to a breakdown in leadership and discipline in both the military and civilian populations in Darwin as wave after wave of Japanese aircraft caused widespread death and destruction. Looting and desertions increased quickly because they did not know what else to do. This caused a great deal of humiliation and embarrassment as the extent of the bombing and the reaction to it became known.

At the unveiling of a plaque in 1955 to commemorate the bombing of Darwin, the Territories Minister, Paul Hasluck, described the bombing of Darwin "not as an anniversary of national glory but one of shame". Another historian, Tom Frame, believes the attack on Darwin made an infinitely greater contribution than the landings at Gallipoli in 1915. According to Frame, while the Anzacs provided the foundations for a military tradition upon which later generations have built, the devastation of Darwin created a new awareness of the nation's defence and security requirements. This is an interesting proposition which acknowledges that the bombing of Darwin on 19 February 1942 remains the largest attack on the Australian continent by a foreign power in our nation's history. It was certainly Darwin's darkest day.

Today the city is emerging as a proud modern metropolis, completely rebuilt from the wreckage of the Japanese bombing in 1942 and the later catastrophe of Cyclone Tracy in 1974. The organisation and conduct of the seventieth anniversary commemoration ceremonies were a credit to Darwin's civic leaders and volunteers who made it all happen. The speeches by our Governor-General, Her Excellency Quentin Bryce, our Prime Minister, Julia Gillard, and the Leader of the Opposition, Tony Abbott, were dignified and well received by the large crowd that had gathered for the occasion. After the formal proceedings each of the dignitaries mingled with the crowd and was warmly received.

The Prime Minister announced that the day would be commemorated in the future as Bombing of Darwin Day. I felt the day could have been badged as "Proud to be Australian Day" as I observed the mood of people of all ages and backgrounds mingle with each other to the theme of our unofficial national anthem, *We are one, but we are many*. Whilst Tony Abbott paid tribute to the spirit of the defenders of Darwin he noted that our defences were inadequate at the time, the warning was ignored, the surprise was complete, and the initial confusion was total. He then shared the three lessons he will note from the situation we faced in 1942. First, he said:

... we must always be prepared because no place, no country and no time can entirely escape tragedy. Second, we should never be dismayed by disaster because recovery is always possible, as this twice-destroyed, twice-rebuilt city abundantly shows, and third, we must learn from our history, never ignore it and never gloss over it. It is a whole story, its greatness and its smallness, that makes us who we are. Wartime Darwin is part of our story. It's as much a part of our story as Anzac, Kokoda and Afghanistan.

Lest we forget.

The Hon. LYNDIA VOLTZ [10.53 a.m.]: I also commemorate the bombing of Darwin. Like the Hon. Charlie Lynn, I have fond memories of military service staff in Darwin, having spent three months at Darwin showground in a tent during Kangaroo '89. It was on 19 February 1942 that the first and largest single attack mounted by a foreign power against Australia unfolded. I pay tribute and honour to, and remember those whose lives were taken, both armed forces personnel and civilians. The Japanese air raids on Darwin involved, collectively, more than 260 enemy aircraft from a fleet of aircraft carriers and a powerful force of escorting

surface ships. In addition to the carrier-based aircraft, 54 land-based bombers also struck ships in Darwin's harbour and the town's two airfields in an attempt to prevent the allies from using them as bases to contest the invasion of the Netherlands, East Indies, Timor and Java by the Japanese.

This day of carnage would leave more than 250 people dead, a town burning in ruins, eight ships sunk and an air force base carpet-bombed into oblivion. The Japanese managed to inflict heavy losses on Allied forces at little cost to themselves. Darwin was considered a vital asset in Australia's defences against an increasingly aggressive Japanese empire in the 1930s. Due to its strategic position in northern Australia, the Royal Australian Navy and the Royal Australian Air Force [RAAF] expanded their bases there. Coastal defence batteries were constructed and its garrison steadily enlarged in the 1930s and the early years of World War II.

Nevertheless in 1942 Darwin was still a small town with limited civil and military infrastructure, and despite its strategic importance several Australian Army and Royal Australian Air Force units stationed in the town were sent to the Netherlands and to East Indies to strengthen the defence line against the Japanese invasion. The Japanese had captured Ambon, Borneo and Celebes between December 1941 and February 1942, and landings on Timor were scheduled for 20 February, with the invasion of Java planned shortly afterwards. To protect those landings from allied interference, the Japanese military command resolved to conduct a major air raid on Darwin. A vivid account of that fateful day is recorded in great detail:

February 19 dawned a sunny day with a few clouds drifting slowly across the sky. The sea was calm and limpid with a light haze clinging to the water on the horizon. Darwin lay bathed in the moist humidity of a tropical morning during the rainy season, quite oblivious of the fact that 17 Japanese bombers, 54 dive bombers and 18 Zero fighters were converging steadily on the town.

All around the waters of the blue harbour ships lay awaiting discharge or sailing orders. The town continued its normal existence. Some soldiers were at their posts and others were engaged on defence work, while civilians carried on their ordinary daily business.

So suddenly did the Japanese air fleet appear that Darwin was completely taken by surprise. The alarm on the main battery position near the heart of Darwin brought gunners rushing to their guns—some half clothed, others naked from their showers and quarters. Approaching the town from the south-east, 17 silver Japanese bombers appeared flying in formation at nearly 20,000 ft.

The town was ringed and marked by flashes as the anti-aircraft guns opened fire on the droning bombers. Woolly black bursts showed below and behind them as Darwin moved, towards the centre of their bomb sights. Over their target they let their bombs go.

The whistle of the falling bombs reached a shrill crescendo culminating in a terrific blast, as they fell among buildings along the foreshore of Darwin.

Wreckage was thrown skywards, walls tumbled in and dust and smoke rose from the devastated area.

Under a pall of smoke from the burning harbour the town took stock of the damage. People emerged from their air-raid shelters, stumbled and bewildered by the suddenness and intensity of the attack. Along the foreshore the post office and the police station were among the buildings reduced to rubble. There were many craters pitting the area overlooking the jetty, but most of the damage had been inflicted on the harbour, its installations and the ships that were sheltering within the boom.

After the first raid a few civilians left the town and headed south along the overland road. Most remained and were still in the town when the alarm was again sounded at noon heralding a second attack by the Japanese.

Flying in over the area from opposite directions and at a great height, were two formations each of 27 Japanese bombers that bombed what remained of the installations at the RAAF aerodrome.

And so the night of February 19 descended on Darwin. All night sailors and others were drifting up from the foreshore seeking the hospital where doctors toiled manfully in an effort to handle all their patients—men in bloodstained bandages, some clad only in pyjamas, still carrying life jackets, some nursing terrible burns.

For the first time bombs had fallen on Australian soil. For the first time Australians had been killed in their own homes by act of war.

This event is often called the Pearl Harbour of Australia. Even though it was a less significant military target, a greater number of bombs were dropped on Darwin, killing more civilians and sinking more ships. Considering the magnitude of this attack, and the devastation that followed, the bombing of Darwin remained virtually unknown for decades. The Australian Government, fearing publicity would detrimentally affect the Australian psyche, downplayed the bombing.

The air raids caused chaos in Darwin, and fears of an imminent invasion spread as many of the town's civilian population fled. Most of the population, particularly the children, were evacuated south by 19 October. A garbled order for soldiers to gather outside the town in the bush also led to many soldiers going bush. Elsa Herron was a young Aboriginal girl who witnessed the bombing. Her mother was in Alice Springs at the time

working as a cook at the headquarters of United States General Douglas MacArthur. Elsa, 11, and her sister, nine, were staying in Darwin with relatives, one of whom was killed on the MV *Neptuna*, which was destroyed in Darwin Harbour. She recalls:

We were just two little Aboriginal kids playing near the beach when the Japanese planes came. I remember it as though it was yesterday. I remember everything.

In particular, she recalls that her nine-year-old sister was so concerned about her bag of sweets when the Japanese bombs were reducing their town to rubble. She recalls:

All she was worried about was dropping her boiled lollies.

It was dreadful, you know. We were hiding near the beach and an air raid warden came along after the first bombing and said he would come back for us.

Then the next lot came.

I do not think I spoke for days afterwards, just cried a lot.

Although the number of people killed during the 19 February raids has been disputed, the Lowe commission identified 243 victims in March 1942 and, assuming a few were unidentified, concluded the total number of deaths to be 250. A plaque unveiled in Darwin in 2001 confirmed the total as 292. Approximately another 400 people were wounded, 300 seriously, in this small town. It is worth noting that the invasion of Darwin was the foundation of a post-war immigration program to populate the north. More importantly, it fundamentally changed the strategic Pacific security status of Australia by forging an alliance with the United States, which culminated in the ANZUS Treaty in 1951.

The Hon. SARAH MITCHELL [11.02 a.m.]: I support the motion moved by the Hon. Charlie Lynn and congratulate him on moving such an important motion today. It is important to recognise the seventieth anniversary of the bombing of Darwin and to pay tribute to the citizens and service men and women who lost their lives. From this tragic event, there are many stories of heroes. I would like to focus on the stories of one of these servicemen, Wing Commander Archie Tindal. Archibald Tindal was born on 18 January 1916 in Eversley, England. He enlisted in the Royal Australian Air Force on 16 July 1934. In 1942 Wing Commander Tindal was stationed in Darwin and during the attack on the airfield on 19 February he manned a Lewis machine gun and opened up on the Japanese Zeros. He continued the one-sided struggle for some time before finally being shot and killed by a single bullet. Archie Tindal was the first Australian airman to die in combat on Australian soil.

After World War II the Carson's Airfield near Katherine, some 320 kilometres south of Darwin, was renamed Tindal after Wing Commander Archie Tindal as a permanent reminder of his heroic actions during the initial raid by the Japanese on Darwin. In 1984 the Government decided to establish an operational Air Force base at Tindal and it officially opened on 1 October 1988. I wanted to focus on this story because it has a personal significance to me as Archie Tindal was my husband's great-uncle. His grandmother, Elizabeth Mitchell, attended the official opening of the Tindal Air Base in 1988. She was proud that this country had recognised her brother and his heroic actions during the bombing of Darwin. This story is an important part of my family's history and, indeed, the country's history. It is important that we remember people such as Archie Tindal when we debate these sorts of motions. I commend the motion to the House.

The Hon. DAVID CLARKE (Parliamentary Secretary) [11.05 a.m.]: I give my whole-hearted support to the motion moved by the Hon. Charlie Lynn. He is certainly well-suited to move such a motion as an ex-serviceman himself, as a man who saw active service in Vietnam fighting for freedom and against aggression, and as Parliamentary Secretary for Veteran's Affairs in the Government of New South Wales. If there is to be a Parliamentary Secretary for Veteran's Affairs, the Hon. Charlie Lynn was surely meant to hold that position. He is also well-suited to move this motion because of what he has done to inculcate into the heart and soul of Australia what Kokoda Trail means to Australia, its history and its meaning, to valour, to freedom and to heroism. The Hon. Charlie Lynn has performed a great service in moving this motion today.

It is good that we commemorate what happened on that day, 19 February 1942, in Darwin—the loss of life; the loss of civilian life of those men, women and children who were killed; the loss of life in our Armed Forces. We need to remember, as the Hon. Charlie Lynn said, that more bombs were dropped on Darwin than were dropped on Pearl Harbour. Darwin was attacked not just once, but many times. What happened at Darwin helps me to focus on the fact that war always brings tragedy including the heart-wrenching loss of life. It helps me to focus on the fact that war always comes from aggression. It helps

me to focus on the need for Australia to stand ever ready in the defence of freedom and democracy. It helps me focus on the need to stand with our Allies, as we did in 1942, with Britain and the United States. The United States then the great bearer of freedom around the world—and today also the great bearer and defender of freedom around the world as well.

Finally, we need to ensure that political termites within our midst, those who would seek to undermine our democracy, our security and our freedom, are not allowed to weaken our resolve to stand in the defence of freedom; and that they do not undermine our armed forces; that they do not undermine our defence capability. Australia has always resisted aggression, as it did in 1942 in Darwin. It will continue to resist aggression wherever it comes up against it. It always has and it always will. I am honoured to support this motion today.

Reverend the Hon. FRED NILE [11.08 a.m.]: I congratulate the Hon. Charlie Lynn on moving this important motion, which states:

That this House:

- (a) acknowledges the 70th anniversary of the bombing of Darwin by 188 Japanese aircraft on 19 February 1942, and
- (b) pays tribute to the citizens and service men and women who lost their lives.

I refer to the anniversary celebrations in Darwin. It is important that this event be acknowledged and become part of our annual events to be recognised in Australia. For too long it has been hidden in the shadows. A cloud has been hanging over the whole event, which involved some sense of shame as to whether there had been adequate responses by those who were in Darwin on the day of the bombing and the follow-up events. I am pleased that that has been put to one side and that we are focusing on what happened, what the Japanese did, and the response by the people of Darwin.

I refer to one of the sad aspects of the bombing. The anti-aircraft guns were manned by the 14th Australian Anti-Aircraft Battery, which was a militia unit. It is what we used to call Citizens Military Forces; we now call it the Reserve Army. As members know, I was pleased to have served for 20 years in the militia, or the Citizen Military Forces. We should acknowledge the young men who served in that battery. We should remember how ill-equipped and vulnerable they were on the day of that bombing. In that attack 175 Japanese planes, including Zeros and torpedo bombers from four Japanese carriers, attacked Darwin at 8.45 a.m.

The ironic aspect is that the men who manned those guns had never been allowed to fire them. During the celebrations in Darwin many of the veterans who are still alive were interviewed and said how frustrated they were that they were not allowed to practise firing the guns. They said, "We had never heard the guns fire until that day when we were aiming at a Japanese plane." They could not have been more ill-equipped and poorly trained. They should have had the opportunity to fire the guns. There are various ways of doing that, one of which is to have a light aircraft tow a target behind it so that the gunners can become more practised in estimating the height of an aircraft. It is always difficult for anti-aircraft guns to hit a plane in flight, especially those that are flying at high altitudes.

One of the men in charge of the guns said, "One of the reasons we didn't fire them was because we were told the citizens of Darwin would be upset by the noise of the guns." I hope that is not true, but that is what he was told on that occasion. I think it was probably some of the people in charge that made the request that guns not be fired and in so doing put the lives of people in Darwin at risk. Even so, a number of Japanese aircraft were shot down. No-one is too sure how many. A photographic report on the cover of a newspaper covering the attack referred to "Two big air raids on Darwin. Japanese bombers take part. Fighter escort. Four enemy planes brought down." There have been different estimates of the number shot down—two, four or 14. Despite their lack of experience, the anti-aircraft gunners were still able to shoot down some Japanese aircraft.

One of the men who manned the guns said that the Japanese were so arrogant that those who were flying low, probably the fighter escort, waved to them as they were bombing Darwin. They felt confident that they were in charge of the situation, and they were. They were prepared for war whereas Australia was ill-prepared for war. That has often been the history of Australia and other freedom-seeking nations. I still remember reports of the first men called up at the beginning of the war being trained in The Domain. There was

an insufficient number of rifles for all so they were training with wooden sticks. Again, they were very ill-prepared. We must not allow that to happen again. I am pleased to support this motion and I look forward to its commemoration each year as part of our Australian history.

The Hon. RICK COLLESS [11.12 a.m.]: I support this motion and congratulate the Hon. Charlie Lynn on bringing this important matter before the House. In recent years I have had the opportunity to visit Darwin a couple of times. I have walked around the foreshore where this attack took place and I have seen the commemorative memorials. It is a moving experience. That is particularly the case with the big gun that came from the USS *Peary*, which points directly to where the *Peary* was sunk, with the loss of 90-odd sailors. The sinking of the *Peary* was one of the major successes of the Japanese air force.

Few people are aware that the force that attacked Darwin was precisely the same carrier-borne force that attacked Pearl Harbour some 10 weeks beforehand. As the Hon. Charlie Lynn pointed out, the same Japanese pilot, Mitsuo Fuchida, led both attacks, so he was a very experienced skipper of such attacks. The attack on Pearl Harbour was the first time the Japanese had used an air attack as a major bombardment rather than a warship bombardment. History records that the Japanese made a few mistakes in the attack on Pearl Harbour, which they did not make when they attacked Darwin.

Another interesting aspect is that more aircraft attacked Darwin in the first wave than attacked Pearl Harbour in the first wave and more bombs were dropped on Darwin than on Pearl Harbour. More ships were sunk in Darwin than in Pearl Harbour. The fact that fewer people were killed in Darwin is simply explained: There were very few people there at the time. Darwin had a population of some 5,800, the majority of whom had been evacuated, and there were only 2,000 remaining of whom only 63 were women. It was probably very fortunate that that evacuation had occurred in the couple of months prior to the attack. An interesting statistic is that the raid on Darwin stood with the raid on Coventry in England as one of the biggest and deadliest air attacks seen in the Second World War up to that time. It is unfortunate that history has not treated the attack on Darwin with the significance it deserves.

It is most appropriate that the Bombing of Darwin Day commemoration has been instigated. Anyone who saw the commemoration on television on Sunday last would have been very moved by the re-enactment. I am very envious that the Hon. Charlie Lynn was there to observe that. When I spoke to him yesterday about it he said it was one of the most moving ceremonies he had been to. The attack on Darwin remains the single most deadly event to occur on Australian soil. There has not been a cyclone, bushfire, train or plane crash, flood or even an Aboriginal massacre that has killed as many people as the Japanese attack on Darwin on 19 February 1942. As I mentioned a moment ago, the way this event has been recorded is unfortunate. In the Australian War Memorial there is a seven-volume official history of the Australian Army in the Second World War, which runs to thousands of pages. Only two pages address the attack on Darwin. The attack has not been well recorded over the years, which is a shame.

