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LEGISLATIVE COUNCIL

Thursday 6 November 2014

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

The President read the Prayers.

DISTINGUISHED VISITORS

The PRESIDENT: I welcome into my gallery and the public gallery family and community members from Bowraville here to honour the memory of Clinton Speedy-Duroux, Colleen Walker-Craig and Evelyn Greenup. In particular, to the President's gallery I welcome David Duroux, Clinton Speedy-Duroux's brother, Thomas Duroux, his father, Lucas Craig, Colleen Walker-Craig's brother, Muriel Craig, her sister, Michelle Jarrett, Evelyn Greenup's aunt, and Clarice Greenup, also Evelyn Greenup's aunt. I welcome all of you who are here today to witness the tabling of the report of the inquiry by the Standing Committee on Law and Justice into the family response to the murders in Bowraville. Welcome.

Pursuant to sessional orders Formal Business Notices of Motions proceeded with.

BUSINESS OF THE HOUSE

Formal Business Notices of Motions

Private Members' Business item No. 1999 outside the Order of Precedence objected to as being taken as formal business.

CROWN LANDS REVIEW

Production of Documents: Order

Motion by the Hon. MICK VEITCH agreed to:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created since 1 January 2013 in the possession, custody or control of the Minister for Natural Resources, Lands and Water, the Department of Trade and Investment, Regional Infrastructure and Services and the Department of Primary Industries:

- (a) all submissions received as part of the Crown Lands Act white paper consultations and the Crown Lands Review; and
- (b) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

BUSINESS OF THE HOUSE

Formal Business Notices of Motions

Private Members' Business item No. 2103 outside the Order of Precedence objected to as being taken as formal business.

TRIBUTE TO MATTHEW SMITH

Motion by the Hon. DAVID CLARKE, on behalf of the Hon. MARIE FICARRA, agreed to:

- (1) That this House notes:
 - (a) that Matthew Smith won the 2014 Australian Geographic ANZANG Nature Photographer of the Year competition;
 - (b) that the award winning photograph is an animal portrait image entitled *Physalia Physalis*;

- (c) that Matthew Smith is a mechanical designer and wildlife photographer who captured an early morning photo of a bioluminescent bluebottle jellyfish exhibiting the beauty of the animal above and below the water at Bushrangers Bay in Shellharbour, New South Wales;
 - (d) that the award was announced at the launch event at the South Australian Museum on Thursday 9 October 2014;
 - (e) that apart from winning the 2014 Australian Geographic ANZANG Nature Photographer of the Year, Matthew Smith's photographic talent has been recognised on many occasions throughout 2013, including:
 - (i) International Photographer of the Year Awards—2nd Place Nature Underwater [non-pro];
 - (ii) Fujifilm X Landscape Photographer of the Year Awards—4th Place;
 - (iii) National Geographic Photo Awards—Editors Favourite;
 - (iv) *Underwaterphotography.com*—Bronze Medallist Over/Under;
 - (v) Ocean Geographic Magazine Pictures of the Year Awards—Honourable Mention Creative Visions; and
 - (vi) Veolia BBC Wildlife Photographer of the Year Awards –Finalist Wildscapes.
 - (f) that the 2014 Australian Geographic ANZANG Nature Photographer of the Year exhibition will be on display at the South Australian Museum until the end of November 2014, before travelling to other locations around Australia;
 - (g) that the competition celebrates the landscapes and animals of the Australasian region, offering insights into those subjects, presenting rare glimpses and considered perspectives;
 - (h) that the competition attracts the amazing talents of thousands of photographers each year; and
 - (i) that the ANZANG exhibition displays the work of 96 finalists in the categories of animal behaviour, animal habitat, animal portrait, botanical, interpretive, landscape, monochrome, our impact, threatened species and junior photography.
- (2) That this House:
- (a) acknowledges and commends Matthew Smith on his outstanding photography and talent; and
 - (b) recognises that competitions like the Australian Geographic ANZANG Nature Photographer of the Year are of great significance in helping to profile and promote the talents of photographers and the subjects they capture.

AUSTRALIAN LIGHT HORSE BATTLE OF BEERSHEBA

Motion by Reverend the Hon. FRED NILE agreed to:

- (1) That this House notes that:
- (a) on Sunday 26 October 2014 a commemoration of the 1917 Australian Light Horse Charge at Beersheba on 31 October 1917 was held;
 - (b) Reverend the Hon. Fred Nile, MLC, was proud to be patron of the impressive commemoration of the Australian Light Horse Charge, which was held at Remount Park, Light Horse Parade, Holsworthy, Sydney;
 - (c) dignitaries taking part in the service included:
 - (i) Professor the Honourable Dame Marie Bashir, AD, CVO;
 - (ii) His Excellency Shmuel Ben Shmuel, Ambassador of Israel to Australia;
 - (iii) Lt Col Rob Lording 1st 15th NSW Lancers;
 - (iv) Craig Kelly, local Federal member for Hughes;
 - (v) David Sutherland, President of RSL Liverpool Sub-Branch; and
 - (d) the event also included riders and horses from the 1st Australian Light Horse Heritage Unit, A Troop Richmond-Windsor Light Horse, the RSL Youth Community Choir, led by O. J. Rushton, and the MC and speaker, Greg Whitehead, Field and Media Officer of the Australian Christian Nation Association, who also organised this spectacular event.
- (2) That this House remembers that the capture of Beersheba by Australian, New Zealand and British soldiers is seen as a turning point in the history of World War I, as it was vital for the Allied forces to capture the heavily fortified town in Gaza, which was held by the Turkish and German forces, two previous British attacks having failed with heavy casualties.
- (3) That this House notes the Australian Light Horse of the 4th and 12th Regiments, armed only with bayonets, charged the Turkish trenches, taking the town in less than an hour and suffering only 67 casualties, including 34 deaths, and that this was a miraculous result in view of the fact they were charging over open ground in the face of fierce machine-gun fire.

CARDIAC ARREST SURVIVAL FOUNDATION**Motion by the Hon. DAVID CLARKE, on behalf of the Hon. MARIE FICARRA, agreed to:**

- (1) That this House notes:
- (a) the outstanding work of the Cardiac Arrest Survival Foundation in reducing the number of needless deaths attributed to cardiac arrest across Australia;
 - (b) that throughout the month of October, the Cardiac Arrest Survival Foundation focused on raising public awareness about cardiac arrest through its campaign entitled Shoctober which highlighted the importance of the appropriate use of defibrillators;
 - (c) that October is nationally recognised as Defibrillator Awareness Month;
 - (d) that the Cardiac Arrest Survival Foundation through its Shoctober campaign called upon workplaces throughout Australia to show that they cared about cardiac arrest survival by hosting their own Shoctober event as part of raising awareness about defibrillators and their ability to save lives;
 - (e) that cardiac arrest is the most common cause of sudden death throughout the developed world;
 - (f) that in Australia, cardiac arrest causes between 23,000 and 33,000 deaths each year, many of which could be prevented through the use of defibrillators;
 - (g) that a defibrillator is a device that is used through the course of administering first aid with manual CPR that aims to restart the heart by providing automated heart rhythm analysis, voice commands and delivers a shock to the heart in order for it to return to normal rhythm; and
 - (h) that sadly, research shows that 75 per cent of sudden cardiac arrest happens away from a hospital, with a survival rate of just 6 per cent and that every minute that passes without a heartbeat reduces the chance of survival by 10 per cent.
- (2) That this House:
- (a) acknowledges that cardiac arrest is the cause of thousands of preventable deaths throughout Australia each year; and
 - (b) commends the excellent work of the Cardiac Arrest Survival Foundation through its Shoctober campaign in raising awareness about the severity of cardiac arrest and the use of defibrillators throughout workspaces in the aim of reducing deaths.

**SELECT COMMITTEE ON THE SUPPLY AND COST OF GAS AND LIQUID FUELS
IN NEW SOUTH WALES****Establishment and Membership****Motion by the Hon. ROBERT BROWN agreed to:**

- (1) That this House notes ongoing concerns regarding the availability of supply and the cost of gas and liquid fuels in New South Wales.
- (2) That a select committee be established to inquire into and report on gas and liquid fuels supply, cost and availability in New South Wales, and in particular:
- (a) the factors affecting the supply, demand and cost of natural gas and liquid fuels in New South Wales;
 - (b) the impact of tight supply and increasing cost of natural gas and liquid fuels on New South Wales consumers, including manufacturing, agriculture, energy production, small business, public services and household consumers;
 - (c) the commercial conduct of gas producers and the operation of the international and domestic gas markets;
 - (d) the adequacy of Commonwealth and State cooperation in gas market regulation;
 - (e) the possible regulatory responses to protect New South Wales gas consumers from adverse market fluctuations and failures;
 - (f) the impact of closures of liquid fuel refineries and storages in New South Wales; and
 - (g) any other related matter.

- (3) That, notwithstanding anything to the contrary in the standing orders, the committee consist of seven members comprising:
 - (a) three Government members;
 - (b) two Opposition members; and
 - (c) two crossbench members, being Mr Borsak and Mr Buckingham.
- (4) That the Chair of the committee be Mr Borsak and the Deputy Chair be Mr Buckingham.
- (5) That, notwithstanding anything to the contrary in the standing orders, at any meeting of the committee, any four members of the committee will constitute a quorum.
- (6) That a committee member who is unable to attend a deliberative meeting in person may participate by electronic communication and may move any motion and be counted for the purpose of any quorum or division, provided that:
 - (a) the Chair is present in the meeting room;
 - (b) all members are able to speak and hear each other at all times; and
 - (c) members may not participate by electronic communication in a meeting to consider a draft report.
- (7) That the committee report by 25 February 2015.

BUSINESS OF THE HOUSE

Formal Business Notices of Motions

Private Members' Business item No. 2110 outside the Order of Precedence objected to as being taken as formal business.

JOINT STANDING COMMITTEE ON THE OFFICE OF THE VALUER GENERAL

Report: Ninth General Meeting with the Valuer General

The Hon. Charlie Lynn tabled report No. 3/55 of the Joint Standing Committee on the Office of the Valuer General, entitled "Report on the Ninth General Meeting with the Valuer General", dated November 2014.

Ordered to be printed on motion by the Hon. Charlie Lynn.

The Hon. CHARLIE LYNN (Parliamentary Secretary) [9.38 a.m.]: I move:

That the House take note of the report.

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

PRIVILEGES COMMITTEE

Extension of Reporting Date

Motion, by leave, by the Hon. Trevor Khan agreed to:

That the reporting date for the Privileges Committee's inquiry into a revised memorandum of understanding with the Independent Commission Against Corruption relating to the execution of search warrants on members' premises be extended to Tuesday 11 November 2014.

BUSINESS OF THE HOUSE

Postponement of Business

Private Members' Business item No. 4 in the Order of Precedence postponed on motion by the Hon. Dr Peter Phelps, on behalf of Reverend the Hon. Fred Nile, and set down as an order of the day for a future day.

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

That this House at its rising today do adjourn until Tuesday 11 November 2014 at 2.30 p.m.

STANDING COMMITTEE ON LAW AND JUSTICE**Report: The Family Response to the Murders in Bowraville**

The Hon. David Clarke, as Chair, tabled the report entitled "The Family Response to the Murders in Bowraville", dated 6 November 2014 together with transcripts of evidence, tabled documents, submissions, correspondence and answers to questions on notice.

Report ordered to be printed on motion by the Hon. David Clarke.

The Hon. DAVID CLARKE (Parliamentary Secretary) [9.43 a.m.]: I move:

That the House take note of the report.

Pursuant to resolution of the House of 5 November 2014, the motion to take note of the report given precedence of all other business on the *Notice Paper* for today only, until adjourned or concluded.

The Hon. DAVID CLARKE: Between September 1990 and January 1991 three Aboriginal children—Colleen Walker-Craig, aged 16; Evelyn Greenup, aged four; and Clinton Speedy-Duroux, aged 16—living in the same street in the small country town of Bowraville were murdered. Despite the great similarity of evidence pertaining to the three murders that pointed to only one person of interest, that person, who was tried separately in respect of two of the murders, was never convicted. Despite the elapsing of 22 years, the similarity of evidence relating to all three murders—all pointing to only one person of interest—has never been considered at the one time by the same court.

After all these years, the murderer of Colleen Walker-Craig, Evelyn Greenup and Clinton Speedy-Duroux is still without a conviction for those murders. A killer whose crimes constitute evil at its very darkest and most depraved is still free. Justice demands that the killer of these three children, whose lives were brutally cut short before they had even really begun, should be brought to account. The terms of reference of this inquiry provide, in essence, that the Standing Committee on Law and Justice inquire into and report on the family response to the murder of these three children and the impact these murders have had on the families and their community.

The committee has completed its inquiry and it has found, first and foremost, that the response of the families is that for 23 years they have been seeking justice for their murdered children and that justice, for whatever reason, has eluded them. The committee found that the impact on the families and their community, which it was also required to report on, of the past 20 years of dashed hopes and expectations has been one of absolute devastation. In simple terms, the key to this elusive justice being obtained is that the hearing of the evidence in all three murders be considered at the same time and in the same court. This will, it is anticipated, then lead directly to the one who is the perpetrator of these terrible crimes. Let there be no doubt that this is the issue that goes to the heart and soul of what this inquiry is really all about.