This is the way events occurred on that day in February 1942. At about 9.00 a.m. Father John McGrath, who ran the Sacred Heart mission at Nguu on the Tiwi Islands and was the volunteer coast watcher, had the radio equipment set up to warn the authorities in Darwin if he saw any aircraft approaching. At 9.30 on that morning his missionary work was well underway when missionaries and islanders suddenly stopped what they were doing and looked up to see a massive wave of aircraft heading towards Darwin. Father McGrath immediately went to his radio, but being an old valve-type radio it took about five minutes to warm up. By 9.35 a.m. he was in touch with the coastguard in Darwin and gave it the message that a big flight of planes had passed over going south very high. He got a response from the duty officer, Lou Curnock, who replied, "Message received. Stand by." Unfortunately, Father McGrath did not get a chance to stand by because at that moment a Japanese aircraft came in low over the mission strafing and destroyed an American Beechcraft that was on the ground at the Nguu airstrip.

It all happened pretty quickly. There was some confusion as to what the aircraft were as there was a group of 10 Kittyhawks and a Flying Fortress that had departed Darwin that morning for Koepang and had had to turn back because of bad weather. The authorities thought it was probably those aircraft coming back, despite the fact that they were hundreds of miles on a different course and would not have been able to have been seen by the missionaries on the Tiwi Islands.

The confusion that existed about whether it was Japanese aircraft or the Kittyhawks returning meant that the sirens were not sounded until some 30-odd minutes later. In fact, history tells us that 9.58 a.m., the time

that the first bombs landed on the wharf at Darwin, was when the air raid sirens were sounded in Darwin. The general population had no warning, despite the fact that the Royal Australia Air Force knew about it some 25 minutes earlier. As there was confusion, the right protocols were not in place to ensure that the air raid sirens were sounded earlier. We can only conjecture what a difference that would have made to the final result. The Kittyhawks interacted with the Zeros; they were virtually annihilated as only one Kittyhawk survived that attack. The American pilots of the Kittyhawks took on the Zeros, but they could not match them in any way, shape or form. They were brave men of tremendous courage.

The second wave came just two hours later, at 11.58 a.m., with 54 bombers coming in at 15,000 feet, out of the range of machine guns. They had their way with Darwin. The Royal Australian Air Force Base was annihilated by them, yet they had hardly a scratch on their aircraft as there were no fighters to attack them. Confusion remains to this day about how many people were killed. The official record states that 247 people were killed. As so many people had been evacuated, only 2,000 people remained in Darwin at that time. In comparison, more than 3,000 people were killed at Pearl Harbour. We were lucky that so few people lost their lives in such a deadly attack on Australian soil. It was the first of many attacks—some 68, I think—by the Japanese Air Force on Australian soil during World War II. I congratulate the Hon. Charlie Lynn on moving this motion. I am sure all members of this House offer their congratulations to the servicemen who showed such bravery during that period and their condolences to the families of those who lost loved ones in the event.

The Hon. Dr PETER PHELPS [11.23 a.m.]: I acknowledge the outstanding contribution made by the men and women in and out of uniform who were in Darwin on that fateful day in 1942 and for subsequent raids in 1942. I salute their courage and their endeavour during that time. But if we owe servicemen anything we at least owe them the truth. In that respect I pay due acknowledgement to Dr Peter Stanley of the Australian War Memorial, who has done far more than anyone else in Australia to bring some true perspective on the meaning of the Pacific War to Australia and to Australian service personnel. Dr Stanley is perhaps most noted in recent years for his attempts to debunk this myth of a battle for Australia. Veterans deserve the truth, and the battle for Australia, as Peter Stanley has made clear, is largely a politicised myth.

The myth arose in the context of the history wars that have been taking place since certainly the 1980s and well into the 1990s. The creation of a battle of Australia is almost certainly laid at the foot of former Prime Minister Paul Keating. He was a man who, in my view, indoctrinated Australia with more bad history than anyone else, and certainly more than any Australian Prime Minister. Keating was a nationalist and an Australian nationalist, but in the attempt to fabricate an Australian nationalism he had to find something that also dealt with his British anti-imperialism. In the 1980s—despite almost two decades of what might be described as the bourgeois Left to fabricate a nationalism which excluded a British white imperial legacy and their failure over that 20 years—there was clearly a renewed revival of interest in Australian military history. One wonders why that might be the case.

Certainly younger Australians paid much more attention to that history, no doubt because in most nationalisms we find there is some sort of seminal event, normally a military event. The Americans have their War of Independence and the French have their French Revolution. Generally, there is an attempt to try to create a nationalism grounded on this seminal moment of military endeavour. Australia already had a seminal moment of military endeavour, and that was Anzac Day. However, Anzac Day had for many years been overlain by, rightly, if you like, a British imperial tradition. One only has to read quite good histories written by Socialists—for example, *The Red Flag Riots* or *The Secret Army and the Premier*—to know of the deep antagonism between returned servicemen and, more particularly, elements of the Left and, to a lesser extent, the Labor Party in the period following World War I.

There was a terrible dichotomy between creating nationalism but without any British imperial connection because it would detract from our Australian nationalism. Anzac Day, which had been a symbol of a particular form of nationalism that had been recognised, was by the 1960s disparaged by the Left. I refer to the famous play *The One Day of the Year*. It was a cause célèbre of the Left that portrayed returned servicemen as drunk, obnoxious, et cetera. That attitude had changed by the 1980s. We saw a growing interest and resurgence amongst young people for military history. Even the great Eric Bogle—who was from the Left of politics—changed the words of his song *The Band Played Waltzing Matilda*. The original words to the song were to the effect of "those tired old men from a tired old war". By the 1980s it suddenly morphed into "those gallant young men from a long forgotten war". He bowdlerised his own song when he sensed this mood for change, this respect for military service coming through, and even the Left has to do it. Why did it do it?

I refer to an absolutely marvellous book called *The Unknown Nation: Australia after Empire* by two fabulous young Australian historians, James Curran and Stuart Ward. James Curran is a Fulbright Scholar in the United States of America and Stuart Ward is a professor of Australian history at the University of Copenhagen. We have more than one export to Copenhagen and both of them are very good. They state:

The key to the resuscitation of Anzac Day in more recent years—

by the Left—

lies in the way it has shaken off the now dubious overtones of empire and Britishness. For this—

they say ironically—

we have to thank—

The Hon. Lynda Voltz: Point of order: While I would not normally interrupt a debate such as this I refer to the motion before the House, which acknowledges the seventieth anniversary of the bombing of Darwin by 188 Japanese aircraft on 19 February 1942 and pays tribute to the citizens and servicemen and servicewomen who lost their lives. I ask you to direct the member to return to the leave of the motion.

The Hon. Dr PETER PHELPS: To the point of order: The motion refers to the commemoration of a military event. It would be bizarre if I were not able to discuss why we might be commemorating it.

The Hon. Lynda Voltz: To the point of order: The motion specifically acknowledges the seventieth anniversary of the bombing of Darwin.

The Hon. John Ajaka: To the point of order: Put very simply, the member was being generally relevant and well within the leave of the motion.

DEPUTY-PRESIDENT (The Hon. Sarah Mitchell): Order! I remind the Hon. Dr Peter Phelps that he should remain generally relevant. I am listening very closely to his contribution and I will continue to do so.

The Hon. Dr PETER PHELPS: Curran and Ward continue:

For this we have to thank the passing of the original Anzacs themselves, many of whose outdated notions of duty, patriotism and imperial loyalty had become such a liability for Anzac Day.

Of course they were a liability. They honestly believed in them, but they did not gel with the attempts to fabricate a new leftist nationalism for Australia. Paul Keating attempted to move Australian nationalism away from an older imperial loyalty to something distinctively Australian. Curran and Ward point out:

Paul Keating attempted to short-circuit this problem—

that is, imperial loyalty—

by shifting the commemorative focus of Anzac Day to Kokoda, arguing that here was a battle, not for king and empire but the survival of Australia. That a conflict waged on the soil of a former Australian colony could provide a means of circumventing the 'imperial' connotations of Anzac Day seems extraordinary, but this only underlines the twists of logic necessitated by the troubled legacies of the British embrace ...

But with the re-election of Labor under Kevin Rudd, the pendulum swung back a few degrees with the inauguration of a new 'Battle for Australia Day' on the first Wednesday of September to commemorate the turning of the tide in the Pacific War. Yet again, controversy erupted over the date chosen, amid widespread scepticism towards a spurious historical milestone that had been 'recently plucked from the 1942 archives and dusted down, courtesy of a committee'. As Peter Stanley observes, 'the real battle for Australia is a contest to capture an important part of the national historical imagination'.

So we see it even today. Whereas in the past the soft left generation of boomers would have been happy to watch Alex Buzo's *The One Day of the Year*, now people like Peter FitzSimons and Mike Carlton are lauding the achievements of gallant young Aussies in a wartime context. I do not disagree with them, but they could at least apologise to those people whom for many years they have treated with disdain and neglect. The SOS Ladies and the women who were happy to drench themselves in red paint to smear on lieutenants as they returned from Vietnam could at least do the honourable thing and say they are sorry and recognise the important part that our military traditions have played in our history. Of course, they will not do that because being a member of the Left means never having to say sorry.

The simple fact is that the multiple attacks on Darwin were part of a broader Japanese plan. Unlike Paul Keating, I know that it was not a plan to invade Australia; it was designed to isolate Australia. Australia provided no material support for the Japanese war effort. Once the Japanese had conquered Borneo, Malaya and the Dutch East Indies it had the raw materials it needed. Of course, it had invaded Indo China when it was under Vichy administration. It had everything it needed to create its greater East Asian co-prosperity sphere, so there was no need to invade Australia. Only Paul Keating believed that because he had to create an illusory battle to justify his attempt to change the ethos of our respect for Australian military tradition as a constituent component of new nationalism.

Unlike the Japanese Navy, the Japanese Army was totally against any attempt to invade Australia. However, when the navy hierarchy was told that it would need at least 10 divisions to invade and hold the country, it backed off. The Japanese Army, which was bogged down in China and which was already unhappy about the way the navy was conducting the war, was noticeably reticent about hiving off 10 divisions. The Navy then attempted an isolation strategy, which did not involve the invasion of Australia but its neutralisation. That resulted in the inevitable attacks on Darwin and the move to take the Australian colony of Port Moresby using the Kokoda Trail. There was also a left-hook attack through Rabaul and the Solomon Islands. Everyone has heard of Guadalcanal, but no-one has heard of Tulagi.

Tulagi was the real target of the Japanese special naval landing force because it was to be the site of a seaplane base that would enable long-range reconnaissance for the push into New Caledonia and ultimately Fiji to cut the link to the United States. The control of Singapore provided a base of operations from which a decent carrier fleet could operate and thereby isolate Australia from its traditional trade routes. More importantly as far as the Japanese were concerned was an attack on India. It planned to foment trouble there and to divorce it from the British Empire. I do not want to take anything away from the achievements of those who fought and died in Darwin. It was a magnificent achievement. Those involved showed great courage and determination, given that theirs was a completely unprepared force. I pay tribute also to the civilians who endured the bombings. I congratulate them on their achievement and I stand with them in commemorating the seventieth anniversary of the attack on Darwin. However, I also point out that, if anything, they deserve the truth.

The Hon. CHARLIE LYNN (Parliamentary Secretary) [11.35 a.m.], in reply: I thank the Hon. Lynda Voltz, the Hon. David Clarke, the Hon. Sarah Mitchell, the Hon. Rick Colless and the Hon. Peter Phelps for their contributions to debate on this motion. It is important to conduct debates such as this as part of the commemoration process so that we do not repeat our mistakes. We must discuss war, our commitment to it, our achievements and our defeats from all perspectives. I visited Tyndall Air Force Base, which was named after the Hon. Sarah Mitchell's uncle, in the late 1970s and early 1980s. It was a godforsaken place and the last place I would have wanted named after me. Now that our forces have been relocated to the base it has been modernised and it proudly bears the name of the member's uncle.

The Hon. Rick Colless referred to the confusion that would have reigned during the bombing. One can only imagine being virtually defenceless and attacked by a huge armada of 188 aircraft. People would have been struggling to survive. There would have been troops running for weapon pits, vehicles going in all directions and ships setting sail from the harbour. One would have had to keep moving to avoid presenting a target. I remember one old Digger telling me that the American trucks were moving around and all of a sudden this black American soldier got out of the truck, sprinted towards the weapon pit and jumped in beside him. The Digger said to the soldier, "Hey mate, aren't you supposed to be driving the truck around?" The soldier answered, "Listen man, the United States army—they got plenty of them trucks; they got no more of me." The soldier was focused on his own survival. Apparently another soldier strode towards a weapon pit, looked in and there was a snake at the bottom of the pit. He looked at the snake, looked at the air force, looked at the snake again and said, "Move over reptile, I is a-comin' in!" This is the stuff on the ground—this is what happens in the confusion of those sorts of battles.

I note the Hon. Dr Peter Phelps's comments relating to Dr Peter Stanley. I have read some of his stuff and heard his comments and I have to say that the Australia Dr Stanley writes about is not the Australia that I grew up in—at least not the part of Australia that I grew up in along the Snowy River. But, of course, Stanley was a Brit who came to Australia later. I find some of his stuff very hard to swallow. We now know that Australia was not going to be invaded—it was too big an ask. The Hon. Dr Peter Phelps was right—the Army knew it would cost 10 or more divisions and it did not have the manpower to do that. The Navy, of course, had a different view and that was the argument that went on at that time.

In 1942 all our regular forces were in the Middle East, making a contribution to the defence of the British Empire. We were relying on our great and powerful friend, Britain, to look after us, so we had to do that.

When Japan entered the war, as General Sturdee so rightly predicted it would, it launched that surprise attack on Pearl Harbour, which shocked the world and which shocked Australia. Japan captured Singapore and sank the front-line battleships. It captured the Dutch East Indies and Rabaul, which was Australian-mandated territory at the time. The Japanese landed on the northern beaches of New Guinea.

The Hon. Lynda Voltz: They turned up in Sydney Harbour.

The Hon. CHARLIE LYNN: Yes, they did. They sank ships off the coast of Western Australia and, as the Hon. Lynda Voltz said, submarines were identified in Sydney Harbour. At the time Australians had good reason for believing that they would be invaded, such was the mood in 1942. We can reflect on it in 2012 and say that we now know it would not have happened. But in 1947 they did not know and they were building bomb shelters in Melbourne. They were not doing that because they needed exercise.

The Hon. Dr Peter Phelps: My grandmother had a bomb shelter in her backyard.

The Hon. CHARLIE LYNN: That is right. As I said, they were not building bomb shelters because they needed the exercise or because they were thinking ahead and looking at the design of modern wine cellars; they were building bomb shelters because they feared invasion. That was the mood at the time and that is the mood we must not forget. [*Time expired.*]

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

Motion agreed to.

FIREARMS LEGISLATION AMENDMENT BILL 2011

Second Reading

Debate called on, and adjourned on motion by Reverend the Hon. Fred Nile and set down as an order of the day for a future day.

COAL SEAM GAS MORATORIUM BILL 2011

Second Reading

Debate called on, and adjourned on motion by the Hon. Dr Peter Phelps and set down as an order of the day for a future day.

LEAVING CARE PLANS

Debate resumed from 16 February 2012.

The Hon. PENNY SHARPE [11.45 a.m.]: I make a brief contribution in debate on the motion moved by the Hon. Jan Barham and congratulate her on bringing it to the attention of the House. Members may be aware that I have an ongoing interest in children in out-of-home care, as I have previously been a foster carer for young adolescents who faced the issue of leaving care. This motion which contains some disturbing figures calls on us all to do better. Children who end up in out-of-home care are there through no fault of their own; they are there mostly because their own families have failed them. They are there because of abuse and neglect and they have often been through circumstances that few of us could contemplate. Young people in out-of-home care need additional support.

This motion is about the number of children in out-of-home care. Around 1,000 children aged 15 to 17 leave out-of-home care each year. The CREATE Foundation is the peak body that represents the voices of young people and children in out-of-home care. I congratulate the CREATE Foundation and express admiration for the work that it does. The CREATE Foundation has prepared many reports about the situation in which young people find themselves once they leave out-of-home care. This motion is all about CREATE's "Transitioning from Care in Australia" report. Disturbingly, CREATE'S most recent report states that only 18 per cent of those aged 15 to 17 have a leaving care plan, despite it being a legislative requirement for them to have such a plan when they leave care. Less than 60 per cent of those young people knew how to access the Transition to Independent Living Allowance. More disturbingly, but not surprisingly, based on these statistics 35 per cent of young people became homeless within their first year of leaving care.

The experience of young people leaving care is often brutal and they have been through many different placements in the time that they have been in the care of the State. At the age of 18 they find themselves, all of a sudden, no longer living with the foster carers with whom they may or may not have got along. If they are lucky they are found a place to live, for example, a flat, but often that is all the support they receive. They receive no support or advice about how to enrol in TAFE, to return to school or to apply for allowances to which they are entitled. We must do better. It is our responsibility to look after these children, as they have no-one else.