Whilst the passage of time and events has made the road ahead difficult, the committee has formulated recommendations which, if implemented, will bring the families closer to obtaining justice. First, the committee recommends, in recommendation No. 8, that the New South Wales Government review section 102 of the Crimes (Appeal and Review) Act 2001 to clarify the definition of "adduced". This could lead to a broadening of the scope of the provision enabling a retrial where a change in the law renders evidence admissible at a later date. Secondly, the committee recommends, in recommendation No. 9, that the merits of any new application for a retrial of the Bowraville murders submitted to the New South Wales Director of Public Prosecutions or Attorney General be considered by an independent assessor such as a retired senior judge or senior prosecutor from another jurisdiction.

In addition to these recommendations, relating directly to the issue of justice for the victims and their families and specifically the bringing to justice of the murderer, the committee has made recommendations on other matters within its terms of reference. The committee has put forward recommendations to enhance cultural

and linguistic awareness as it impacts on the Aboriginal community and their experience with our legal system. The committee has recommended policy and procedural improvements to the NSW Police Force and New South Wales legal system—including legal practitioners, parliamentarians and judicial personnel. Hopefully these will help to avoid in the future the misconceptions, the misunderstandings and the failings that have made the experience of the families of these three children and the wider Aboriginal community of our legal system a bad experience for the past 23 years.

Knowing that the trauma arising from the Bowraville murders and the subsequent 23-year roller-coaster ride of emotions and disappointments with the legal system have taken a heavy toll on the Bowraville Aboriginal community, the committee has recommended specific counselling and other assistance that may help to alleviate, to some extent at least, the emotional burden they have been forced to carry these many years. Finally, the committee has recommended government assistance be provided to ensure that local memorials already erected or planned to be erected to the memory of the three Bowraville children are repaired and maintained as a permanent memorial to the three victims so that they will never be forgotten, and nor will the pain felt by the community from those subsequent 23 years in search of justice.

Today we have present in the public gallery of the Legislative Council and in the Macquarie Room, where they are watching a live broadcast of proceedings, members of the families of Colleen Walker-Craig, Evelyn Greenup and Clinton Speedy-Duroux. We warmly welcome them to the Parliament of the people of New South Wales. We offer them our affectionate regards and we give them our heartfelt thanks for their assistance and cooperation during our inquiry. They have all worked closely with our committee and we fully understand that it has been an emotionally difficult and melancholy ordeal for them as they have recounted those terrible events of 23 years ago and their draining and demoralising experience with the legal system and with subsequent events.

They have been unfulfilling years, with the feeling that justice has passed them by. I want them to know that it has also been an emotional experience for committee members as the inquiry has progressed. When we think of their loss—the loss of Colleen, Clinton and little Evelyn—we cannot help but think of our own children and grandchildren. We know that, above all, they want justice. They are entitled to that justice. Please believe me when I say that we have done whatever we can, within the parameters in which we must work, to move this issue forward toward achieving that justice.

The committee expresses its condolences and sense of grief on the passing—only a few weeks ago—of Miss Elaine Walker, affectionately known in the Bowraville community as "Aunty Elaine". In her eloquent, dignified and gentle way, she gave great assistance to our inquiry. We wish she could have been here today. We also have with us, in the public gallery and in the Macquarie Room, members of the wider Aboriginal community who have travelled the road to justice together with the families. They have helped to sustain this cause and for that we thank them.

Others are here today who, over the years, have stood with the Bowraville community and the families of Colleen, Clinton and Evelyn. They have given of their time and expertise in abundance as again and again the hopes of the Bowraville community for justice were raised and then dashed by the roller-coaster of events. I mention distinguished academic Professor Larissa Behrendt and Alexandra Mason, a lawyer assisted by Allens law firm, who together have provided legal advice and guidance for the three Bowraville families. They did not do it for money because there was none to be had; they did it because it was the right thing to do.

Mr Barry Toohey is a mental health clinician in Bowraville who has stood by the community since 2007. He has seen the devastating emotional toll on the community as it has continued the fight for justice and he has been a great comfort to the people of that community. Detective Superintendent Michael Willing is another outstanding individual who is in solidarity with the community. His ongoing oversight of the continuing police investigation of the three murders is a credit to him and to the NSW Police Force.

Also present today is Detective Inspector Gary Jubelin, who appeared as a witness before the committee and briefed it in detail on the whole Bowraville saga. Since 1996 he has, with dedication, been immersed in this case and has been a pillar of strength for the Bowraville community. The committee has seen the way in which the Bowraville community respect and uphold him. He has retained an undiminished conviction that, at the end of the day, justice must and will be done. He is a police officer in whom the NSW Police Force can take great pride—a man of heroic virtue and one cast in a hero's mould. All these good and decent people have made a deep impression on our committee. We thank them for their assistance and for standing by the families of Colleen, Evelyn and Clinton and the entire Bowraville Aboriginal community. We are glad that they are present today in support of justice.

This inquiry was conceived and formally moved in this House by Mr David Shoebridge. For a long time he has laboured to assist the families of these three murdered children. For a long time he has stood together with them in their pursuit of justice. Today I honour him for taking up their righteous cause with determination and perseverance, driven by a spirit of what is right. When he first raised this matter with me, I had doubts as to whether anything positive could be achieved. I felt that events may have gone beyond the point of no return. Having been part of this inquiry, I now understand how right he was to pursue it. In seeking justice, a point should never be reached where defeat is conceded.

I record my thanks to the Government of New South Wales for supporting the inquiry and also for the support of the Opposition and members on the crossbenches. It gives strength to the purpose of this inquiry that the motion to establish it was passed by this House unanimously. It gives further strength to our report that the 15 recommendations contained within it were unanimously supported by committee members. I thank the committee members—deputy chair the Hon. Peter Primrose, Mr Scot MacDonald, the Hon. Sarah Mitchell, the Hon. Shaoquett Moselmane and Mr David Shoebridge. I also thank the Hon. Catherine Cusack who, whilst not a member of the Standing Committee on Law and Justice, was co-opted onto it for the purposes of this inquiry because of her longstanding public advocacy of justice for the Bowraville community. The committee has worked collaboratively and with a unity of purpose. Its members have all given their very best.

Special thanks go also to Teresa McMichael, Jenelle Moore, Christine Nguyen and Angeline Chung of the committee's secretariat. Through their legal knowledge, research, organisational skills and overall professionalism, they have been of enormous assistance during our inquiry and I want them to know that our committee values them highly. They have been on this journey, as much as the committee itself, in support of the Bowraville community. The committee's report will now go to the Government for its consideration and response. We hope that it will agree with our recommendations and that they will be implemented expeditiously. We believe that their implementation will bring justice closer for Colleen, Evelyn and Clinton and their families and the Bowraville Aboriginal community—justice that has eluded them for so long.

We pay our respects to the memory of those three children murdered 23 years ago, to their families, to the Bowraville Aboriginal community and to the wider Aboriginal community. We pay our respects also to those who have stood with them and supported them through the years. Finally, our committee now does what it does in its report: It formally acknowledges the pain and suffering experienced by the families of the three children over the past 23 years; pain and suffering that have been significantly and unnecessarily contributed to by the failings identified in this report. We now ask that justice be done and, in furtherance of that worthy aim, I commend this report to the House.