It is very easy to play politics on this issue. I do not seek to do that through this motion but I place on record my concern about the Government's cuts to foster care allowances. I know that some of those allowances have been reinstated, which is a welcome move, but it is a miserly attempt at saving this State money. These vulnerable children who have been dealt the worst luck in life should not have to cope with even fewer allowances as they get older. I call on the Government to reinstate allowances for foster carers who adopt children. As a transition to leaving care, permanent placements will provide these young people with the best outcome, as they will be attached to a family for life and that family will have an ongoing responsibility for them. Foster families should not be penalised while the Government tries to save a few million dollars.

Leaving care is a tumultuous time for these young people. I wish to place on record some of the comments that have been made by young people who refer to what it is like to be a young person in care. We talk clinically about what these young people are going through and the reports give us clear statistics, but often the voices of these young people are missing. I will quote briefly from the November 2010 report of the CREATE Foundation entitled "What's the Answer?" in which young people were asked to nominate solutions to improve their transitioning to independence from out-of-home care. The report includes the views of young people on how to improve their circumstances. They said:

It was terrible. I was told a week before I turned 18 that I was leaving care.

Kids would get a better education and get better employment if their placements were more stable.

Young people transitioning from care need as much support as possible; everything from finding somewhere to live to what to wear to interviews.

You don't have to start formally planning before 15, but young people should be taught life skills—just like other young people. More life skills training has to happen with carers.

More mandatory training for foster carers. This training would include how to teach young people life skills, and helping to change the culture of foster care from carers seeing their role as a job, to that of a parent.

There are a decreasing number of health services that bulk bill—particularly mental health.

Access to counselling and ongoing mental health support are critical issues for young people in care, many of whom, as I said earlier, would have been subjected to amazing trauma. In care there is ongoing support for specialist services in mental health and counselling but out of care most young people, if they are lucky, find themselves in a flat with no support and no money to continue with the therapeutic services that they need to cope with their trauma. Tania, another Create Foundation case study, said:

As a child or young person in care, you don't really get help unless you ask, or scream for it. But a young person isn't always going to know that counselling may help, or say that they need it. They need to be able to access counselling without feeling ashamed. This support needs to be thought of as long-term, not something that can fix things in a few weeks or months and it shouldn't stop just because you turn 18 and the community thinks you have become an adult. If you stop counselling it's very hard to pick up again because you have to find a therapist, somehow find the money for it and start again. You have to share your story all over again.

I thank the Hon. Jan Barham for bringing this matter to the attention of the House. I hope all members commit to ensuring that the most vulnerable of kids who find themselves in out-of-home care are given the best support to try to transition into adulthood.

The Hon. PAUL GREEN [11.51 a.m.]: The Christian Democratic Party supports the motion moved by the Hon. Jan Barham. Australian research on the outcomes for young people leaving care demonstrates a desperate need for minimum leaving care standards. Dr Alexandra Osborn and Dr Leah Bromfield, in a briefing paper called "Young People Leaving Care", said:

Research has shown young people do not have the level of support (emotional, social and financial) available to most young people in their transition to adulthood, and that this transition occurs at an earlier age and in a more abrupt manner than young people at the same age in the general population.

As I reflect on programs that invest in the lives of vulnerable young people, Bravehearts comes to mind. When I first came to this place members were gracious enough to listen to me say that it is easier to educate a child than to heal a broken adult. It has always been said, particularly in the health sector, that prevention is better than a cure. It would be a far better to invest in these kids before other things take place in their transition to adulthood.

Christian organisations run many initiatives to assist young people with a leaving care plan. For instance, CatholicCare has a program called Stepping Out, which enables young people with a disability to continue living with their carers after the age of 18. The program aims to increase the long-term safety, welfare and wellbeing of young people with a disability after leaving formal care; provide ongoing support to carers of young people with a disability remaining in their care; assist carers and young persons in achieving goals outlined in the leaving care plans and individual plans; and ensure prompt payment of subsidy to carers and provide additional services such as respite, mentoring and supported holidays.

Anglicare Victoria recently secured funding for a pilot project to work with young people leaving care to help them make the transition with personal support, links to training and employment, financial advice, independent living skills and other practical resources. As noted by the Hon. Jan Barham, the New South Wales government resource "Your Next Step" explains that a leaving care plan is about individuals, what they will be doing after they leave care and what others will do to help them. Caseworkers will assist them to ask themselves important questions such as, "When I leave care where will I be living and who will I live with? Where will my money come from? Will I want counselling or other help to deal with things from my past? Will I want my foster care agency to check on how I am going every now and then?"

The Government is trying to improve services by investment in early intervention services, social benefit bonds, reforming out-of-home care contracts together with non-government organisations to encourage better outcomes, and setting up specialist adolescent teams around New South Wales to help vulnerable teenagers, but a lot still needs to be done. This initiative will continue to better prepare and support young people in making a smooth transition from out-of-home care to independent living through the provision of public or private accommodation, case management and support services. A community that looks after its young people is headed in the right direction but, sadly, there is never enough money in the bucket to be distributed between all these wonderful initiatives. I commend the motion to the House.

The Hon. HELEN WESTWOOD [11.54 a.m.]: I speak in support of the motion moved by the Hon. Jan Barham. It is appalling that 72 per cent of children living in care in New South Wales do not have a leaving care plan to transition them to self-sufficient independent living. It must be realised that we took the majority of these children away from their families. As a society we said we could do a better job of parenting them. However, given the statistics gathered by the CREATE Foundation, I would argue that the State is sadly lacking in its duty of care. Young people with a background in State care are over-represented in the youth homeless population and represent 31 per cent of the homeless population in the 12 to 24 age group. By allowing these young people to leave care without a plan we are failing to provide life skills for ongoing financial, social and emotional support. As a result, many care leavers face significant barriers to accessing the same educational employment, housing and other developments and transitional opportunities as other young Australians.

Many young people experience foster placement as a haven of stability in which to rebuild their lives after a distressing period in a dysfunctional family. But in the majority of cases they suffer painful separation not only from their parents but also from other siblings and extended networks. I have no doubt that it is a traumatic event for the majority of children to be placed in foster care and, as dysfunctional as their home lives may have been, inevitably there will be problems associated with separation, residential instability and unhappy memories of family life. Children also will often have to change schools and use different transport modes to attend school. All these things will adversely influence their personal development, depriving them of individual and family support and emotional nurturing.

It is an unarguable fact that those children who enter the care system are immediately disadvantaged. Before entering care many will have experienced—and will continue to be traumatised for some time from their experiences—considerable physical, sexual or emotional abuse or neglect. Some will have experienced all types of abuse. Some will have experienced inadequacies in State care, including constant shifts of placement, carers, schools and, sadly, poor quality caregivers or caseworkers. Often they will have low levels of self-esteem and self-worth.

It is unsustainable to abruptly end care at aged 16 to 18 without the necessary plan to educate and support our youth. Young people leaving care can call on little, if any, direct family support or other community

networks to ease their transition into independent living. They are still our moral responsibility. They cannot reasonably be expected to become instant adults. They are coping with leaving school and moving into further education, training or employment all at the same time. These children, who are our responsibility, need to be given the same psychological opportunity and space as all young people to progressively explore a range of interpersonal and identity issues well into their twenties.

All of us who have transitioned from adolescence to adulthood and who have raised children into adulthood know that adolescence is difficult, and it is understandable that development may be delayed for children who have experienced extensive and often horrendous abuse over many years. Their maturity into adulthood has definitely been affected by the abuse, instability and insecurity they experienced as children. To expect them to become instant adults and to assume all the responsibilities of adulthood is absolutely unreasonable. There is evidence that these young people need our support as a community, and they certainly need the support that the State can offer through government. Associate Professor Philip Mendes, who is the Director of the Social Inclusion and Social Policy Research Unit in the Department of Social Work at Monash University, argues that there are:

... three structural initiatives [that] would add to the capacity of our system to meet the needs of all care leavers.

The first would be the introduction of the Corporate Parenting philosophy, which underpins the UK model of support.

This concept refers to the responsibility of state authorities to introduce policies, structure and roles that actively compensate children and young people in care for their traumatic pre-care experiences, and offer them the same ongoing nurturing and support as typically experienced by their peers who are not in care in order to maximise their ambitions and achievements. It emphasises a share responsibility between different departments such as education, health and child welfare. This means in practice providing them with the best possible placement experiences in terms of stability and supportive relationships until their care order ends, and then continuing to take responsibility for their welfare until they are at least 21 years old. The term "corporate" refers to the fact that organisations are involved in parenting children and young people in care, and the need to ensure that structures are in place to support the individual carers who parent within that system.

Secondly, I would like to see the introduction of a national leaving care framework, similar to that of the UK which could be actioned via the existing national framework for protecting Australia's children. A national framework would arguably address a number of key weaknesses of the existing Australian system such as the wide variation in policy and legislation between the states and territories and even within individual jurisdictions, and the absence of support for young people who shift from one jurisdiction to another.

It would also improve opportunities for national benchmarking, and place pressure on poorer services to improve their standards via the introduction of a Guidance and Regulations document that would clarify the obligations of all service providers to care leavers. It is also evident from the UK experience as reflected in the introduction of the Children (Leaving Care) Act 2000 that national legislation is likely to increase the profile of leaving care and drive improved resourcing and higher quality of service provisions.

Thirdly, we need to establish a National Data Base similar to that of the UK that is freely accessible on the internet which would allow us to monitor the progress of care leavers; measure outcomes in key areas such as education, employment, health, housing, parenthood, substance use, social connections, and involvement in crime; and analyse differences in the effectiveness of various states and territories and NGO policies and programs.

In summary, care authorities should aim to approximate the ongoing and holistic support that responsible parents in the community typically provide to their children after they leave home until at least 25 years. Providing adequate supports for care leavers in Australia is relatively cheap, given the small number of care leavers in any one year, and will provide substantial social and economic gains for both the young people concerned and Australian society more generally.

I believe his arguments are well researched and there are case studies in Australia, the United States of America and Europe that support this model. I note that Victoria has made some progress in recent years by introducing the Children, Youth and Families Act 2005, which obliges the State to assist care leavers up to 21 years of age. The Government has established mentoring, post-care support and flexible funding for young people transitioning from care or post-care. This ongoing support, materially and emotionally, can be the main factor in helping young people to overcome traumatic experiences and rebuild their lives.

It is unacceptable that we in New South Wales as the corporate parent are allowing our youth who are leaving care to become homeless within the first year of leaving care. The high proportion of homeless people with foster care backgrounds is evident in most western countries, and it is no different in New South Wales. This is a clear failing of our foster care systems. The vast majority of young people who age out of the foster care system struggle to find housing and jobs and to complete their education. To date, the Minister has shown a poor understanding of the issues facing foster carers and children in out-of-home care. I am pleased that the Government has done a backflip, as it should have, on the issue of the foster carer allowance.

The Minister's performance in the media when she tried to justify denying the foster carers allowance was appalling. To suggest that children over 16 would be able to negotiate with their foster carers to pay rent

illustrates that the Minister is out of touch. I commend the shadow Minister, the Hon. Barbara Perry, for working with foster carers groups to highlight the Government's failure on this issue and the fact that it was out of touch. The Hon. Barbara Perry should be commended for forcing the Government to see how heartless it was in its approach. Thankfully, the Government has seen sense and has done a backflip—to be honest, it was a backflip with pike. At least now foster carers will receive the allowance that they should when they provide care on behalf of the State to the most vulnerable people in our community. When we fail to provide the necessary information and support for care leavers and foster carers, we are setting up those young people for a fall. They have little choice but to turn to the streets to survive.

We also need to be aware of the fact that children who have been homeless or who experience multiple episodes of housing instability, such as couch surfing, staying in motels or shuttling between households when they are young, will often mirror that in their own adulthoods. Many homeless adolescents find that exchanging sex for food, clothing and shelter is their only chance of survival on the streets. In turn, homeless youth are at a greater risk of contracting sexually transmitted diseases, AIDS or HIV-related illnesses. We have legislation in place but it appears to be let down by failing to follow up on a planned process for the youth when leaving care. Changing the way we deal with those leaving care will benefit not only these young people but also the wider society. We absolutely owe them to do that. I commend the motion to the House, and I commend the Hon. Jan Barham for bringing this matter to the attention of members.

Mr DAVID SHOEBRIDGE [12.10 p.m.]: I give my strong support and that of my Greens colleagues to the motion moved by the Hon. Jan Barham. This wonderfully timed motion has done a great deal to highlight a gaping hole in the care that is provided by our State when it assumes, in effect, the position of parenting children in out-of-home care. In particular, I commend the members who have contributed to the debate on this motion. Every one of them strongly supported the motion to put this issue on the political agenda. They spoke about the needs of these vulnerable young people when they leave out-of-home care and the obligation of the government, when a child is taken away from their family, to make sure it steps in and fills the role of the missing parent when that child begins the transition into adulthood. This has been a comprehensive failure in New South Wales.

The statistics in that regard are compelling. In 2009-10—the last year that comprehensive public statistics are available—1,054 15- to 17-year-olds were discharged from out-of-home care in New South Wales. Figures provided in a government report published at the time of the previous government show that 82 per cent of those young people were not given a leaving home care plan, they were not given the basic information about their rights to access benefits at a State and Federal level, and they were not given any guidance about what they could do in their next stage of life when they began the transition to independence.

We know the outcomes of that failure because, again, we have comprehensive reports which show that more than one third or 35 per cent of young people leaving out-of-home care become homeless in the first year. I ask members to pause for a moment and think about that: 400 young people, having left the care of the State, in their first year of their independent life have fallen into homelessness. As the Hon. Helen Westwood said, once these young people fall into homelessness they have appalling health outcomes. They are often preyed upon by others who use them for the purpose of prostitution. They have a significantly higher rate of sexually transmitted diseases, and they have very poor ongoing employment prospects. Indeed, 20 to 28 per cent of males and 36 to almost 40 per cent of females who leave out-of-home care end up the subject of community orders in the criminal justice system.

Governments are concerned about their budgets in the current year. That is as true of the previous Government as it is of this Government. Often, when governments look at these statistics they look carefully at the costs in the current budget year but they fail to recognise the true cost to government if they do not provide funding to young people in these circumstances. One of the most compelling statistics that has been raised in this debate is the lifetime cost difference to the State Government for the care of these young people. It has been estimated that absent intervention, absent State government support, the lifetime care cost to the New South Wales government of these 1,000-plus children leaving out-of-home care is in the order of \$738,000.

However, the cost of providing the wrap-around model of support services—which is greatly needed and should be the subject of leaving care plans—is only about \$86,000. If State government bit the bullet and spent the money at the time that these young people leave care, the cost to government is about 11 per cent of the cost it otherwise would be if the young people are allowed to leave without care and guidance. Putting aside the issue of moral responsibility for children who were taken away from their parents, even the economic

rationalists amongst the Government and Opposition benches would have to welcome the motion moved by the Hon. Jan Barham and realise that caring for children not only improves their lives and our society but in the long term greatly saves dollars and cents in the New South Wales State budget. I commend the motion.

The Hon. AMANDA FAZIO [12.14 p.m.]: I support the motion of the Hon. Jan Barham on leaving care plans. This very important issue is worthy of debate in this Chamber today because we must realise that young people in care not only are human beings who deserve to be treated appropriately and given every opportunity, but they also are a very valuable human resource for our country. It is a matter of great concern that we are not giving these young people every opportunity to achieve to their maximum potential. Young people who are taken into care usually have come from dysfunctional families and backgrounds. The foster carers who take them into care do their best to ensure that these young children have stability. They act as role models, they teach them values, they provide them with an education and they prepare them for their future life. But the good work of foster carers falls down if these young people do not have an adequate transition plan. They require leaving care plans that link them into community services and supports that they will need.

As I said, generally these young people have come from a disadvantaged background where defeatism is the common attitude at home. As a result of their background, often they are not confident to speak up for their own needs. They are not taught about the requirement to regularly attend school or sporting functions. They come from family homes where they are not taught simple things, such as, balancing the family budget and making sure they have enough money to pay the bills, pay the rent, buy food and use public transport. These young people often do not learn such values from their original family. Whilst foster carers do their best to ensure that the young people are taught these values whilst in foster care, we must be realistic and acknowledge that not every young person in care will be in one placement. They may be in and out of placements from one foster care family to the next and then back to their original family until dysfunction causes them to be removed again.

The background of these young people indicates that they need to be given every support in order to become effective and contributing citizens. They need an extra helping hand and they need structure and certainty. They need that support when they leave care so that they do not fall back into the bad habits they learnt in their original family homes. When these young people are taken from their homes and become wards of the State, we have to say that they are not wards of a government or a bureaucracy; they are, in fact, wards of all of us because we are all members of the community of this State. We all have a personal responsibility to ensure that these children are provided with the resources and support, the education, the care and the certainty that we would expect for our own children. These children start off at a disadvantage. While most foster carers are very good and try to keep children in care for as long as possible, in the foster care system that does not always happen.

We have to ensure that these young people are given support so that when they leave care they do not end up living on their own resources. When I was at high school there was a young man at the school who was a prefect. We all assumed he was living with his grandparents, for whatever reason; it was never discussed. He had lived with them forever. He had been at primary school with other people I knew. We were absolutely shocked that when he turned 18 and finished high school he was out the door. The foster carers were not being paid to look after him anymore. They literally said, "On your bike." He did not have the resources; he did not have a job. He had been hoping to go to university.