Mr DAVID SHOEBRIDGE [9.57 a.m.]: I acknowledge that today we are meeting on the land of the Gadigal people. I pay my respects to the elders past and present of the land on which we are meeting today, the good Bunya people at Bowraville and all Aboriginal elders across the State. I acknowledge the work of and the words spoken by the Hon. David Clarke, Chair of the Standing Committee on Law and Justice, and I commend every word. I commend the committee's report to the House and to the Government, and I commend its recommendations to the people of New South Wales.

It is an enormous privilege to be in the House today and to share this occasion with the family members of the children who were so tragically murdered in Bowraville. It is a privilege also to have in the public gallery the people of the Bowraville community, together with their strong supporters. After 24 years they will finally know that they have been listened to. What was apparent to me when I first sought to have this committee of inquiry was that they had been ignored and treated as second-class citizens. When we heard the private evidence from the families at the Bowraville hearings it became apparent that the loss of their three children was not valued by the police, the courts and the Parliament in the same way that the loss of any other children in this State would have been valued.

As a parliamentarian I have been through some emotional times but I still remember the raw emotion that was evident at the end of each family's evidence during the private hearings in Macksville. As a general rule the Hon. David Clarke, as Chair of the Standing Committee on Law and Justice, is not an emotional man. However, I remember him hugging family members and I witnessed the tears that genuinely flowed in the course of those private hearings. It was powerful stuff because there had been 2½ decades of injustice. I would like to acknowledge so many people.

I acknowledge the work done by the aunts, the uncles, the parents, the brothers, the sisters, the nephews, and the Bowraville and Tenterfield communities. They have never said no and they have always demanded justice. I remember the cry I heard at the front of Parliament House. It is probably unparliamentary to repeat all of it, but it was, "What do we want? Justice. What have we got? 'Unparliamentary' all." That was true.

I will identify one woman who has been instrumental in helping me to understand the community's needs and concerns and also in bringing together the family members, working with the secretariat and ensuring we got the best and broadest evidence we could. I acknowledge Leonie Duroux, who is in the public gallery, and commend her for the work she did. It is a great tragedy that Aunty Elaine Walker is not here today. Her passing and the sorry business that followed is one of the reasons for the delay in tabling the report. When I have talked to community members about that they have said, "Don't worry, she is here in spirit." I think she is.

I have a list of people to acknowledge, and inevitably it does not include everyone who must be mentioned. Gary Jubelin is one of the finest members of the NSW Police Force. More than a decade ago he went back into the community to rebuild trust. There was no trust between the community and the police, and for good reason. The police utterly failed the family and the community. I will provide one example that became apparent from the evidence gathered by the committee.

When four-year-old Evelyn, who was shoeless, went missing the family looked for her all day. Her mother and her aunty went to the police station at about 4.00 p.m. or 5.00 p.m. to report her disappearance, but the police would not take a statement from them. When the women showed the police a photograph of her, they questioned whether she was a member of the family because she looked whiter than them. They knew their daughter and niece. When the family asked that an investigation be carried out they were told that she had probably gone walkabout. Can members imagine what would have happened if a four-year-old girl from any other community had gone missing? The report would not have been dismissed by the police.

The initial police investigations did not focus on the possibility of murders having been committed. The focus was on perceived parenting failures and child welfare issues. A serial murderer was on the loose and that initial fundamental failure to countenance that a murder might have occurred made the task faced by Gary Jubelin and others immeasurably more difficult. Nevertheless, Gary stepped over that and he went into the community and rebuilt trust between the community and the NSW Police Force. He did that very slowly and with cultural awareness, and I believe that awareness grew as the investigation progressed. I commend him and his team. What they learnt about undertaking an investigation involving an Aboriginal community and how to get the evidence required must be captured and shared at the police academy. All police officers should be taught those skills. The committee's unanimous report contains 15 recommendations, and every one of them is important. I agree with the chair that two of the recommendations are central—recommendations 8 and 9. Recommendation 8 states:

That the NSW Government review section 102 of the Crimes (Appeal and Review) Act 2001 to clarify the definition of "adduced", and in doing so consider:

- the legal or other ramifications of defining adduced as "admitted", particularly on the finality of prosecutions
- the matters considered by the English courts under the equivalent UK legislation
- the merit of replacing section 102 of the Crimes (Appeal and Review) Act 2001 with the provisions in section 461 of the Criminal Appeals Act 2004 (WA), and
- the merit of expressly broadening the scope of the provision to enable a retrial where a change in the law renders evidence admissible at a later date.

The report of this review should be tabled in the NSW Legislative Council as soon as practicable.

That is a lot of legal talk, but essentially it says that if there is a roadblock to having these three murders tried together because of some abstruse definition of the meaning of "adduced" in the double jeopardy laws, let us get rid of it. Let us tidy up the legislation to allow these three murders to be tried at once and to allow evidence that was not admissible in the first trial to be admissible in a later trial. It is crucial if the families are to get justice that the three murders be dealt with together. The comparator that has been used repeatedly is the Milat case. If that murderer had been tried separately for each individual murder there likely would not have been a conviction. It was the cumulative evidence and the similarities between the murders that led to the compelling prosecution case. It is exactly the same in the Bowraville case. Implementation of that recommendation is essential. The other important recommendation that should be noted is recommendation 9, which states:

That the NSW Government ensure that, should any new application for a retrial of the Bowraville murders be submitted to the NSW Director of Public Prosecutions or Attorney General, the merits of the application be considered by an independent assessor, such as a retired senior judge or senior prosecutor from another jurisdiction.

That sense of a genuinely independent review of any fresh application, given what has happened to the two prior applications—one was rejected by a former Labor Attorney General and one by a former Liberal Attorney

General—is essential if the families are to feel that justice has been delivered. I commend also the work of Professor Dianna Eades, who gave members a fundamental knowledge of how to understand Aboriginal witnesses and how best to communicate with them. That knowledge must be taken on board and learnt by our courts system, our criminal justice system and our police.

If there was one thing that was apparent it was that Aboriginal witnesses do not get a fair shake in the New South Wales criminal justice system. Things like gratuitous concurrence and the cultural response to silence are not understood by our criminal justice system. That learning must be captured at the outset of legal and police training in this State. I am often critical of the way this House operates, but it was a privilege to work on this committee. The members—Scot, Sarah, Peter, Shaoquett, David and Catherine—put politics aside and I thank them for that.