It was one of those situations where friends rallied around. One of our family friends' eldest son had gone to study at university in another State so they had a spare bedroom and this young man moved in there. He got a job but then faced a number of difficulties. When he was given access to his files he found out who his real family were and that he was the only one of a number of children who had been placed in foster care. In fact, his whole family had been living two suburbs away for his entire life and had not bothered to contact him. This young man was given no formal support and as a result his life fell apart. Friends can do so much to try to support someone in those circumstances but unfortunately it was not enough. He ended up in jail and with mental health problems. About 15 years ago he disappeared off the radar and nobody knows where he is anymore.

That probably could have been managed better if there had been a leaving care plan for him. It probably also could have been managed better if other people had been aware of his circumstances and his foster carers had been perhaps a little more humane in the way in which they dealt with the issue of his turning 18 and not attracting payments anymore. That is one example of somebody who was functioning well while in

care. As I said, he was a prefect at the local high school and was hoping to go to university. He was well accepted, well behaved and well mannered, but his life fell apart through lack of a leaving care plan—a transition plan to living independently.

Just imagine the circumstances for younger children who have been through that revolving door of foster care and who occasionally go back to their dysfunctional parents. Imagine their lack of internal resources to manage their life when they turn 18 and have to leave care. That is why it is essential that these young people have adequate leaving care plans and that resources are put in place to ensure they have the greatest opportunity to participate to their best in society. While we now accept that anything less than that is not good enough for young people with disabilities, we have to make sure that those same sorts of plans, those same supports and structures, are in place and are effective for young people leaving out-of-home care.

These young people are a resource. We do not know what their potential is, but if we do not give them the opportunity to achieve it we are short-changing not only them but ourselves and our society. It is very important that we provide resources to ensure that leaving care plans are in place. It is important to ensure there is an adequate network of services that provides supports for these people. It is appropriate that this motion is carried without amendment to show that we all genuinely have an interest in ensuring that young people leaving care are given the opportunities we would expect for our own children.

If members talk to people who provide care and services to young people who are homeless about what these young people need, they will say that they want stability, ordinariness and normality. They want things to be the way they think they are in a normal family. They want to function as responsible members of society. They want some support; they do not want to be 18 years and six weeks and out on their own, wondering what to do and not being sure who to contact if they need help because they do not know how to budget and how to manage for themselves. We cannot be sure that every young person who leaves care knows how to use a washing machine and has appropriate household skills.

These are all things that we equip our own children with. Children who leave functional families have these skills. We cannot be sure that young people leaving care have them. If they do not have them they will not be able to get jobs and they will not know how to sign up for TAFE courses. I know from my own children's experience that enrolling for a TAFE course, attending the college on the right day and taking the right forms and knowing the payment that is required are a bit of a nightmare for well-educated kids who drag their parents along to help them. What sort of support do we give young people leaving care who want to better themselves by undertaking further education?

We have to make sure the investment is made so that young people leaving care can participate fully in society. As I often say, the investment in these sorts of services is paid back tenfold because the cost of a dysfunctional person in society—somebody who is in and out of refuges, in and out of jail, involved in petty crime and all the rest of it—is huge in comparison to the ordinary, run-of-the-mill, round-peg-in-a-round-hole person who goes to work, pays taxes, does not steal and pays their fare on public transport. The investment we make to give young people leaving care the opportunity to become productive in society is worth every single cent. It pays back tenfold. It is not just an economic model that can be used when arguing for Treasury resources to fund services to provide the sorts of supports that are needed; it is also the fact that as human beings we owe it to these young people. As I said, we all are the State and they are State wards. We all have a responsibility.

The Hon. Jan Barham has done us a great service in putting this motion on the *Notice Paper* and facilitating debate on this issue. This is an issue we need to focus on. These young people do not have a voice. They are individuals in foster care. There are advocacy groups and umbrella groups that stand up and speak for them but generally this is a disenfranchised group of young people who are behind the eight ball at the outset. They need our support and interest to enable them to have the best shot they can at a reasonable life. I commend the Hon. Jan Barham for bringing this debate forward and commend the motion to the House. I hope it will be supported.

The Hon. ROBERT BROWN [12.27 p.m.]: I will be brief. There is probably not much that I can add personally to this debate except to say that we support the motion and we commend the Hon. Jan Barham for putting it forward. I felt I had to add to the debate following the comments of the Opposition Whip, the Hon. Amanda Fazio, that we all must take responsibility, we are the State. There is no-one else; it is us. It is not the bureaucrats or somebody else, it is us. I have had only a passing need to interact with people in this particular situation. I have only one example, which is fairly close to my own family.

I agree wholeheartedly with the comments of the Hon. Amanda Fazio. Well cared for, well educated kids with lots of support can have difficulties when they get into that phase when they leave school. They would be about the same age as the people we are talking about. So how does one of these disadvantaged kids stand a snowflake's chance in hell of doing some of the ordinary things that we do not even think twice about, until such time as we have to assist one of our own children to do them? I refer to matters like enrolling for TAFE, getting a job and getting out of bed in the morning when the alarm clock says get up, you have to go to work.

Mr David Shoebridge: Getting a flat.

The Hon. ROBERT BROWN: Getting a flat, or learning how to handle money. It behoves all of us to take on this responsibility and do whatever we can as individuals and as parliamentarians to try to fix the problem. I commend the Hon. Jan Barham for moving this motion, which is wholeheartedly supported by the Shooters and Fishers Party.

The Hon. JAN BARHAM [12.30 p.m.], in reply: I thank all members for their important contributions to debate on this motion. This motion calls on the Government to fulfil its legislated requirements under the Children and Young Persons (Care and Protection) Act 1998. However, the motion is more than that: it is an acknowledgement of the benefits of, and the need to provide, meaningful support to young people who are leaving care and recognition of the needs of vulnerable people. With the support of the House we are sending a strong message that it is important. I hope that we will encourage the Government to meet that legislative requirement and perhaps consider new initiatives, which can also be presented in the House.

Young people leaving care need independent living skills that include work and training information, and social and emotional skills. Those skills are expected of them before they are able to live independently. Recognising that they can be alone in this difficult transition makes it that much more difficult. We live in a complex world. Recently the Minister stated her commitment to this aspect of leaving care, with the announcement of \$6,000 funding for education and training. This is welcomed and appreciated, and I congratulate the Minister on sending a positive message. I acknowledge the comments of the Hon. Mick Veitch about how powerful language can be in relation to this motion. He said:

One lesson for all of us, particularly those of us in public life, is that we need to be very sensitive to the words that we use.

I have used the word "discharge" in my motion to describe the journey that young people make from care. I thank the Hon. Mick Veitch for raising that point. He has made us all aware of the power of language and how bureaucratic terms can dehumanise the process. I thank all members for their commitment to addressing the disadvantage that affects young people leaving foster care. I thank them for their honesty and for sharing personal stories of caring for foster children or having encountered them. We have been given insight into the reality of foster caring in New South Wales and I feel heartened to hear their stories.

The disadvantage that faces young care leavers is multifaceted but we obviously share values in this area. That is positive because it means that we can work together to fulfil that responsibility shared by all of us, shared by the State, to make leaving care plans available to all young people. The legislation provides clarity. Now it is clear that the House agrees on the need to revise and update this issue and the reconnection with young people who are affected by it. An increase in the delivery of leaving care plans from the current 18 per cent will be a performance measure of how young people are being served by the State.

This may mean that at budget time an increase in funding is needed. The support of all members of this Chamber will send a strong message to the Government that any budget increase will be supported. The Hon. Paul Green said that this is an investment. The Hon. Amanda Fazio referred to a tenfold return on that investment. They are good figures and we should wholeheartedly support an increase in funding to deliver this outcome. As we have agreed, young people leaving care are at great risk of experiencing negative life outcomes. Research by Osborn and Bromfield "Young People Leaving Care" 2007 stated:

... young people leaving care are at great risk of experiencing negative life outcomes.

Periods of homelessness and committing offences affect close to half of young people after they leave care.

... a third of care leavers left care with a plan that released them into programs for homeless people

A sense of security, stability and social support are strong predictors of better outcomes for young people's long term outcomes after leaving care.

In 2010 the Ombudsman's report entitled "Review by the Ombudsman of the planning support provided by community services to a group of young people leaving statutory care" found that care leavers are more likely than their peers to experience difficulties. In closing, I thank my staff member Ella Buckland for putting so much energy into this motion. I commend the motion to the House. [*Time expired.*]

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

Motion agreed to.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Mr DAVID SHOEBRIDGE [12.35 p.m.]: I move:

That standing and sessional orders be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 338 outside the Order of Precedence, relating to compensation for injured workers, be called on forthwith.

This motion is clearly urgent and needs to be dealt with today. The motion refers to some concerning comments by the Government about potential cuts to workers compensation benefits. Workers compensation benefits in New South Wales are some of the most important safety nets for workers who one day go to work and return injured. Those workers need to know that this Parliament will protect their rights to fair compensation. Currently those on workers compensation benefits are effectively living close to the breadline, particularly those on long-term workers compensation benefits.

The Minister for Finance and Services has made repeated comments about deficits in the workers compensation scheme. We have made repeated calls to the Government to commit to retaining workers compensation benefits. The Government's failure to commit to those workers compensation benefits is causing enormous concern and unease amongst the thousands of ordinary men and women who go to work and return from work injured and then have to survive on close to the breadline workers compensation benefits. If the Government is serious about taking steps to address workers compensation deficits it will come clean now and say what it will do.

The Hon. Matthew Mason-Cox: Point of order: The member is canvassing the substantive motion. At this stage he should be stating why his motion is more urgent than other business on the *Notice Paper*. I ask you to bring Mr David Shoebridge back to establishing why standing and sessional orders should be suspended to debate his motion urgently.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I uphold the point of order.

Mr DAVID SHOEBRIDGE: This matter is urgent because the Government has made public statements about the so-called increasing deficit in the workers compensation scheme; the Government has made repeated announcements that it wants to merge the WorkCover Authority with other compensation authorities; and the Government has made repeated statements that it will give directions to WorkCover as to how it goes about enforcing safety standards in New South Wales. Nothing is more urgent for this House to deal with than benefits for those injured workers under our workers compensation scheme. This Parliament needs to say, "Enough is enough. We will protect them." I commend the motion to the House.

The Hon. MATTHEW MASON-COX (Parliamentary Secretary) [12.39 p.m.]: The Government opposes the motion moved by Mr David Shoebridge. As members are aware, the WorkCover scheme is in deficit almost \$2.4 billion. Members are aware that the Minister for Finance and Services and his staff are working—

Dr John Kaye: Point of order: Madam Deputy-President, as you found against Mr David Shoebridge, in this case the Hon. Matthew Mason-Cox is canvassing the substantive issue, not addressing urgency.

The Hon. MATTHEW MASON-COX: To the point of order: I was clearly about to make the case with some preliminary comments for rejecting urgency because the Minister is taking action. It would be premature to debate the motion which is the subject of this suspension motion.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I remind the member that at this stage of the debate the House is only considering whether the matter is more urgent than other items on the *Notice Paper*.

The Hon. MATTHEW MASON-COX: As I was saying, this matter is not urgent because the Minister for Finance and Services and his staff are working with WorkCover to ensure the viability of this scheme. The motion is not urgent; it is premature because no decisions have been made in respect of future benefits. A range of other important issues on the *Notice Paper* have precedence according to the ballot. In particular, I look forward to debate on the important motion of which the Hon. Steve Whan gave notice, but it is being prevented by Mr David Shoebridge's motion to have his motion debated as a matter of urgency. I reiterate: The Government opposes this motion because the issue is not urgent.

The Hon. ROBERT BROWN [12.42 p.m.]: The Shooters and Fishers Party support the motion.

The Hon. SARAH MITCHELL [12.42 p.m.]: Like my colleague the Hon. Matthew Mason-Cox, I oppose this motion. He quite rightly pointed out that the daily program contains a number of important motions that should be debated today. They include my first private member's motion, which deals with Country Week. I moved it several months ago and I have been waiting patiently for it to be debated.

Dr John Kaye: No, you gave notice of it several months ago; you did not move it.

The Hon. SARAH MITCHELL: That is correct. My motion is more important to people living in regional New South Wales than Mr David Shoebridge's motion. Therefore, I oppose this suspension motion very strongly.

Dr JOHN KAYE [12.43 p.m.]: There is no doubt about the importance of Country Week. However, the people of regional New South Wales would also be concerned about the issue raised in Mr David Shoebridge's motion. A large number of people work in dangerous occupations in rural and regional New South Wales and, sadly, many of them are injured in the workplace. They will be extremely concerned about the statements made by the Minister for Finance and Services. Therefore, it is a matter of urgency that we debate Mr David Shoebridge's motion so that we can chew over those important issues. That does not detract from the importance of the member's motion dealing with Country Week.

The Hon. NIALL BLAIR [12.44 p.m.]: I oppose this motion to suspend standing and sessional orders. Dr John Kaye said that we should debate Mr David Shoebridge's motion urgently because it deals with workers in New South Wales. His concern for those workers suggests that we should move on to the next motion in the Order of Precedence proposed by the Hon. Steve Whan, which deals with Forestry NSW staff. If members are truly concerned about the workers of this State, we should deal with that motion first. As the Hon. Matthew Mason-Cox clearly demonstrated, the Minister is working on the workers compensation scheme with WorkCover, so there is no need to support this urgency motion. Today's program allows members to debate private members' motions in the agreed order. I therefore oppose the motion.

The Hon. DAVID CLARKE (Parliamentary Secretary) [12.45 p.m.]: I oppose this motion. The Greens constantly come into this place and suck up all the oxygen.

Dr John Kaye: Point of order: I am sure that, as usual, the Hon. David Clarke's contribution will be extremely erudite. However, I cannot hear him because the Government Whip seems to want to compete with him.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I was also having difficulty hearing the Hon. David Clarke because of the noise coming from both sides of the Chamber. I ask members to allow the Hon. David Clarke to be heard in silence.

The Hon. DAVID CLARKE: I will try to speak more loudly. Day in and day out The Greens come into this place and suck up all the oxygen. They always have a tin-pot reason for debating something urgently. We have pages and pages of motions to be debated. Members have been patiently waiting to debate motions that they feel are more important than the motion Mr David Shoebridge wants debated today. Not a sitting week goes by without The Greens lobbing up here with some excuse to push to the top of the list the motions that they want debated. They did it early today when, courtesy of the House, Dr John Kaye was allowed to move a motion out of the Order of Precedence. They are now trying to do the same thing for a second or third time. They will probably try it again and again. They constantly line up one after another attempting to have their motions accorded priority.

Dr John Kaye: Point of order: My point of order relates to relevance. While this is an amusing attack on The Greens, it does not address the substance of whether the motion is urgent.

The Hon. DAVID CLARKE: To the point of order: I am clearly speaking to the issue. I am pointing out that this is a tactic that The Greens regularly use—

The Hon. Walt Secord: To expose your Ministers.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I have the gist of the point of order. I call the Hon. Walt Secord to order for the first time.

The Hon. Matthew Mason-Cox: To the point of order: I support the Hon. David Clarke. He is making some very good points with regard to urgency. The Greens simply do not like being sliced and diced, yet again.

The Hon. MICK VEITCH [12.47 p.m.]: Government members are clearly trying to drag this out until 1.00 p.m. so that Mr David Shoebridge's motion cannot be brought on. The matter is urgent and the Opposition supports this motion to suspend standing and sessional orders.

The Hon. RICK COLLESS [12.48 p.m.]: I oppose this motion. I have been waiting for a number of weeks to debate the motion of which the Hon. Steve Whan gave notice dealing with the staff of Forestry NSW. I told the Hon. Mick Veitch a little while ago that I was looking forward to debating that motion today. The daily program contains three other motions that members have been waiting patiently for weeks to debate. As my colleague the Hon. David Clarke said, The Greens consistently use the oxygen in this place and exhale carbon dioxide and in the process pollute the air. The *Notice Paper* contains many important motions that should take precedence over Mr David Shoebridge's motion.

The Hon. Robert Brown: Point of order: The Hon. Rick Colless is misleading the House. Carbon dioxide is not a pollutant.

The Hon. RICK COLLESS: I apologise, but some members in this place believe it is—namely, The Greens.

The Hon. Dr PETER PHELPS [12.50 p.m.]: This is not an urgent matter and the claims being made for urgency are belied by the fact that this motion has been on the *Notice Paper* since October last year. It is so urgent that The Greens did not bring it on in October, they did not bring it on in November, and they did not ask for a special sitting in December or January for the House to consider this matter. They did not consider it urgent then. Today—all of a sudden—they decide that it is urgent. Have they made any case for the argument? Have they said what, in particular, has happened between the last sitting day of last year and the first sitting day of this year that necessitates urgency?

The Hon. Matthew Mason-Cox: Point of order: I cannot hear the contribution of the Hon. Dr Peter Phelps because of the din from the other side. I ask you to caution Opposition members in relation to the wall of noise.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! Members will cease interjecting and allow the member with the call to be heard in silence.

The Hon. Dr PETER PHELPS: Many items of business on the *Notice Paper* within the Order of Precedence could be dealt with—and, indeed, should be dealt with—ahead of this motion. For example, I refer to the Firearms Legislation Amendment Bill 2011, which is quite an important bill that raises a range of philosophical issues in relation to firearm ownership in Australia. I refer to the Coal Seam Gas Moratorium Bill 2011, which validly should not be on the agenda until after the report has been completed. A motion concerning Forests NSW research staff is on the *Notice Paper*, which was made such a cause célèbre by Opposition members some time earlier. Certainly if the words of those opposite are to be taken at face value, that motion should rate at a higher level of precedence than this motion.

The National Park Estate (South-Western Cypress Reservations) Amendment Bill 2011 is far more important than the motion of Mr David Shoebridge. I will be delighted to make a contribution to that debate at the appropriate time. I refer to the Hon. Sarah Mitchell's motion, the first she has placed on the *Notice Paper*. The Greens are attempting to stifle the voice of young rural regional women. It is an outrage. Her motion could be debated today if it were not for the unnecessary decision of The Greens to try to debate something that is patently not urgent. Indeed, I would argue that other business outside the Order of Precedence is of a greater degree of urgency. Indeed, they go to fundamental human rights. For example, a glance at the *Notice Paper* shows me that item No. 296 outside the Order of Precedence is far more urgent.

The Hon. Jeremy Buckingham: Point of order: My point of order is relevance. The member is just reading through a list of the items in the Order of Precedence because this Government is afraid that it will be exposed on the secret list of cuts to workers compensation. That is the reality. It does not want to deal with the real issue—the cover-up.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I have the gist of the member's point of order. There is no point of order.

The Hon. Dr PETER PHELPS: As I was saying, there is business on the *Notice Paper* that goes to fundamental human rights. As I said, my eye casually glances to item No. 296 outside the Order of Precedence, which talks about the need for a free democracy being based on a marketplace of ideas. That is surely something that The Greens would believe in, and surely something that needs reaffirmation. The motion talks about unnecessary limitations on citizen's freedom of speech—a vital component in any representative democracy around the world and something far more important than the motion of Mr David Shoebridge. Those opposite surely would recognise that freedom of speech has more primacy as a right than some hypothecated right to workers compensation in a particular form. Surely freedom of speech—and I am willing to accept criticism or rejection from The Greens—is far more important. I oppose the motion.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! Members will allow the member with the call to be heard in silence.

The Hon. CHARLIE LYNN (Parliamentary Secretary) [12.54 p.m.]: I speak against the motion to suspend standing and sessional orders to bring on this motion urgently. I agree with the Hon. David Clarke that The Greens come in here and try to hijack the debate time and again.

[*Interruption*]

These matters may be urgent for The Greens and the 2 per cent of people who voted for them, but they are not urgent for the other 98 per cent of people in New South Wales. The Greens abuse the processes of this House because everything is urgent to them, but people living out in the real world—

Mr David Shoebridge: Point of order: The member is being disorderly by responding directly to interjections. He should address his remarks through the Chair.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I remind the Hon. Charlie Lynn to direct his comments through the chair.

The Hon. CHARLIE LYNN: It is just another example of the trivia that they focus on whilst people out there that we represent—

Mr David Shoebridge: Point of order: The Hon. Charlie Lynn is now cavilling with your ruling by declaring it as trivial, and that too is disorderly.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I am having difficulty hearing the Hon. Charlie Lynn because of the noise in the Chamber. Members will allow the member to be heard in silence.

The Hon. CHARLIE LYNN: The member was right, I said "trivial" and I should have added "insignificant". There are far more urgent motions on the *Notice Paper* than the items that appeal to the small percentage of misfits that support the mob on the other side—for instance, the Fair Work Australia motion. If I had wanted to move urgency—

The Hon. David Clarke: Point of order: The Greens took a point of order about a breach of standing orders by the Hon. Charlie Lynn, yet The Greens are constantly breaking the standing orders by continually interjecting. I cannot follow what the Hon. Charlie Lynn is saying because of the continual stream of interjections by The Greens. Madam Deputy-President, I ask you to call those members to order.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I repeat my earlier ruling that members will allow the Hon. Charlie Lynn to be heard in silence.

The Hon. CHARLIE LYNN: A process exists both for placing items on the *Notice Paper* and for items being given precedence, and we all accept that. Earlier today, for instance, the Government and the Opposition agreed to Dr John Kaye's motion being given precedence. That is what it is all about. But The Greens cannot suggest every item is urgent. I referred earlier to the Fair Work Australia motion. Fair Work Australia is one of the major issues out there in the real world, representative of the real people. The practices of that organisation are threatening the very viability of our national airline. If members are concerned about workers and workers rights— *[Time expired.]*

The Hon. SCOT MacDONALD [12.59 p.m.]: The Hon. Jan Barham spoke to me about this interesting motion out in the hall. She obviously feels very strongly about it, but I do not recall that it is urgent. Interestingly, some motions from the Hon. Steve Whan have now appeared and the Hon. Jeremy Buckingham did not even bother to appear when his moratorium on coal seam gas—

The Hon. Sarah Mitchell: Point of order: It is very hard to hear the contribution of the Hon. Scot MacDonald because of the constant interjections from the other side. Madam Deputy-President, I ask you to remind members not to interject when another member has the call.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! If members wish to engage in conversation they should do so outside the Chamber.

[The Deputy-President (The Hon. Natasha Maclaren-Jones) left the chair at 1.02 p.m. The House resumed at 2.30 p.m.]

Pursuant to sessional orders business interrupted at 2.30 p.m. for questions.

QUESTIONS WITHOUT NOTICE

WORKCOVER PROSECUTIONS

The Hon. LUKE FOLEY: My question is directed to the Minister for Finance and Services. Was the Minister approached or consulted by any of his Cabinet colleagues about adjourning WorkCover prosecutions? If so, by whom?

The Hon. GREG PEARCE: As I indicated earlier in answer to these questions, which seem to excite the Opposition, given that laws were introduced last year, the Crown Solicitor has been asked to seek advice of Senior Counsel on current prosecutions before the courts.

The Hon. Penny Sharpe: You have a written answer.

The Hon. GREG PEARCE: I always have an answer.

The PRESIDENT: Order! I call the Hon. Penny Sharpe to order for the first time. The Minister will continue with his answer.

The Hon. GREG PEARCE: In the meantime, I am informed that WorkCover has sought adjournments in a number of cases pending advice being received by the Crown Solicitor. There was no directive to WorkCover to adjourn any particular case before the Industrial Court of New South Wales. The situation is not without precedent. The House will recall a matter before the High Court in 2009, which involved a challenge by the Kirk Group to the established manner in which the Industrial Court of New South Wales at that time interpreted the Occupational Health and Safety Act. On 3 February 2010 a judgement was handed down by the High Court upholding the appeal, and it was in damning terms. It was damning in relation to the industrial relations system administered and created by the Labor Party over the last 16 years. The High Court in its judgement stated:

The proceedings should never have been instituted. It is absurd to have prosecuted the owner of a farm and its principal on the ground that the principal had failed properly to ensure the health, safety and welfare of his manager, who was a man of optimum skill, and experience.

The Hon. Luke Foley: Point of order: My point of order is relevance. I have waited patiently for two minutes for an answer. I asked a direct question.

The PRESIDENT: Order! The Minister has been generally relevant.

The Hon. GREG PEARCE: As I said, the High Court in its judgement stated:

It is absurd to have prosecuted the owner of a farm and its principal on the ground that the principal had failed properly to ensure the health, safety and welfare of this manager, who was a man of optimum skill, and experience; skill and experience much greater than his own, and a man whose conduct in driving straight down the side of a hill instead of on a formed and safe road was inexplicably reckless. It is time for the WorkCover Authority of New South Wales to finish its sport with Mr Kirk. The applications in the Industrial Court should be dismissed.

That was the judgement of the High Court. The High Court was particularly critical of the legislation and its application at that time, particularly the reverse onus of proof and the deemed directors' liabilities provisions. Importantly, back in 2010, as a result of the Kirk case, WorkCover, on the advice of Senior Counsel—that sounds familiar—and with the knowledge of the then Minister, one Michael Daley—he signed off on it—reviewed all of its prosecutions before the courts—that sounds familiar—to determine whether any amendments to the charges were required. At the time in 2010 amended applications were made in a significant proportion of cases, which were the subject of that review. In addition, I am advised that a number of these cases were adjourned at the time with then Minister Daley's consent.

The Hon. Luke Foley: Point of order: The Minister's comments on a High Court case under a previous Act in previous years have no relevance to a direct question about the adjournment of WorkCover prosecutions this week.

The PRESIDENT: Order! There is no point of order. The Minister's time has expired.

NSW POLICE FORCE 150TH ANNIVERSARY

The Hon. SARAH MITCHELL: My question is directed to the Minister for Police and Emergency Services. Can the Minister inform the House of plans to commemorate the 150th anniversary of policing in New South Wales?

The Hon. MICHAEL GALLACHER: I thank the Hon. Sarah Mitchell for her question and her interest in the history of policing in our great State. While policing has existed in New South Wales since the first days of the colony, the merger of policing units into a single force occurred on 1 March 1862. The passing of the Police Regulation Act 2012, therefore, will mark the 150th anniversary of the NSW Police Force. The New South Wales Police Force has planned a program of events to mark this very important milestone for policing in our State. Following the official launch late last year, the Council of the City of Sydney agreed to honour the anniversary during the 9.00 p.m. New Year's Eve fireworks. This entailed a showing of blue fireworks for 20 seconds in the display of the 150th anniversary logo on the pylons of the Sydney Harbour Bridge. On Australia Day the Police Force participated in the Darling Harbour Spectacular. The Marine Area Command, the Aviation Support Branch, the dog squad and the rescue squad participated in a 30-minute performance designed to showcase police capabilities. The police band also was invited to perform.

Last Monday the Governor hosted a reception for a number of current and retired officers in honour of the 150th anniversary. On 1 March 2012, the actual anniversary date, a ceremonial parade in honour of the Police Force will be held. The Sea of Blue march from Campbells Cove to Town Hall will be made up of officers selected from country locations and will end in a reception on the forecourt outside St Mary's Cathedral. The NSW Police Force annual participation in the Royal Easter Show, the Anzac Day march and Police Remembrance Day also will take on an anniversary theme. I also am pleased to advise the House of the plans for the Police Expo at Darling Harbour, which is scheduled for April. This will be the largest police open day ever conducted by the NSW Police Force. It will showcase police capability and police and community programs to the public of New South Wales.

There will be displays from different commands, including the mounted police, the Public Order and Riot Squad, the State Protection Group, Marine Area Command, police-citizens youth clubs—which, of course, celebrate their 75th anniversary—and something that would be very important to the Labor Party at the Federal level, the Police Rescue Squad. Some events are planned for later in the year, with further announcements to be made in the coming weeks and months. I state the obvious in saying that so much has changed in the last 150 years. The powers and procedures, even the equipment the police use, are more complex than they were five or 10 years ago, let alone over a period of 150 years. One thing that has not changed over that period is the

dedication of the men and women of the NSW Police Force to uphold the law and keep the people of this State safe. I congratulate the Commissioner of Police and all his officers in reaching this significant milestone and wish them all the very best for the coming year. I suggest to all motorists and people coming into the city on 1 March to be aware of road closures that will coincide with the celebration of the march, which as I indicated will go through the heart of the city.

WORKCOVER PROSECUTIONS

The Hon. ADAM SEARLE: My question is directed to the Minister for Finance and Services. Did Minister Hartcher write to the Minister requesting WorkCover suspend work safety prosecutions or any changes to the Work Health and Safety Act in New South Wales? Will he table any correspondence from him on these issues?

The Hon. GREG PEARCE: Last week their theme was "Let's go and get the media to write a story" and then in question time the Opposition will ask questions about it.

The Hon. Walt Secord: It was pretty good.

The Hon. GREG PEARCE: It was pretty amazing. What happened? Some journalist actually wrote the story. It was a miniscule, little nothing story.

The Hon. Adam Searle: Point of order: I understand the Minister has difficulty in restraining his excitement but I ask you to call him back to the question and for his answer to at least be generally relevant.

The PRESIDENT: Order! It was clear that the Minister was about to start debating the question. I invite him to be generally relevant.

The Hon. GREG PEARCE: I was. The President has again made a fantastic and obvious ruling. I was getting to the substance of the answer.

The Hon. Luke Foley: In 24 days you will provide a response to last week's story.

The Hon. GREG PEARCE: I might take longer than 24 days on this one.

The PRESIDENT: Order! The Minister will ignore the Leader of the Opposition's interjections.

The Hon. GREG PEARCE: Today the question is: Did you, Minister, talk to another Minister? Nathan Rees today tweeted on the Federal leadership.

The Hon. Dr Peter Phelps: Twitting.

The Hon. GREG PEARCE: Twitting, tweeting. He tweeted, "Every time you change a leader it gets easier to do it again and that leads to inherent instability."

The Hon. Adam Searle: Point of order: The Minister has clearly misled the House. When I took my previous point of order he said that he was about to get to the relevant part of the answer and he has failed to do so. Mr President, he has let you down and he has let this House down. Could you please call the Minister to order?

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

The Hon. GREG PEARCE: I would be mortified if I let you down, Mr President. As I said, the question was, did I talk to another Minister? The answer is we talk to each other. We actually like each other. We are a team.

The Hon. Adam Searle: Point of order: The Minister's faculties are clearly failing him because my question was whether Minister Hartcher wrote to him about these matters.

The PRESIDENT: Order! There is no point of order. The Deputy Leader of the Opposition should not make debating points while he is taking a point of order. Had the Minister concluded his answer?

The Hon. GREG PEARCE: Yes.

FIREARMS LAWS

Mr DAVID SHOEBRIDGE: My question without notice is directed to the Minister for Police and Emergency Services. Given that section 6B of the Firearms Act allows people to train in the advanced use of firearms without undergoing any sort of security check besides a tick-a-box self-declaration on a form, and that this lack of scrutiny led to a tragic death in 2010, what advice has the Minister asked for or received from Police regarding the repeal of section 6B of the Firearms Act?

The Hon. MICHAEL GALLACHER: I thank the honourable member for his question. The member would be aware that this matter is currently before the Coroners Court. The Coroner is investigating a tragic matter involving a family and, as the member alluded, a firearm. It is something I am continuing to monitor for any decisions or outcomes from the Coroners Court and I will continue to discuss these matters with Police and interested parties. In fact, I have also spoken at length to the family concerned in this matter and about their concerns relating to firearms in New South Wales. I can assure the honourable member that I will continue to discuss these matters with Police and all interested parties to ensure that at the end of the day we make New South Wales firearms laws as safe as possible.

NORTHERN SYDNEY FREIGHT CORRIDOR PROGRAM

The Hon. JOHN AJAKA: My question is directed to the Minister for Roads and Ports. Can the Minister update the House on progress towards delivery of the Northern Sydney Freight Corridor Program?

The Hon. DUNCAN GAY: I hope the President does not throw out any members opposite and they have to put up with this answer. The Coalition Government made it clear to the public during the election that the M5 West would be widened—sorry; I have got the wrong answer.

The Hon. Michael Gallacher: You did it on purpose. You are teasing them again.

The Hon. DUNCAN GAY: I did. The members opposite did not even notice. Members will remember that in December last year the New South Wales Liberals and Nationals Government signed a historic memorandum of understanding with the Commonwealth Government committing funding to the delivery of the Northern Sydney Freight Corridor Program. This program will improve freight train access through northern Sydney by increasing capacity on the main north rail line between Sydney and Newcastle.

The Hon. Mick Veitch: You will need a supplementary.

The Hon. DUNCAN GAY: I will need a supplementary if you keep interrupting. The line is an integral part of the east coast interstate rail network and one of Australia's busiest rail corridors, servicing Brisbane, Sydney and Melbourne. The New South Wales Government is moving fast to reverse 16 years of Labor neglect and mismanagement of freight in this State. To make New South Wales number one again we need to get moving again. A key part of this includes enhancing interstate freight.

The Hon. Luke Foley: What proportion are you funding?

The Hon. DUNCAN GAY: Delivery of the Northern Sydney Freight Corridor Program involves the construction of a rail underpass at North Strathfield, a third track between Epping and Thornleigh, new passing loops near Gosford and a passing loop at Hexham. When completed, the program will take more than 200,000 trucks off the road each year, resulting in better safety outcomes and less wear and tear on our roads. The days of bogus ribbon cuttings and broken promises under State Labor are over. The people of New South Wales now have a Government committed to action. Transport for NSW will deliver three of the projects in the program: the north Strathfield rail underpass, the Epping to Thornleigh third rail track and the Gosford passing loops.

The Hon. Luke Foley: You should have stuck with the other answer.

The Hon. DUNCAN GAY: You would not have liked that either. This bloke's choice of times to interrupt is silly. This was an option that was open to the previous Government. This money was available to help New South Wales and they could not or would not take it up. They did absolutely nothing. He also asked me how much of it was coming from the Federal Government. The fact is a very large amount is coming from the Federal Government because this program is of national importance, the same as the Pacific Highway is of

national importance. They want to rip \$2.31 billion out of it. Next time the Leader of the Opposition should get his question time committee to integrate questions and he should be quiet and not enter into matters that he should not be involved in. Progress is already underway. Project management teams are currently in place and the concept designs and planning assessments for the three Transport for NSW projects are nearing completion. *[Time expired.]*

COAL SEAM GAS WASTEWATER SPILLS

The Hon. JEREMY BUCKINGHAM: My question is directed to the Minister for Roads and Ports, representing the Minister for Trade and Investment. Santos admitted yesterday there had been up to 20 unreported incidents including spills of coal seam gas wastewater in the Pilliga Forest. Who will be held responsible for these incidents—Eastern Star Gas or Santos? Will the former directors of Eastern Star Gas, including the former Nationals leader John Anderson, be held responsible for these incidents?