The Hon. DUNCAN GAY (Minister for Roads and Freight, Minister for the North Coast, and Vice-President of the Executive Council) [10.07 a.m.]: I speak in two capacities: first, as Leader of the Government in the Legislative Council; and, secondly and more importantly, as the father of the House. I have served this Parliament for more than 26 years. I was not a member of the committee, but a buzz went around Parliament House about what it was doing. It is a tribute to the people of Bowraville that they were prepared to share their sad experience with this disparate committee. One would not find a more varied committee membership in this Parliament. On any given day, the members would normally be at each other's throats politically. However, with their story, their feelings and their tragedy, the community of Bowraville helped the members do what I think is the best work done by a committee that I have seen in 26 years.

I was involved in some of the early work on accessing information on adoption, and for those involved that committee's work was outstanding. The presence of community members in the gallery today further reinforces to members the effect the tragedy in that community has had on our committee. I personally pay tribute not only to the community but also to the chair, the Hon. David Clarke, the Hon. Peter Primrose, the Hon. Catherine Cusack, Mr Scot McDonald, the Hon. Sarah Mitchell, the Hon. Shaoquett Moselmane and Mr David Shoebridge. It is not every day that I praise Mr Shoebridge. Some days we exchange pleasantries across the Chamber in strange and wonderful ways. I also thank the secretariat—Teresa, Janelle, Christine and Angeline—for the work they did. As members of Parliament know, a good committee works with good secretariat staff.

In conclusion, I offer my sincere condolences to the families of Colleen Walker-Craig, Evelyn Greenup and Clinton Speedy-Duroux. No family should have to go through the pain that these families and this community have suffered. I commend them for their grace and resilience in the face of the tragedies they have endured and in trying to obtain justice.

The Hon. SHAOQUETT MOSELMANE [10.10 a.m.]: I echo the kind words of the Leader of the Government, and Minister for Roads and Freight, and those of Mr David Shoebridge, who in his heart, soul and mind has been deeply committed to this issue. I acknowledge the good work of the Hon. David Clarke as Chair of the Standing Committee on Law and Justice. I thank the committee members for their support of the community. I will make a brief contribution to the debate on the Standing Committee on Law and Justice report entitled, "The family response to murders in Bowraville".

I acknowledge the traditional owners of the land, the Gadigal people of the Eora nation, and pay my respects to their elders past and present. I acknowledge in the public gallery and in the President's gallery the families of the deceased, Colleen Walker-Craig, Evelyn Greenup and Clinton Speedy-Duroux, and other members of the Bowraville community, as well as Detective Inspector Jubelin and his team, Detective Superintendent Michael Willing, Professor Diana Eades, social worker Barry Toohey, staff of the Jumbunna Indigenous House of Learning, Alex Mason from law firm Allens Arthur Robinson and many others. The children and grandchildren of Aunty Elaine also have joined us today. I acknowledge Aunty Elaine's contribution and her warm welcome to country and I express my condolences to her family on her recent passing.

The Standing Committee on Law and Justice was asked to inquire into and report on the family response to the murders in Bowraville and to give the families an opportunity to detail the impact of the murders of their children on them and their community. To me, it was a curious approach to an inquiry. What would be the families' response? What would this inquiry entail? What were we expected to recommend? What was the committee expected to produce? This matter had come before the courts a number of times and it had been referred to a number of State Attorneys, all to no avail. What would be the families' responses to the murder of

their three children when they had already made their cases ad nauseam? Was this inquiry intended as just a show? Was it to give the appearance that the Government is listening and to send a message that we would produce a report, which in the end would be shelved? This Government and the committee in particular were not going to have a bar of that.

The committee wanted an outcome and, while it was under no illusions, wanted the Government and the entire Parliament to act to bring justice. We wanted to flesh out the issues and make recommendations that would produce an outcome. Little did we know that the families, curious and doubtful at first, would open up and tell us more than we had hoped for. I attribute this to their decency but also to the genuineness with which we as committee members and staff approached this matter—in particular the chair, the Hon. David Clarke, who, like all of us, wanted an outcome.

The families gave us a snapshot of their suffering. They captured a moment in time of Aboriginal history, a history of a people who had endured untold suffering and injustice inflicted upon them as a people. They told us how they were treated by all levels of authority: they were merely black people; they were irrelevant to white society. The search for and trial of the murderer of their children was a whitewash. It would not have been botched had those children been white. Discrimination, racism and disrespect shamelessly ran rampant.

I was aware that their response would be to tell of their suffering and of their need to address an injustice that they had suffered for 23 years and will continue to suffer until justice is done, but they told us more. What they told us was heart-wrenching but, as Martin Luther King Jr would say, they transformed the suffering into a creative force. They transformed their suffering into a force for change, a force for answers and a force for recognition of their plight as a people. Their presence at the inquiry told us a lot about their tenacity, perseverance and strength of will never to give up no matter what the hurdles were. It told us a lot about their determination and resolve to find answers to this lingering case of injustice.

This was not a case of simple injustice between contracting parties, a violation of a right between competing citizens or an unfair action by one party on another party. This was a human issue, a human case. It was a matter of natural justice for the lives of children who had been murdered. These innocent lives were cut short by a murderer, who has been on the loose for 23 years and counting. These murders have left a large imprint on the hearts and minds of every member of the Bowraville community. The system has and continues to fail the deceased and their families.

I understand their suffering and the hurt they continue to feel. I feel it and I know it has been overwhelming. We think that time will heal but never will it heal the deep feeling of loss of the life of a loved child, particularly a life cut short by a malicious murderer who continues to live his life without any justice for the deceased. A few months after my parents and my siblings and I arrived in Australia in 1977, my second youngest brother, while crossing a road, was hit by a car and killed. He was only seven. Thirty-eight years later, not one day or one month or one year passes without my parents experiencing a deep sense of grief for the loss of their loved child.

What happened in Bowraville is a tragedy. I hope the Government heeds the calls of the community, as reflected in the recommendations in this report. We want justice and a change in the way society treats Aboriginal people. When a child goes missing there should be an outcry and every resource should be mustered to search for the missing person, whether the person is black or white. We must leave no stone unturned and no resource sitting idle. Mainstream media, police and social services must immediately click into gear.

Is it any wonder that Aboriginal Australians express a deep sense of frustration when one of their children goes missing and there is barely a whisper, or when one of their elderly people goes missing and it does not rate a mention? Whether a person is black or white should not determine the manner of a police investigation, contemporary or retrospective. Resources should be used equally in all missing person investigations. Resources must be assembled irrespective of the missing person's race, colour, creed or religion. I ask the Government and all members to heed the cry of heavy bleeding hearts and the blood of these children and to seek justice in order to heal the wounds.

The Hon. SARAH MITCHELL [10.19 a.m.]: This is an important day for the families of the children and all those present in the President's and public galleries, for the wider communities of Bowraville, Sawtell and Tenterfield, for the members of the Standing Committee on Law and Justice, for the Parliament and for the people of New South Wales. I am very honoured to be a part of it.