The Hon. DUNCAN GAY: There is still concern in the Pilliga about the camera crew that had a member of The Greens with it. The gas company indicated that before they visited the tap was shut, but filming took place and when they left the tap was on.

The Hon. Jeremy Buckingham: Point of order: My question was about the shonks in The Nationals, not your disgraceful attack on community advocates.

The PRESIDENT: Order! The Hon. Jeremy Buckingham appears to have taken a point of order. I ask the Minister to be generally relevant in his answer.

The Hon. DUNCAN GAY: Point of order: I cannot let the moment pass without taking a point of order and asking the Hon. Jeremy Buckingham to withdraw his comment about an honourable Deputy Prime Minister of this country. To describe a person of honour as a "shonk" is absolutely disgraceful. I ask the Hon. Jeremy Buckingham to withdraw his comment immediately.

The Hon. Jeremy Buckingham: To the point of order—

The PRESIDENT: Order! I remind members of the forms of the House that are available to deal with assertions made about individuals who are not members of this House. I am unable to require the Hon. Jeremy Buckingham to withdraw his comment about someone who is not a member of this House.

The Hon. DUNCAN GAY: Are you going to do the decent thing?

The Hon. Jeremy Buckingham: To the point of order: I said "shonks in The Nationals".

The PRESIDENT: Order! I have already ruled on the point of order.

The Hon. DUNCAN GAY: The comment was unfortunate enough, but now his attempt to mislead the House is even worse. Eastern Star Gas held PEL238 and PAL2 within the Pilliga East and Bibblewindi State forests, south of Narrabri. Both of them were awarded or renewed by the former State Labor Government. Santos completed a takeover of Eastern Star Gas on 17 November 2011 and now has become responsible for the former Eastern Star Gas operations. There have been a number of reported infringements within PEL238 and PAL2, the most significant of which was a discharge of saline water in June 2011. That discharge was only reported to the Department of Resources and Energy by new owners Santos on 6 January 2012.

The Hon. Jeremy Buckingham: The new owners of Eastern Star Gas. Get it right.

The Hon. DUNCAN GAY: Just be quiet and listen, Shenhua!

[Interruption]

If the Hon. Jeremy Buckingham does not want to listen to the answer he should not ask the question. Following notification of the spill, the Department of Resources and Energy commenced a full investigation into the incident and the apparent failure to report the incident in a timely manner. The investigation team conducted a site inspection on 16 and 17 February 2012. The Department of Resources and Energy also will investigate whether any other incidents of that nature have occurred and any other related circumstances. Santos also has

investigated the compliance performance generally of Eastern Star Gas, including the incident, and on 22 February 2012 submitted a report to the New South Wales Government of its findings to date. In addition, Santos has published this report on its website and issued a media release regarding the report. The Department of Resources and Energy is considering the information within this report. [*Time expired.*]

The Hon. JEREMY BUCKINGHAM: I ask a supplementary question. Will the Minister elucidate his answer as to who will be responsible for the incident or incidents?

The Hon. Robert Brown: Did The Greens turn the tap on?

The Hon. Jeremy Buckingham: They admitted it was a fault of—

The PRESIDENT: Order! I call the Hon. Jeremy Buckingham to order for the first time.

The Hon. DUNCAN GAY: We welcome the report from Santos and acknowledge the company's initiative to rehabilitate and upgrade the equipment and procedures of Eastern Star Gas. However, the department will continue to conduct its own investigation. A preliminary investigation report to the director general is expected to be prepared by March 2012. All available enforcement responses will be considered when the full facts are known—unlike others who like to jump off half-cocked. The Department of Resources and Energy will continue to work with the Office of Environment and Heritage, the Environment Protection Authority, the Department of Planning and Infrastructure and other relevant government agencies to regulate Eastern Star Gas operations on PEL238 and PAL2.

WORKCOVER PROSECUTIONS

The Hon. SOPHIE COTSIS: My question is directed to the Minister for Finance and Services. Will the Minister advise the House who issued the directive for WorkCover to seek to adjourn the more than 100 prosecutions it currently has before the Industrial Court?

The Hon. GREG PEARCE: They were in office for 16 years and do not seem to understand that WorkCover runs its own prosecutions.

WORKCOVER

The Hon. MATTHEW MASON-COX: My question is addressed to the Minister for Finance and Services. Will the Minister inform the House about the suggestions that have been made to him about changes that could be made to WorkCover?

The Hon. GREG PEARCE: That is a very good question from the Parliamentary Secretary, and I thank him for it. Members on this side of the Chamber will remember—on that side I am not sure—that on Tuesday of this week Mr David Shoebridge asked me whether I had a list of suggestions for reform that had been provided by the former Chair of WorkCover, Mr Greg McCarthy, to one of his colleagues on the WorkCover board? I said at the time that I did not have the list, and I did not. But since then my diligent staff have obtained a copy of the list, for which I thank them. The list makes very interesting reading. I commend Mr McCarthy for making a number of suggestions as to how the scheme might be improved. Unlike Mr David Shoebridge, who has been engaged in scaremongering, Mr McCarthy has applied his strong knowledge of insurance to the problems of the scheme. These suggestions are, of course, merely the ideas of Mr McCarthy, who, incidentally, was appointed by Mr Della Bosca, and do not constitute current government policy.

Mr McCarthy has suggested in the short term that WorkCover needs to examine remuneration for agents' financial drivers to achieve objectives for both the scheme and agents. He has suggested that WorkCover needs to ensure that financial drivers for performance are transparent and that there is an internal WorkCover capability to manage the agents. He has suggested that WorkCover re-establish open and trusting relations with agents. He has suggested that WorkCover review its operating guidelines for claims agents. He suggested also that WorkCover implement a proper scheme-monitoring capability which would involve: identifying poor performing industry sectors and what drives their risk; identifying what is driving their performance, interrogating and segmenting claims data and establishing claims review capability.

Mr McCarthy also suggested that WorkCover consider implementing a commutation window to allow the introduction of legislation that refocuses the scheme towards rehabilitation rather than compensation. He

suggested a more active and targeted management strategy of agents with strong internal file review capability from WorkCover. In addition to Mr McCarthy's suggestions on the workers compensation scheme he also had a number of proposals regarding WorkCover's structure. They include: combining the workers compensation insurance division back into one unit, adopting a risk management culture, reviewing and implementing new training material, and considering whether enforcement activity should be separate from WorkCover.

The key theme of Mr McCarthy's proposals centres around a complete review of the WorkCover scheme. He makes numerous suggestions looking at organisational change, a review of benefits and stronger enforceable obligations on the delivery of rehabilitation by employers and on injured workers in order to receive benefits. Without reading the full list of suggestions, a final point of note is the suggestion of privatisation of the scheme or, if not, to have a central information technology system and consider an agent model with two contracts—one for small business and one for large. I reiterate that McCarthy's list is a collection of his own thoughts, no doubt underpinned by his frustration with the failures of the previous Labor Government and Labor Ministers to take action to reform the scheme over a decade. I commend Mr McCarthy for taking the time to make a constructive contribution to the issues at hand, something that those opposite are incapable of doing.

The Hon. AMANDA FAZIO: Under Standing Order 56 (2) I move without notice:

That the document referred to by the Minister in his answer be tabled.

The PRESIDENT: Order! Under Standing Order 56 a document relating to public affairs quoted by a Minister may be ordered to be laid on the table, unless the Minister states that the document is of a confidential nature or should more properly be obtained by an order. Did the Minister quote from a document?

The Hon. Greg Pearce: No, I was reading from my notes, which have been handed to Hansard.

The PRESIDENT: Order! There are some grey areas in respect of the way in which Standing Order 56 should be interpreted. On a fair reading of Standing Order 56, if a Minister is quoting from a specific document as part of his answer the document can be the subject of a motion under the standing order. However, as is common practice under the current and previous governments, if the Minister is quoting from copious notes in answer to a question I am not sure that falls into the same category. In any case, there are circumstances under which the motion is not able to proceed—for example, if the Minister claimed that the document was confidential. In that case, the document would be more properly obtained by an order for papers. The motion of the Hon. Amanda Fazio is out of order. I ask members to bear that in mind in their use of Standing Order 56 in the future.

OCCUPY SYDNEY PROTEST

The Hon. ROBERT BORSAK: I direct my question to the Minister for Police and Emergency Services. Is the Minister aware that Occupy Sydney protesters have been in Martin Place for about 130 days? Have they been given permission to live on the footpaths? If not, why have they not been ordered to move out of Martin Place? How much has the policing of this so-called protest cost the taxpayers of this State over the past 130-odd days? How much of that could have been spent policing Sydney's drive-by shootings?

The Hon. MICHAEL GALLACHER: What a great question. I will need to obtain some detailed information to answer it and when I do I will provide it to the member. Of course, it also gives me an opportunity to reflect again on drive-by shootings and the horrific period in 2008-09 when unlawful discharge of firearms and discharge of firearms into premises was rife, with a total of 251 incidents. In 2006 there were 234 incidents and in 2007 there were 227 incidents. Nathan Rees definitely wants to forget about the all-time high number of incidents that occurred during his premiership. In 2009 there were slightly less than 200 incidents, and from October 2010 to September 2011 there were 240 incidents. We are witnessing a consistent incidence of drive-by shootings.

The Hon. Luke Foley: What about this February?

The Hon. MICHAEL GALLACHER: I acknowledge that interjection. Members opposite have a little candle and they are praying to it that the incidence of drive-by shootings increases so that they can continue to politicise this issue and at the same time drag down the reputation of the NSW Police Force. Never once have they acknowledged that the Federal Government has been caught dragging its feet because of the porousness of our borders—they have holes like Swiss cheese.

The PRESIDENT: Order! Members will cease interjecting.

The Hon. MICHAEL GALLACHER: Not once have members opposite said anything about the Federal Government's needing to do more about the vulnerability of our borders, which facilitates the movement of firearms.

The Hon. Amanda Fazio: Point of order—

The PRESIDENT: Order! I call the Hon. John Ajaka to order for the first time.

The Hon. Amanda Fazio: I refer to relevance. The question was about the cost of policing the Occupy Sydney protest. The Minister is engaging in a disgusting rant and rave about issues not connected with that protest.

The PRESIDENT: Order! It is not appropriate for the Hon. Amanda Fazio to engage in a commentary about the Minister's answer. I remind the Minister of the need for him to be generally relevant in the answers he provides.

The Hon. MICHAEL GALLACHER: We again see their sensitivity. They know they have form; in fact, they have more form than Phar Lap when it comes to their inability to recognise the problems. They will not concede that the decisions this Government has made this year are far in advance of anything they did. I take them back to 2009, when there were 251 drive-by shootings. What did the Minister for Police at the time say? He said, "The New South Wales Government maintains that everything is under control." There was a record 251 drive-by shootings in 2009 and members opposite said that everything was under control. What happened during that period? We had drive-by shootings, bombings and bashings.

The Hon. Steve Whan: Point of order: I refer to relevance. The Minister is not answering the question. He is living in a fantasy world instead.

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

WORKCOVER PROSECUTIONS

The Hon. PETER PRIMROSE: I direct my question to the Minister for Finance and Services. Is it a fact that WorkCover sought an adjournment of a matter during a sentencing hearing?

The Hon. GREG PEARCE: I guess we are sentenced to only another three years of him, but we will enjoy it. As I pointed out in answer to an earlier question—

The Hon. Steve Whan: He was just elected for another eight years.

The Hon. GREG PEARCE: Is that true?

The Hon. Peter Primrose: Yes.

The Hon. GREG PEARCE: That is excellent. I look forward to seeing him here over the years.

The PRESIDENT: Order! There is far too much audible conversation in the Chamber.

The Hon. GREG PEARCE: The Hon. Peter Primrose knows that he will be in opposition for two terms and that he will see his team diminish even more. They are in such disarray that the Hon. Penny Sharpe tweeted earlier this morning that when she checked her emails she found that people were urging her to support either Rudd or Gillard. She is a member of this Parliament, not the Federal Parliament. She must be one of the faceless women identified by Mr Rudd at the airport.

The Hon. Luke Foley: Point of order: One would have to stretch an extremely long bow to call this answer generally relevant. Mr President, will you direct the Minister to come back to the question?

The PRESIDENT: Order! I remind the Minister that his answers must be generally relevant.

The Hon. GREG PEARCE: I will be very relevant. Hearings in the Industrial Court are open matters, so I suggest that the member ask one of the people present at the time.

The Hon. PETER PRIMROSE: I ask a supplementary question. Will the Minister elucidate his answer in relation to what matter was adjourned?

The Hon. GREG PEARCE: I cannot, because I do not know.

FIRE SAFETY

The Hon. NIALL BLAIR: My question is addressed to the Minister for Police and Emergency Services. Will the Minister inform the House about some of the Government's initiatives for increasing fire safety awareness?

The Hon. MICHAEL GALLACHER: Last year at least 29 people over 65 died as a result of house fires. Of these, many were from the Blacktown community, including those who perished in the devastating Quakers Hill fire. Obviously this is a tragedy. One fatality is simply too many. For this reason I am pleased to inform the House that firefighters from Fire and Rescue NSW are rolling out a new initiative in western Sydney aimed at educating seniors from diverse backgrounds about fire safety. I understand that local fire crews are working closely with SydWest Multicultural Services—a not-for-profit community association in Blacktown—to host fire safety sessions for a range of seniors groups. Firefighters, with the assistance of interpreters, are helping the seniors at the information sessions to understand what to do should a fire occur in their home.

Just as importantly, seniors are learning how to minimise the risk of a fire occurring in the first place. The first session was hosted by Kellyville fire station on 30 January for the benefit of a local seniors group drawn from representatives of the Turkish community. Firefighters demonstrated the use of a fire blanket and showed attending seniors how to maintain their smoke alarms. The attendees also watched Fire and Rescue's informative DVD *Better Safe than Sorry* and were given a translated fire safety facts sheet at the conclusion of the night's activities. Sessions with the Filipino, Serbian, Maltese, Indian, Coptic, Chinese, Spanish, Croatian and Bhutanese communities have also been conducted. I was pleased to hear from Fire and Rescue NSW that the feedback from these information sessions has been overwhelmingly positive. The final session, which is being held for an Italian seniors group, is being held towards the end of this month. This is just one of the many community safety initiatives that Fire and Rescue NSW is implementing in western Sydney.

Fire and Rescue NSW is also participating in the national Change Your Clock, Change Your Smoke Alarm campaign. The campaign has a simple message: change the battery in your smoke alarm when you adjust your clocks at the end of daylight saving. I understand that a new battery for a smoke alarm costs less than \$10. That is a small price to pay, considering that a working smoke alarm can reduce the chance of a fatality in a house fire by up to 60 per cent. As part of the campaign, Fire and Rescue NSW is hosting talks at libraries to encourage residents to change their smoke alarm batteries before 1 April. I urge all New South Wales residents to take this easy step to help lessen the risk of fires in their homes. Through these initiatives and others the New South Wales Liberal-Nationals Government, together with Fire and Rescue NSW, is continuing to help keep our community safe and protected from fires and other threats.

FERAL PIG HUNTING

The Hon. ROBERT BROWN: My question is directed to the Minister for Finance and Services, representing the Minister for the Environment. Is the Minister aware of a media release from the National Parks and Wildlife Service of 24 January this year pointing to the "targeting of illegal pig hunters in an effort to rid the reserves on the Central Coast of this illegal activity"? Is the Minister aware that the press release quotes the Regional Manager, Mr Bagnat, saying, "hunters were deliberately releasing pigs into local parks and reserves"? Will the Minister advise the House on the following: What evidence did Mr Bagnat rely upon in making this assertion? How many illegal hunters has he found or fined so far this year? How many feral pigs has his team removed this year? If the Minister is not presented with the evidence, will he require Mr Bagnat to issue another media release apologising to law-abiding hunters?

The Hon. GREG PEARCE: I find it troubling that the National Parks and Wildlife Service is "targeting" shooters. What is it using? Is it using a scope or one of those long bows that the Leader of the Opposition favours? That is an interesting question. I will obtain information and report back to the member.

SYDNEY OPERA HOUSE SAILS

The Hon. LUKE FOLEY: My question is directed to the Minister for Police and Emergency Services, representing the Minister for the Arts. Is the Minister aware that the Sydney Opera House Trust has declined a request from Tourism Ireland to light the Opera House sails in green on St Patrick's Day, despite having previously done so? Will the Government act to reverse this snub to the New South Wales Irish community when other icons around the world—including the London Eye, Table Mountain, the Empire State Building and Niagara Falls—will all go emerald green on St Patrick's Day?

The Hon. Dr Peter Phelps: Orange.

The Hon. MICHAEL GALLACHER: I can assure the member that it will not be orange. This is one of the most important issues that have been raised in this House for some time.

The Hon. Duncan Gay: By the Opposition.

The Hon. MICHAEL GALLACHER: Well, by anyone. I assure the Leader of the Opposition that I will be seeking an answer to this question as a matter of urgency. I will seek a reply from the Minister for the Arts as soon as possible.

The Hon. Luke Foley: Before the next deadline for the *Irish Echo*.

The Hon. MICHAEL GALLACHER: So that is what this is about: it is all about Luke. I assure the House that I will seek an answer. The Minister for Roads and Ports indicates to me that he would like their support.

The Hon. Duncan Gay: I have spoken to George about Orange.

The Hon. MICHAEL GALLACHER: That is the town of Orange, and we are quite happy to have our St Patrick's Day Festival there. This is an extremely important issue. I am concerned about the matters that have been raised. They are serious allegations. I will indicate to the Minister that we need an answer to this question as quickly as possible—but after the deadline is missed.

MARITIME ADVISORY COUNCIL

The Hon. MELINDA PAVEY: My question is addressed to the Minister for Roads and Ports. Will the Minister update the House on the new Maritime Advisory Council?

The Hon. DUNCAN GAY: In October last year I advised the House that a statutory Maritime Advisory Council would be established to assist the New South Wales Government in its commitment to engage stakeholders in the development of maritime policy. More than 40 expressions of interest for membership to the council were received from across a wide range of the boating community. I am now pleased to report that the Government has selected 11 members who will advise the Government on an array of boating issues. It was heartening to see such a wide range of skills and talents on offer. We have identified a blend of experience and expertise across the maritime sector.

Members of the Maritime Advisory Council include Darren Vaux, Chair, who is currently the President of the Boating Industry Association, Chair of the Boating Industries Alliance of Australia and Vice President of the Marina Industry Association of Australia. Kay Cottee, AO, is Deputy Chair, a distinguished sailor and former Australian of the Year who has run a boat-building business and a marina at Yamba. She was a member of the committee responsible for forming Marine Rescue NSW. Members also include Guy Bailey, Director of Bailey's Marine Fuels Australia; John Barbouttis, the owner of both Gladesville Bridge Marina and Commodore of the Royal Motor Yacht Club NSW; David Edwards, General Manager of Yachting NSW and a member of Marine Rescue NSW Consultative Committee; and Ian Ford, the founder of Bass and Flinders and Secretary of the Commercial Vessels Association of NSW. Other members of the committee include David Lyall, a member of the Recreational Vessels Advisory Group; Brett Moore, who has had a distinguished career with NSW Maritime; Malcolm Poole, Chair of the Recreational Fishing Alliance of New South Wales; Jeff Richards, President of the Boat Owners' Association of New South Wales; and Jan Thurgar, President of the New South Wales Water Ski Federation.

This group of individuals will bring a wealth of industry experience and ideas to the table. It will also be pivotal in getting community views on priorities for the Maritime portfolio. The council will guide the work of the Office of Boating Safety and the service delivery of Roads and Maritime Services. Recreational and commercial boating safety will be central to the work of the council, as will developing a clear framework for the management of maritime property around the State. I look forward to getting down to business. The first meeting of the council is to be held in March.

CRONULLA FISHERIES RESEARCH CENTRE

The Hon. CATE FAEHRMANN: I direct my question without notice to the Minister for Roads and Ports, representing the Minister for Primary Industries. On a number of occasions the Minister has said that the positions vacated by the Cronulla Fisheries staff who are unable to relocate will be backfilled in regional New South Wales. Will the Minister confirm staff were recently advised that this will not occur in order for the department to save money? If this is true, and staff will not be backfilled in regional New South Wales, what will the implications of that loss of personnel be for the quality of evidence-based fisheries management in New South Wales?

The Hon. DUNCAN GAY: I thank the member for her question and I give her credit for asking me directly, unlike the Opposition spokesman on this issue, who led his team of mates—

The Hon. Michael Gallacher: Who is the Opposition spokesman?

The Hon. DUNCAN GAY: The Hon. Steve Whan.

The Hon. Michael Gallacher: I forgot about him.

The Hon. DUNCAN GAY: Because he is quiet on the subject. He led his team of mates to picket the Minister's office on a day she was not there. Short on ticker! I notice that one of his little mates has been in the gallery but he is no longer here.

The Hon. Steve Whan: Some staff are still there.

The Hon. DUNCAN GAY: I acknowledge that interjection. These guys knew that she would not be there. The big, bad Steve Whan is scared of Katrina Hodgkinson—absolutely scared of her. This is about regional development and relocating people to regional New South Wales. We have the Hon. Steve Whan and the last member of Country Labor left in this place—

The Hon. Michael Gallacher: The outgoing member.

The Hon. DUNCAN GAY: The outgoing member—and not one of them is defending regional New South Wales. Big Ticker Steve was down in Yass on a day when the Minister was not there advocating that the jobs should be kept in Sydney.

The Hon. Steve Whan: Point of order: The Hon. Cate Faehrmann asked the Minister a serious question about the impact on research in New South Wales by the fact that many people will not be moving. The staff would appreciate it if the Minister would answer the question.

The PRESIDENT: Order! The Hon. Steve Whan should take a point of order, not make debating points. The Minister should be generally relevant in his answer.

The Hon. DUNCAN GAY: I acknowledge the President's comments about the member. It was an important question, but it was sadly diminished by the fact that the Hon. Steve Whan did not turn up on the right day. I have not got the information that the Hon. Cate Faehrmann is seeking. I will refer this matter to the Minister for Primary Industries for a full and detailed answer. It will be a sensible answer, unlike some of the questions from those opposite.

REED CONSTRUCTIONS

The Hon. HELEN WESTWOOD: I direct my question to the Minister for Roads and Ports. What action is the Minister taking to protect subcontractors who are collectively owed millions of dollars by Reed

Constructions for work on the Woodford to the Hazelbrook section of the Great Western Highway? Some invoices have been unpaid since August 2011. Is the Minister aware that Roads and Maritime Services are continuing to authorise payments to Reed Constructions despite payments to subcontractors remaining unpaid?

The Hon. DUNCAN GAY: I am advised that the Government, through its various agencies, has a large number of contracts with Reed Constructions. After receipt of correspondence from Reed Constructions, the Premier requested that the Director General of Finance and Services, Michael Coutts-Trotter, meet with Mr Reed today. I understand that senior officials from the Department of Education and Communities and, I know, from Roads and Maritime Services were also in attendance at that meeting.

PUBLIC SECTOR REFORM

The Hon. TREVOR KHAN: I address my question to the Minister for Finance and Services, and Minister for the Illawarra. Will the Minister update the House on the findings of the Schott report?

The Hon. GREG PEARCE: Members may be aware—although I understand some Labor members may have missed it considering the latest chapter in the Federal Labor leadership soap opera—that yesterday the New South Wales Commission of Audit interim report, or Schott report, was released. The report provides a roadmap for reform to deliver a more productive, efficient and responsive New South Wales public sector—something that does not compute with those on the opposite side of the Chamber. The commission confirmed that systemic problems existed across the entire New South Wales public sector when the O'Farrell Government took office after 16 years of the mob opposite.

The commission, led by Dr Kerry Schott and supported by an advisory board chaired by Mr David Gonski, AC, found that under Labor only a low level of importance had been given to financial management, people management and asset management. The report argues that if this is not addressed it will hinder the Government's long-term strategic plans for New South Wales. The report also confirmed the unsustainable financial position inherited by the Liberal-Nationals Coalition and recognised that a well-managed and efficient public sector is crucial to the success of the New South Wales economy. The report details an erosion of accountability, a lack of fiscal discipline and a complete breakdown in the budget process over 16 years of Labor. Ministers were not even held accountable if they failed to meet their budget allocations or exceeded them, and the Hon. Eric Roozendaal led the way in lack of accountability.

The commission provided key recommendations in the areas of structure and accountability, financial management, people management and asset management. These included leadership responsibility, which should be transparently set out for each cluster to clarify the roles of coordinating and portfolio Ministers as well as those of directors generals and chief executives; Treasury, in consultation with agency chief financial officers, should commence scoping the design of a new financial management information system as a matter of urgency; a major cultural shift is needed so that supervisors at all levels recognise that managing people is a key accountability; and an asset management policy statement should be released to clarify responsibilities and linkages between the various planning and procurement frameworks.

The New South Wales Liberal-Nationals Government has already acted to improve the efficiency and effectiveness of the public sector. The Government will pursue the recommendations contained in the report. Labor Party members should hang their heads in shame. I suggest they read this independent report to see just what a disgraceful mess this State has been left in. The O'Farrell Government will shift the New South Wales public administration from its current position to one that the people of New South Wales both expect and deserve. Labor ignored that challenge; it was too focused on internal party slanging matches—something their Federal counterparts cannot seem to get enough of.

The Hon. AMANDA FAZIO: Under Standing Order 56 (2) I move:

That the Minister table the Schott report that he referred to in his answer.

The Hon. Greg Pearce: The Schott report is on the website.

The PRESIDENT: Order! Was the Minister quoting from notes? Was he quoting from the actual document?

The Hon. Greg Pearce: I was reading from my notes.

The PRESIDENT: Order! It is therefore out of order for the Hon. Amanda Fazio to move such a motion.

BRAVEHEARTS EDUCATION PROGRAM

The Hon. PAUL GREEN: My question without notice is addressed to the Minister for Roads and Ports, representing the Minister for Education. Given that last year alone there were approximately 286,437 reports of suspected child abuse and neglect made to State and Territory authorities nationally, and given the Premier's support for the New South Wales parliamentary bipartisan committee, whose aim is to facilitate the introduction of the Bravehearts education program into every New South Wales school, will the Minister update the House on the progress of the rollout of the Bravehearts education program into New South Wales schools?

The Hon. DUNCAN GAY: I thank the member for his question on the 287,000 abused and neglected children, which seems incredible. The question is important and I am sure all members are concerned about it. As I do not have details about that matter I will refer the question to the Minister for Education and obtain a detailed response.

The Hon. MICHAEL GALLACHER: If members have any further questions I suggest they place them on notice.

WORKCOVER PROSECUTIONS

The Hon. GREG PEARCE: Earlier in question time the Hon. Peter Primrose asked me about a case in the Industrial Court. I am advised that the case is *Inspector Hoare v Visy Pulp & Paper Pty Ltd*.

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.

Pursuant to sessional orders Government business proceeded with.

LEGISLATION REVIEW COMMITTEE**Membership**

The PRESIDENT: I report the receipt of the following message from the Legislative Assembly:

MR PRESIDENT

The Legislative Assembly informs the Legislative Council that it has this day agreed to the following resolution:

That Gareth James Ward be appointed to serve on the Legislation Review Committee in place of Garry Keith Edwards, discharged.

Legislative Assembly
23 February 2012

SHELLEY HANCOCK
Speaker

TABLING OF PAPERS

The Hon. Greg Pearce tabled the following report:

Department of Primary Industries Annual Report on the Administration of Agricultural Statutory Authorities for the year ended 30 June 2011.

Ordered to be printed on motion by the Hon. Greg Pearce.

PRIVILEGES COMMITTEE**Report**

The Hon. Trevor Khan, as Chair, tabled the report entitled "Citizen's Right of Reply (Mrs Julie Passas)", dated February 2012.

Ordered to be printed on motion by the Hon. Trevor Khan.

ADJOURNMENT

The Hon. DUNCAN GAY (Minister for Roads and Ports) [3.33 p.m.]: I move:

That this House do now adjourn.

ENVIRONMENTAL PROTESTS

The Hon. ROBERT BORSAK [3.33 p.m.]: Today I raise what appears to be a problem in the law and how it relates to anyone who claims to be an environmental protester. Our south-eastern forests contain miles and miles of native hardwood timbers which have been harvested, and probably re-harvested, over the last 200 years or more. The forests support hundreds of small communities, many hardworking timber families and indeed, our whole urban community. All they want to do is go about their lawful business of making a living. But enter the greenies and the so-called conservationists, who have unilaterally decided that harvesting native timber should not happen. They will hear no argument against what they claim to be the right decision. They care nothing for the communities, the workers and their families, or even the long-term wellbeing of the forests themselves because, apparently, they know every tree in every forest by name.

Down in the southern forests at the moment we have—and have had for months—a continuing guerrilla campaign by criminal conservationists opposed to logging. They apparently call it "non-violent direct action". Normal people would call it terrorism by the usual suspects who break the law with impunity. And what has been happening? Roads are blocked, signs are removed, work is disrupted, and very expensive machinery is damaged by iron filings and sand somehow finding their way into the engine oil and fuel tanks at night. I do not believe it is possums doing this, and I know it is not timber workers who undertake all these activities. That does not leave many other suspects, does it?

What I find rather amazing is that The Greens will defend this and other similar illegal actions because they believe the end justifies the means: "Let us not worry about the laws of the land. Let us do what we want." And they do. Not only do The Greens not condemn such criminality; Mr Shoebridge goes as far as accusing one logging company of breaking the law and calling for all sorts of retribution. This is total hypocrisy and he knows it. He is a total hypocrite. He thinks the company has broken a law and straight away condemns the workers. He knows that the people opposed to this logging are breaking the law also, and feels comfortable in thinking that it is okay, yet he pretends to be a lawyer. One hopes that if it is found that the contractor has not broken the law Mr Shoebridge will apologise. But no-one is holding their breath on that one.

This type of action does not just go on in our forests. Victoria and Tasmania have similar outbreaks of so-called non-violent direct action, where somehow machinery gets damaged and work is interrupted. Unfortunately, at the moment only one State takes a hard line with forest protests, and that is Tasmania. Tasmania has at least one magistrate who is happy to lock up those who interfere with a legal operation. We need to get that magistrate up here to sit on a few cases in New South Wales. The fact is there is no point in trying to deal with The Greens on native timber. They leave no room for negotiation, and their bottom line is no more native timber harvesting. That is not necessarily the right or the best option, but they think it is. We will see more protests in our forests until the law is upheld or native logging ends. I vote for the law to be upheld; I say lock them up. And it is not just in the forests that radical conservationists fly in the face of the law.

Closer to this place, members may have read last week that some vandals were cutting down or slicing holes in shark nets, putting the lives of swimmers and surfers at risk. Primary Industries, which controls the nets, has investigated vandalism at Bondi, Maroubra, MacMasters Beach on the Central Coast and at Warriewood. It maintains, and I agree, that the nets are there to protect humans, with minimal impact on marine life. But guess what? Some so-called conservationists have been waging a bitter campaign against the nets for years, claiming they are also killing large amounts of other marine life. The New South Wales Greens are backing them and have refused to condemn these attacks. Indeed, Ms Faehrmann is on the record as saying "shark nets are indiscriminate killers of harmless marine life and are next to useless in preventing shark attacks anyway". I wonder where she goes swimming.

I wonder how she will feel if there is a shark attack on a beach where non-violent direct action has seen the nets damaged, or would she simply pass this off as more collateral damage? I hope the Government has the gumption to look after hardworking people in this State who are put upon by these so-called conservationists. If the conservationists want to carry on illegally, they should be ready to go to jail and, in my view, stay there.

ORGAN DONATION

The Hon. NATASHA MACLAREN-JONES [3.38 p.m.]: I speak on the important issue of organ donation in Australia and note that this week is DonateLife Week 2012, which began on Sunday 19 February and continues until Sunday 26 February. Although organ donation is a Federal issue, we all have a responsibility to raise awareness about this sensitive issue. DonateLife Week is a national awareness campaign to promote organ and tissue donation in Australia. A decision to become an organ donor is a personal and sensitive issue and must be shared with family because most relatives do not understand what is required, or what their role is in allowing the harvesting of a loved one's organs or tissues. The theme for this year is "Ask and know your loved one's wishes." In Australia, the next of kin is always asked to confirm the donation wishes of their loved one before the organ or the tissue donation can proceed.

Although many Australians are registered as donors, more than 50 per cent of them have not told their family. In fact, 33 per cent of Australians are unsure about the best way to start the donation conversation. Less than 40 per cent of families do not give consent for organ donation because they are not confident their loved ones wanted it. As a result, not all registered donors will save a life or lives as they planned. All major organs, including the heart, lung, liver and kidneys can be transplanted, and the success rate ranges from 90 per cent to 50 per cent, depending on the organ. But timing is critical. Only tissues can be donated up to 24 hours after death irrespective of where or how the donor died. Surprisingly, only 1 per cent of all hospital deaths occur in such a way that organ donation is medically possible. Australia has a world-class reputation for successful transplant outcomes but, sadly, we also have one of the lowest donation rates in the developed world. Around 1,600 people are on the transplant waiting list at any one time. In 2010, 337 organ donors gave 1,001 transplant recipients a new chance at life.

On average, in Australia we have 14.9 deceased donors per million people. In New South Wales this figure is significantly less, at 11 donors, compared to South Australia which has close to 30. Data shows that we are 10 times more likely to be in need of a transplant than to be in a position to be donor. Data indicates that the largest waiting list by a considerable margin is for kidney transplants, with 1,125 people waiting. The average waiting period for a heart transplant is up to a year and for liver transplants six months. Sadly, too often patients die before organs become available. A number of factors have contributed to Australia having one of the lowest organ and tissue donation rates in the developed world. Strong safety laws as well as effective health services have reduced the number of people suffering fatal brain injuries and few Australians will die in such a way that will ensure that their organs can be donated.