As members are aware, the committee was given the task to inquire into and report on the family responses to the murders in Bowraville of Colleen Walker-Craig, Evelyn Greenup and Clinton Speedy-Duroux and, in particular, to give the families the opportunity to appear before the committee and detail the impact the murders of these children have had on them and their community. Of all of the committee inquiries I have participated in since becoming a member of this place, this inquiry has had the most effect on me. I have found the whole process to be very moving and in many ways life changing.

By way of background for members of this place who are not familiar with the cases, on 13 September 1990 Colleen Walker, aged 16, disappeared. She was last seen alive walking away from a group of people following a party on the outskirts of Bowraville. On 3 October 1990 Evelyn Greenup, aged four, disappeared following a party at her grandmother's house, where she lived with her grandmother, mother and two siblings. Evelyn was last seen asleep in a room with her mother and siblings and when her mother awoke the next day Evelyn was gone. Several months later, on 31 January 1991, Clinton Speedy-Duroux, aged 16, went missing following another party in the area.

On 4 February 1991 a local man was interviewed by detectives in relation to Clinton's disappearance and was identified as a person of interest. In February 1991 the remains of Clinton Speedy-Duroux were found, and in April that year a person of interest was charged with Clinton's murder. That same month the clothing worn by Colleen Walker-Craig when she disappeared was found; however, her body has never been found. At the end of April 1991 the skeletal remains of Evelyn Greenup were found. The person of interest was charged with her murder also. A series of legal proceedings followed over the next 20 years: coronial inquests, prosecutions, the forming of a strike force to reinvestigate the three murders and changes to the double jeopardy laws in New South Wales. However, to date—some 24 years since the first victim, Colleen Walker-Craig, disappeared—there has been a failure to secure a conviction for the murders of the three children

I am almost embarrassed to admit this but before the committee was formed and I was given a position on this inquiry I did not know much about Colleen, Evelyn or Clinton. The phrase "the Bowraville murders" raised a brief recollection of an old media report or newspaper article, but that was about it. When the committee first visited Bowraville and had a briefing from Detective Inspector Gary Jubelin from the NSW Police Force, who is with us today, and then an informal meeting with some of the family members of the three children, it was a very powerful and in some ways overwhelming experience for me. We learnt a lot that day about Colleen, Evelyn and Clinton, not only about the circumstances surrounding their murders and the subsequent legal proceedings but also who they were as people.

We learnt that Colleen was vibrant and had dreams of being a preschool teacher. We learnt that Evelyn was very shy and always wanted to be with her siblings and that she had beautiful blue eyes and Shirley Temple curls. We learnt that Clinton had the nickname Bubby and could dance probably even better than Michael Jackson. Most of all we learnt just how loved those three children were by their families and how the pain of the loss and losing them in such tragic circumstances still remains for all the families to this day.

On the day of our first visit to Bowraville and our first meeting with the families, later, whilst driving home, I became very emotional and started sobbing. I cried for Colleen, Evelyn and Clinton and for all their families and friends because in this case there seemed to be no justice. Detective Inspector Jubelin had made it very clear to us that the police knew who was responsible for the murders of those children and that that person had not been convicted of the crimes. It became clear to me at that point that this inquiry was extremely important. We needed to ensure that as a committee we gave the families every opportunity to have their say and that our report must reflect the wishes of these families, who had been through so much and deserved to be listened to.

Before I speak in more detail about the recommendations in the report, I want to acknowledge a few people and offer some thanks. First, and most importantly, I thank the families of the three children. I will not mention any names because I am terrified that I will leave someone out, but I want to place on the record how much admiration I have for all of them. Every family member who met with us, many of whom met with us on several occasions, welcomed the committee members into their lives and spoke with us honestly and openly about what had happened and how it had impacted on them.

I cannot even begin to imagine how difficult it was for them to do that and how emotional this whole process has been for them. From the bottom of my heart I sincerely thank all of them. The only person that I want specifically to mention is Auntie Elaine Walker, who performed the welcome to country for us on both occasions we visited Bowraville. Like the other committee members, I was shocked and saddened to hear of her passing just a few weeks ago and my thoughts are with her loved ones at this time.

I acknowledge the wider communities of Bowraville, Sawtell and Tenterfield, who also still mourn the loss of these three children, and especially the residents who gave evidence to the committee during our public hearing in Macksville. I especially mention Detective Inspector Gary Jubelin and his colleagues in the NSW Police Force. Detective Inspector Jubelin was very gracious in giving not only his time but also his experiences and relevant information to the committee, which were invaluable to us during our deliberations. I thank also the committee staff, who worked tirelessly on this inquiry.

I turn now to the detail of the report. As other committee members have stated, there are 15 recommendations, all of which I support wholeheartedly. Recommendations 1 to 7 deal with issues relating to Aboriginal cultural awareness and the fact that many policies in a variety of New South Wales departments need to be reviewed and changed. That is stated in recommendations 1, 2 and 7. It was very clear during the inquiry that the families feel very strongly that their Aboriginality was a factor in the investigations from the very beginning, and that was acknowledged by Gary Jubelin. It is my belief that these recommendations will go some way towards improving cultural awareness in New South Wales, which is long overdue.

Recommendations 8 and 9 address some of the legal frustrations of this case. As other members have said, in many ways these are the most important recommendations of our inquiry. The passing of the laws relating to changes to the double jeopardy defence occurred in this Parliament with specific reference to the Bowraville cases, yet the desired outcome has not been reached. The term "adduced" needs to be more clearly defined. Most importantly, these cases need independent assessment. The overwhelming evidence we received from the families was that they do not believe that every legal avenue has been exhausted and they want at least the chance to have all three cases heard in court. I am not a lawyer but I feel very strongly that every possible opportunity for justice should be given to these families, as that is what they deserve.

Recommendations 10 to 15 are community recommendations that the committee hopes may go some way towards addressing the aftermath of these horrific murders and the very real difficulties the community has faced over the past two decades. I especially endorse recommendation 15, which would give the families a more public and permanent acknowledgement of the children and their loss, particularly for Colleen's family, given that her body has never been found. In my view, this is a situation where a combination of factors over the past two decades has contributed to the tragic nature of these cases. There is not one police officer, not one legal representative and no specific court proceeding to which one can attribute the sole blame.

It is my view that these families are victims of a system where, for many reasons along the way, justice was not achieved. I do not believe there is anything to gain in focusing on the things that went wrong with these cases. This is the time, through the tabling of this report, for us as a Parliament to take the opportunity to make things right. In conclusion, I believe that this is an excellent report and I hope that all the recommendations are given serious consideration by the Government. More than that, I hope that the tabling of this report and the interest in this matter today spreads to the wider community so that more people become aware of the Bowraville murders and the fact that a serial killer is still walking free. The names Colleen Walker-Craig, Evelyn Greenup and Clinton Speedy-Duroux should be household names in this State. None of us should ever stop fighting for justice in their names.