Organ donors must have died while in an intensive care unit in a hospital or on a ventilator that keeps their organs functioning artificially for a limited time. Most donors suffer a stroke, bleeding in the brain, have an accident or head trauma that causes brain death. Some health conditions rule out donation and age can also be a factor. However, in the case of kidney and liver donations effectively there is no age limit. It should also be understood that there is a critical time frame for various organ transplants. The very nature of these circumstances means that there is usually no chance to discuss donation with the loved one; therefore, it is much easier for families to make the decision once they know the wishes of their loved ones. Finally, I acknowledge also another amazing group of Australians—our living donors. These people donate a kidney or liver to a loved one. Through the Paired Kidney Exchange Program, generous Australians can donate anonymously to a recipient whose only chance of survival is a transplant. I encourage all other members to join with me, register as a donor and give someone a second chance at life.

MILITARY DRONES

The Hon. LYNDIA VOLTZ [3.42 p.m.]: In 2010 I visited Najah Harb Salem Qdeh in Gaza where she lived with her husband and eight children within two kilometres of the wall in a small one-room brick shack. Najah was one of the first recipients of an AusAid Australian People for Health, Education and Development Abroad [APHEDA] project, which provided her with six rabbits and cages to provide some income for her impoverished family. Pretty soon Najah had over 100 rabbits and impressed on me how quickly they had bred. I let her know that we had plenty of experience in rabbit breeding in our country and made a joke, at which she politely laughed, about the large rabbit proof fence in close proximity to where she lived.

Najah managed to earn the equivalent of \$A10 per week, which was largely what her family used to live on. Expecting the rabbit market to be booming when I next returned to Gaza, I suggested to Najah that I should bring an akubra so they could branch out into a new market. A few weeks ago I returned to Najah's little shack but she was no longer there. On 8 April last year Najah and her daughters were outside cooking in

the middle of the day while her husband and two small sons had gone to Friday prayer. Najah and Nidal, her 21-year-old daughter, were killed by a missile from an Israeli drone as they cooked. Two other daughters were seriously injured. Her father begged us to find a hospital where his 17-year-old daughter could be taken, as there were none in Gaza that could remove the shrapnel still inside her skull. His four-year-old daughter, who had been with her mother on that fateful day, had barely spoken a word since.

I was shocked to learn that Najah had been killed, but I was not surprised that the weapon had been a missile from a drone. Over the years I have become increasingly concerned about the increased use of drones, particularly by the United States and Israel. During a recent visit to Pakistan, I noted the daily press reports included more civilians being killed by drones than enemy combatants. According to a report by the London-based Bureau of Investigative Journalism, a not-for-profit organisation based at City University, London, between 282 and 535 civilians have been credibly reported as killed in the first three years since Barak Obama took office, including more than 60 children. A three-month investigation, including eye-witness reports, found evidence that at least 50 civilians were killed in follow-up strikes when they had gone to help victims.

This death toll of civilians raises major question marks about the use of drones which, whilst originally a surveillance device, have become a key element of warfare. Either these drones, like landmines, are indiscriminate killers whose operators are unable to distinguish between women cooking on a farm, children playing near a group of men, or a journalist taking pictures, or the operators of these drones know that the targets are civilians and proceed anyway. The second proposition is unimaginable for any modern civilised armed force, so I can only imagine that the first proposition is true. That being the case, the continued use of drones as an instrument of war must seriously be questioned. The United States begrudgingly acknowledges that it is not always aware of the identities of those men it believes to be militants as part of its signature strikes. The use by Israel of drones, as demonstrated by the death of Najah and her daughter, shows a wanton disregard for human life.

Arguments may go back and forth about the number of civilians killed by drones. Barak Obama in a town hall address stated that drones have not caused a huge number of casualties. Whatever number the United States wishes to place on it, the reality is that civilians are being killed by drones. The question for the military is: Why? Contrary to the belief that victory is the penultimate outcome of war, the reality is that peace is. Whether America or Israel recognises it, their continued use of drones against civilians will ensure that any hopes of peace are harder to achieve. As Sun Tzu noted, one may know how to win the war but cannot necessarily do so.

RURAL AND REGIONAL EMPLOYMENT

Mr DAVID SHOEBRIDGE [3.47 p.m.]: The dual attack on regional employment and science by the O'Farrell Government is now in full swing and the first casualties appear likely to be our State forests and the people who work in them. On this Government's short watch we have seen cuts to research units that focused on best practice for maintaining biodiversity in our State forests. We have seen the privatisation of Forests NSW nurseries which currently produce millions of native forestry seedlings each year, and the attendant loss of expertise. We are now seeing cuts to the basic workforce in regional New South Wales that keeps the physical machinery of Forests NSW in operation.

This Government was elected on promises of decentralisation as a means of delivering rural and regional jobs. Yet after a little under 12 months, voters in rural and regional areas are starting to realise that this is a promise that has been repeatedly broken by the O'Farrell Government. The first broken promise was the cutting of a third of the positions at the Forest Science Research Centre—cuts which I have spoken about before in this place. This announcement was made by the Government, apparently without irony, during Science Week. Then the Government announced the privatisation of the Forests NSW nurseries.

The Hon. Rick Colless: You would not let that be debated this morning.

Mr DAVID SHOEBRIDGE: I note the interjection of the Hon. Rick Colless, who does not understand what he is talking about. That debate related to fisheries. These six retail nurseries are located in Dubbo, Muswellbrook, Gunnedah, Narrandera, Wagga Wagga and West Pennant Hills. As with the cuts at the Forest Science Centre, these closures will lead to the loss of precious public sector jobs in regional areas. There are 29 job losses in all from these cuts and 14 of these jobs are from Narrandera—a regional town that can ill afford these lost pay packets. The privatisation of these nurseries comes at a time when the native and forestry

seedlings they provide are likely to be more in demand than ever, particularly as biodiverse plantings form a core part of the Federal Biodiversity Fund, which currently has more than \$1 billion allocated to it by the Federal Government.

The specialist horticultural skills held by staff at Forests NSW nurseries, which will be needed to meet these increasing demands, will be lost by this O'Farrell Government's privatisation. But, once again, no measures were announced that will guard against the loss of jobs and expertise this privatisation will cause. The Government has argued that the privatisation is appropriate because it sees Forests NSW as only a timber producer, thereby entirely neglecting the important role it should be playing in preserving and fostering biodiversity, both in the native forests for which it is a custodian and through the operation of enterprises such as State-owned nurseries. Many suspect—and only time will tell whether they are right—that this privatisation is a precursor to the eventual sell-off of every single Forests NSW nursery. The latest closure in this series of closures by the O'Farrell Government is the Forests NSW workshop at Coffs Harbour.

This mechanical workshop has played an important role in the maintenance of the agency's fleet of light and heavy vehicles. The site that it currently occupies has been determined to be an appropriate site for the new government services precinct in Coffs Harbour. A decision has been made to allow the State Property Authority to acquire the site from Forests NSW at the end of June this year. As part of this change, the O'Farrell Government has decided the mechanical workshop is no longer required. That will mean more lost jobs in another regional centre and further State Government pay packets being pulled out of regional New South Wales. These jobs in Coffs Harbour present exactly the kind of skilled regional jobs that we should be doing everything possible to retain.

It is not just this workshop that is currently being threatened. Forests NSW workshops at Bathurst, Batlow, Tumut, Toronto, Wauchope, Grafton, Eden, Bombala, Batemans Bay and Pennant Hills also face closure from this penny-pinching Government with its unending attack on regional jobs. On the face of it this closure is part of a program by this Government to outsource and privatise as much of New South Wales as possible. Sadly, it seems our State forests, skilled public sector workers and regional economies will be the first losers in this process. The allies of the Government in this House have a very clear agenda that supports the weakening of any protections related to forests. They will inevitably support these changes that reduce the biodiversity in our forests in order to increase their attractiveness to feral pests and make it easier to hunt in our State forests and national parks.

The Shooters and Fishers Party call themselves conservationists when it comes to shooting animals but then fail to stand up for the conservation values of our State forests. In fact, they currently have a bill on the *Notice Paper* whose sole purpose appears to be to stop environmental protests in forests. Apparently, for the Shooters and Fishers Party, it is okay to carry weapons and shoot and kill in our public forests but it should be a crime to stand up to a bulldozer in order to protect iconic species such as koalas from becoming extinct. Our State forests are one of our most precious natural resources. Cutting jobs and resources in Forests NSW can only lead to poorer outcomes for our forests and our State's biodiversity. It will also mean the death by a thousand cuts for those rural and regional communities who rely on our State forests to provide a sustainable, productive and resilient environment for this generation and those to come.

SHINE FOR KIDS

The Hon. HELEN WESTWOOD [3.51 p.m.]: Anyone who attended the inaugural Spring Ball late last year will agree it was an outstanding success and many worthy organisations will benefit from the \$65,200 that was raised. One of those beneficiaries will be SHINE for Kids, which will receive its donation at a cheque presentation ceremony at Parliament House. SHINE for Kids is a wonderful organisation and I have spoken in this place previously about its outstanding work. It has been operating since 1982, and conducts children's support projects that provide a range of services and programs to support children and families of inmates. The success of the Spring Ball was a team effort with many individuals such as Ann Lewis from the Hon. Melinda Pavey's office, Philip Freeman from catering, entertainer Frank Bennett and Bankstown Talent Advancement Program, to name a few, volunteering their time. Also, many organisations contributed with generous sponsorships. It is fitting that I acknowledge those organisations: Telstra, NRMA, Macquarie Group, Tinkler Group, Capital Investment Group, Maddocks, Freehills, Barton Deakin, Kreab Gavin Anderson and Dubbo Holdings.

SHINE for Kids operates across New South Wales and interstate. It was first created as the Children of Prisoners Support Group [COPSG] following the release of "The Children of Imprisoned Parents" report,

commissioned by the Family and Children's Services Agency in March 1982. In December 2004 it changed its name to SHINE for Kids. SHINE for Kids provides advocacy and various other services for the children of imprisoned parents and their families. It has a staff of 64 and over 300 volunteers. A core focus is the belief in the power of early intervention to stem some of the negative effects of parental imprisonment. These negative effects can include family poverty, breakdown in family relationships, children's inability to thrive in a social and educational setting, and discrimination faced by children and their families due to the imprisonment of a parent.

These effects of imprisonment on children and their families can lead to a cycle of disadvantage for children and can also potentially result in their coming into contact with the criminal justice system themselves. In fact, children of prisoners are five times more likely than other kids to end up in prison themselves. There are a lot of consequences for children or young people who have a parent in prison. Statistics indicate that at any one time approximately 15,000 students in New South Wales are directly affected by the imprisonment of a parent and that 60,000 students under the age of 16 have experienced parental incarceration at some point in their lives.

Today I inform the House about one of the many valuable SHINE for Kids programs, the mentoring program. Children and young people in the mentoring program—mentees—are between the ages of 8 and 17 years with a parent in the criminal justice system. The mentees often have little support outside their direct family unit, which can leave them feeling isolated and needing the dedication of an adult role model in their life. The mentoring program matches a volunteer to a mentee and aims to provide consistency and stability in the life of a child or young person without intruding into their own family structure. The mentor provides the child or young person with healthy options for dealing with life experiences. The mentoring program is an opportunity for children to develop a positive relationship with an adult role model. Mentors are trained volunteers who meet with the child on a weekly, fortnightly or monthly basis.

The aims of the mentoring program are: to provide stability and consistency, enhancing the life of a child whilst at the same time ensuring that the needs of the child are being met without intruding into their own family structure; for the child or young person to improve existing skills and/or interests or develop new ones; to enable the child or young person to participate in events and social activities which will enhance their development and esteem; to develop a supportive, caring and non-judgemental relationship with an adult mentor which will encourage their personal growth through fortnightly mentoring over a period of least 12 months; to provide individual attention to the child or young person; for the child or young person to talk to someone who is there just for them; and to build on and develop self-esteem, communication and interpersonal skills through ongoing interaction and socialisation.

This offers children and young people the opportunity to talk to someone who is there just for them, who will encourage, nurture and develop their personal growth. It is imperative in light of these statistics that programs such as the mentoring provided by SHINE for Kids exist to provide the valuable support to allow children with an imprisoned parent to develop appropriate and effective skills to make sense of their world and adequate coping mechanisms. I think members will agree we have a social responsibility towards these children and particularly those at risk. I congratulate the staff and supporters of SHINE for Kids on the valuable work they do on behalf of our community. I particularly commend the mentors, some of whom I have met. I acknowledge their dedication and commitment to making a difference in these young people's lives.

PENRITH PANTHERS RUGBY LEAGUE CLUB

The Hon. MARIE FICARRA (Parliamentary Secretary) [3.56 p.m.]: It is with great pleasure that I bring to the attention of the House the Penrith Panthers 2012 official season launch held on Saturday 18 February 2012 at the Evan Theatre, Penrith. The past six months have seen significant changes at Penrith Panthers, led by Rugby League legend Mr Phil Gould, who has been appointed General Manager of Rugby League at Penrith Panthers. In his typically generous fashion, Phil Gould answered the call for help from the Penrith Panthers and has returned to the club where he became Australia's youngest ever Rugby League captain at 20 years of age. Phil has reinvigorated the club and inspired its players and officials, and together with new coach Ivan Cleary, the successful coach of last year's New Zealand Warriors team, is already achieving results on the field, with Penrith drawing in its first trial game and winning the second, despite team captain and Australian representative Luke Lewis being on the sideline due to injury.

As many members know, newly appointed captain Luke Lewis has attended the Parliament's White Ribbon events for the prevention of violence against women. We acknowledge Luke's outstanding leadership

and commitment to our community and such a worthy social issue. Apart from being a White Ribbon ambassador, he is also an ambassador for the Jane McGrath Foundation and an ambassador for the Cure Our Future Foundation, and is heavily involved in the Penrith Panthers on the Prowl program helping disadvantaged youth with educational, sporting and social skills development.

Luke Lewis heads a team in 2012 that combines youth and experience and includes such talented players as Chris Armit, Blake Austin, Travis Burns, Cameron Ciraldo, Lachlan Coote, Geoff Daniela, Sandor Earl, Sarafu Fatiaki, Danny Galea, Michael Gordon, Tim Grant, Michael Jennings, Kevin Kingston, Sam McKendry, Clint Newton, Nigel Plum, Nafe Seluini, David Simmons, Nathan Smith, Brad Tighe, Etu Ualsele, Luke Walsh, Dayne Weston, Junior Tia Kalif and Harry Siejka.

Penrith Panthers are proud to have their new 2012 major sponsor, Parmalat Australia, a major global corporation offering a wide range of dairy products to Australia and for export. The Chief Executive Officer of Parmalat Ltd, Mr Craig Garvin, and general manager of sales, Mr David Pitt, attended the season launch in support of the team. Another significant new sponsor is Cudo Pty Ltd, a company that offers on its website the best online daily deals for all sorts of products and services and promotions and vouchers available in Sydney, Melbourne and around Australia. The Chief Executive Officer of Cudo Pty Ltd, Mr Mike Sneesby, and his wife, Ursula, were in attendance at the launch.

The 300 strong crowd was pleased to hear from Mr Graham Annesley, the Minister for Sport and Recreation. Special guests at the launch included Mr Don Feltis, the Chair of the Board of Directors, together with his board members and life members; Mr John Grant, Australian Rugby League Commission Chairman; Senator Marise Payne; the Hon. David Bradbury, Federal member for Lindsay; Mr Andrew Constance, Minister for Ageing, and Minister for Disability Services; Mrs Tanya Davies, member for Mulgoa, and her husband, Councillor Mark Davies; Penrith Mayor Greg Davies and Penrith Councillor Ben Goldfinch, Councillor Vincent De Luca, OAM; and Ms Jill Woods, Chief Executive Officer of the Penrith Valley Chamber of Commerce Inc., and also Chair, Western Sydney Defence Reserves Support Council, New South Wales, and a councillor of the New South Wales Business Chamber Regional Advisory Council, Western Sydney. I wish the Penrith Panthers all the best for 2012 and congratulate them on the significant social and physical contribution the team and club make to their greater western Sydney community.

RELIGIONS FOR PEACE

The Hon. WALT SECORD [4.01 p.m.]: On 20 February 2012 I had the honour of hosting a meeting at State Parliament of the New South Wales chapter of Religions for Peace. The New South Wales chapter, chaired by interfaith and anti-racism activist Mrs Josie Lacey, comprises spiritual leaders and adherents of the Buddhist, Bahai, Uniting Church in Australia, Catholic, Jewish, Muslim, Sikh and Hindu faiths. The New South Wales chapter is one of several Australian divisions of the World Conference of Religions for Peace, an interfaith body of representatives from more than 70 different countries. Founded in 1970, the World Conference of Religions for Peace encourages dialogue, tolerance and understanding between the major faiths of the world. I support the noble aims and work of the New South Wales chapter.

Therefore, I am pleased to support the decision of its national body to bid to host an Asia-Pacific regional conference on 6 to 9 February 2014 at Darling Harbour, Sydney. Organisers say it will attract up to 1,000 delegates, bringing together spiritual leaders from Japan, China, Korea, Malaysia, Indonesia, Australia, New Zealand and the South Pacific. I take this opportunity to urge the State Government to provide financial assistance to help secure the event for Sydney. It could provide assistance through the Community Relations Commission or the Minister for Major Events. We live in a harmonious and tolerant society in New South Wales. This would provide an excellent opportunity to showcase our community to the region and the world. I thank the House for its consideration.

[Time for debate expired.]

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

Motion agreed to.

The House adjourned at 4.03 p.m. until Tuesday 6 March 2012 at 2.30 p.m.