Mr SCOT MacDONALD [10.28 a.m.]: I pay my respects to the Gumbaynggirr people and their elders present and past, to Auntie Elaine, who was a dignified leader in the community, and to the families and friends of Colleen, Evelyn and Clinton. This inquiry into the unlawful deaths of one child and two young adults in the early 1990s in Bowraville was an examination of the flaws in our law and justice system and our failure to understand and appreciate the Aboriginal communities in our midst. The committee's report contains 15 important recommendations, which include the maintenance of health services in Bowraville, the giving of due recognition to Colleen Walker-Craig, Evelyn Greenup and Clinton Speedy-Duroux with suitable memorials, the improvement of the skills of police and other officers within the justice system, and the clarification of the definition of "adduced" in section 102 of the Crimes (Appeal and Review) Act 2001. I trust the Government will give serious and speedy consideration to all the recommendations.

No matter what the future holds, I retain two strong impressions from the inquiry. The first is the sense of grief that has hardly moderated over the past 23 years. Secondly, the crimes happened in conditions where Aboriginal communities did not appear to have the same commitment from our police services and the justice system did not have the same vigour as other citizens might expect. In Shakespeare's play *King John* Lady Constance cries, "Grief fills the room of my absent child." She says of her lost son, "My life, my joy and my food, my all the world." And so it is too with the families and the community of Bowraville. Grief fills the township and the lives of the relatives of Colleen, Evelyn and Clinton. It will not end with this inquiry or any subsequent developments in the legislative or judicial process.

In my view that grief is compounded and hardened by the hesitancy, mistakes and indifference of too many in positions of authority. Some of it may have been unintentional. We now see clear signs of a strong will by a number of police to make amends. But the facts show that the initial investigations and judicial response were wanting. It is impossible to escape the conclusion that if these crimes happened on the North Shore of Sydney the response would have been very different. This may be remedied to some extent by the acknowledgement of the family's pain and suffering, the endeavours of the Standing Committee on Law and Justice and the response by the Government, but I have no doubt that the absent children will be grieved for many days and nights.

However, systemic alienation of the Aboriginal communities in New South Wales remains a significant hurdle. It was a barrier to an effective response from the Police Force in those early days, and arguably it led to a flawed strategy from the prosecutors. The dismissive reaction from law enforcement personnel when the children went missing was unforgivable; it was shoddy and unprofessional. It was a major contributor to subsequent tragedies and unfulfilled justice. If this inquiry makes a difference, that means the future of law enforcement in this State ensures the same standard of protection and response in the event of an incident for every person, for every community, irrespective of background or geography. Never again must there be the reality or even the perception of some in our society being second-class citizens with inferior rights.

The inquiry was not charged with a brief to make recommendations about prosecutions. Given the separation of powers, that is not appropriate for a Legislative Council committee. Nevertheless, I believe the report we have produced clearly outlines the issues and gives a road map for the Government to facilitate a change to retrial provisions in the Crimes (Appeal and Review) Act. The presumption of innocence is crucial for our society, as is the principle of not vexatiously prosecuting a citizen. But the double jeopardy changes made in 2009 have not opened the floodgates to retrials. I do not think the clarifying amendments that we have asked the Government to consider will risk running unwarranted charges or rebalancing rights under the law.

By any standard, the families of Colleen, Evelyn and Clinton are entitled to an apology. The Government will consider the committee's report and respond. However, I place on record my sincere regret for the failures of our law and justice system and the deep hurt felt by the families and friends of the Bowraville victims. Finally, I acknowledge the advocacies of family members in their quest for justice. For precious little thanks, they have taken on the system. They eventually extracted a more diligent response from the police. They took on the State's Attorneys General. Against the odds, they changed the Crimes Act. They brought political pressure to bear on this Legislative Council inquiry. Their deeds, not words, are the real evidence of love and loyalty. We can only hope their reward of justice for Colleen, Evelyn and Clinton remains a real possibility.

I record the work of committee member Mr David Shoebridge, MLC, who was the catalyst for this inquiry. It was not a popular proposal at the start, but he overcame the doubts and obstacles, and for that he should be recognised. The committee chair, the Hon. David Clarke, should be acknowledged for steering the inquiry through very difficult territory. He has left his mark on Bowraville, especially at the meeting we held at the township's old Aboriginal medical centre. Thank you to my fellow committee members for their commitment and strength to see this work done. Our endeavours would not have been anywhere near as effective without the tireless work of the committee staff. Thank you to all the people who took the time to make submissions and assist our site visits and hearings. I am pleased to have been part of a consensus report, and that should add weight to the recommendations from the Standing Committee on Law and Justice. I join committee members, the families and the Bowraville community in calling on the Government to hasten thoughtfully. I commend the report to the House.

The Hon. CATHERINE CUSACK (Parliamentary Secretary) [10.34 a.m.]: On Wednesday 12 September 1990 a bright, popular 16-year-old girl from Sawtell kissed her mother goodbye; she was going to a party in Bowraville 50 kilometres away. Colleen Walker-Craig loved children, and as the second eldest in her family she was a great help with her young siblings, especially her little brother, who was wheelchair-bound. She wanted to be a preschool teacher and had completed work experience and a certificate to start this journey. Colleen's mother told our inquiry:

I remember when I met you up in Bowraville David you mentioned that your daughter kissed you goodbye, and that is exactly what Colleen did that Wednesday. Never in my wildest dreams did I think that would be the last day I would see her. These are my children with me and she is a piece of all of us. We are never going to be complete because we don't know where she is or what happened to her—well, we have got an idea of what happened to her. It is hard for all of us.

Colleen disappeared in Bowraville overnight. Seven months later items of her clothing, weighed down by rocks, were found by fishermen in the Nambucca River. By that time the remains of 16-year-old Clinton

Speedy-Duroux of Tenterfield had been found. The discovery of Colleen's clothes sparked a huge search of surrounding bushland. The third missing child, four-year-old Evelyn Greenup, was found on 27 April 1991. Colleen's sister told our inquiry:

We will not stop looking for her.

Her mother explained:

It might sound funny to you but sometimes, honest to you, I really believe she has tried to tell us where she is in our dreams ... Within the past five years, for some reason, when I wake up I cannot remember what she tells me the night before. I try to because in the early days she used to tell me where to go and that and I have been to those places. I have found the places. Even my children, she comes daydreaming. It might be a little bit of hope that we cling onto but it is our hope, you know, that she might be there. We still do it today. The last time we done it would have been in January this year ... It has been 23 years, 24 this year but we will never give up hope of finding her. We just might come across her.

Our inquiry recommends that a memorial to Colleen Walker-Craig be established in Sawtell. Her family has told us of a special place near the beach that she loved to visit. And while it cannot heal their grief or end their search, it will give her family an opportunity to hold a ceremony and have a place dedicated to her memory, somewhere special, for them to go. I thank all of Colleen's family members who spoke for her during our inquiry.

The evidence we received from the families brought the children to life. Their stories are devastating, their burdens overwhelmed us, their dignity and determination astonished and humbled us. Their grief was fresh and utterly heartbreaking. As our report shows, a perfect storm of mistakes—some through prejudice, others well meaning—have combined to deny these families justice and closure. Because the crimes against them are so terrible and the legal complexities have compounded and raced like a virus, infecting the evidence against the alleged offender, many people have become afraid of facing the issues, frightened by the scale of the injustice and disempowered by an impervious system.

But one small team of people led by Detective Inspector Gary Jubelin has had the courage to face the families and work with them to press their case. I acknowledge former commissioner, Peter Ryan, who travelled to Bowraville with Clive Small and listened first-hand to the stories and established this cold case inquiry. We would not be here without that happening. The families spoke of Gary as an icon in their struggle for justice. Having been treated so poorly by the police when they attempted to report their children missing, and having been hindered by mistakes in the initial investigation, one might wonder whether these families blamed, or even hated, the police. This is most assuredly not the case.

Their attitude is overwhelmingly one of sadness, not anger, about what has happened. They want the police to succeed in solving the crimes against their loved ones. Gary Jubelin's passionate speech on their behalf, recorded in the *Hansard* accompanying this report, was an extraordinary moment of emotional unity between the families and this outstanding officer. Together with the families' evidence, which I beg every member of the House to read, the Bowraville experience was transformative for everyone in the room at Nambucca Council.

Well, a year has passed since 26 November 2013 when the inquiry was established. We have visited Bowraville three times, visited the steamy forest with family members where Clinton and Evelyn were discovered, we have stood on the banks of the mighty Nambucca River where Colleen's clothes were found, and we have shed tears—and the Hon. David Clarke was right; every one of us cried—with those left behind as their stories of these beautiful children brought them to life for our committee and allowed us to glimpse the magnitude of their love and loss.

Clinton Speedy-Duroux was from Tenterfield. His father, Thomas Duroux, and family members Ronella Jerome, Helen Duroux, June Speedy, Troy Duroux and Leonie Duroux spoke for him at our hearing. Ronella was asked how he got the nickname "Bubby". She told us, "He was always followed by kids. One of my main memories of Bubby, when he was a little boy he always had a trail of kids behind him, and if he was not pushing the pram, he was finding a kid to go and play with. He always had kids with him. He was like the Pied Piper to the rats but he was the Pied Paper to the kids. He was just a wonderful, beautiful boy, well-respected, well-loved and liked by everybody." Troy Duroux remembers his brother playing footy and dancing. He said:

But when he got taken away it felt like it was just a dream and I did not want him to be gone. It was hard because I did not want to believe it. I still have dreams where I see him standing next to me. Maybe one day I will when I get up there.

Leonie Duroux, who has been such a key force in maintaining the campaign for justice, was married to Clinton's brother Marbuck who has also passed away. She told our inquiry that Clinton's mother, June Speedy, has not spoken about Clinton's loss in 23 years. And yet she honoured us by sharing her story at our inquiry. She said:

At my house I have a photo of Clinton and Marbuck. When I walk from the kitchen to the bathroom I walk past them. I give them a wave and say, "Hello my sweetie pies. How are you going?" It is just like they are saying, "Good, Mum."

Evelyn Greenup's mother, Rebecca Stadhams, Penny Stadhams, Lesley Stadhams, Patricia Stadhams and Michelle Jarrett also spoke to our inquiry. Rebecca described Evelyn:

She was a pretty little girl. She was shy, sweet, gentle, smiling all the time. She had two little cousins she always played with. She played with her brothers a lot and they were always together. She always stood by my side and that. I would always take her to visit her aunties and everything. She was just a sweet, little gentle girl.

We were then given a terrible glimpse of the situation her mother has been left with after 24 years without answers and without justice. Her Aunty Leslie spoke of Rebecca's suffering and said:

I was worrying about her trying to hurt herself because it was like she really blamed herself.

Ms Rebecca Stadhams said:

Yes, I did. I blamed myself a lot for it. I felt so terrible because she disappeared and she was with me and everything. As a mother I blamed myself because I should have looked after her better.

I want to say to every family member of children lost in Bowraville that you are all without blame, you could not have known the evil that walked amongst you and my heart breaks at your suffering. I have been deeply moved and humbled by your dignified determination, the manner in which you support your children. I too pay tribute to Aunty Elaine who stood with me behind the mission and she pointed out the dry gully that used to be a pristine creek where she once swam after a hot dusty day at school. She pointed across the valley where Aboriginal families camped and lived until the council needed the land for a golf course and the Aboriginal population was cleared out of the way.

We returned to the committee and Aunty Elaine welcomed us to country. I felt ashamed by the generosity with which we were received. I say to the families that you are not alone on this journey. It is not just us, it is the people of New South Wales overwhelmingly who share your thirst for justice and we are dismayed by your predicament. We have pledged to do all in our power to help. This report is for you. Unfortunately, it is another chapter; it is not the end. But I hope it pushes us closer to a just end. It has been a privilege to meet you. I hope we have not let you down.

The Hon. ROBERT BROWN [10.44 a.m.]: Neither the Hon. Robert Borsak nor I were involved in this inquiry, but I chair inquiries and I know how difficult it is to get bipartisan support for a report. The chair of this committee told me that there were no dissenting reports. That tells us that all members of this House agree that the recommendations contained in the report are sound and that the Government should adopt them, and adopt them quickly. Recommendation 8 states:

That the NSW Government review section 102 of the *Crimes (Appeal and Review) Act 2001* to clarify the definition of "adduced", and in doing so consider:

- the legal or other ramifications of defining adduced as "admitted", particularly on the finality of prosecutions
- the matters considered by the English courts under the equivalent UK legislation
- the merit of replacing section 102 of the *Crimes (Appeal and Review) Act 2001* with the provisions in section 461 of the *Criminal Appeals Act 2004* (WA), and
- the merit of expressly broadening the scope of the provision to enable a retrial where a change in the law renders evidence admissible at a later date.

The report of this review should be tabled in the NSW Legislative Council as soon as practicable.

I have conferred with Mr David Shoebridge, who is a legal expert and who believes that would not be too hard to do. The test now comes to the Government.

Mr David Shoebridge: Well, Robert—

The Hon. ROBERT BROWN: Legislatively. There may be problems with senior bureaucrats who do not want to change things but as the elected members of Parliament we decide what is to be done, not the bureaucrats. I say to the family and to the communities that have strived nearly a quarter of century for justice that I am proud of them. They stuck to the trail and if we can help you in the next week or in the reserve week we will. I challenge both Houses of Parliament. Family members have held to the trail for 25 years so let us introduce legislation in the next two weeks. Not all members of Parliament would need to attend because not one member of Parliament disagrees with these recommendations. They should be acted upon. We would just need a minimum quorum—the Hon. Robert Borsak and I will stay.

The Hon. Lynda Voltz: I'll come.

The Hon. Peter Primrose: I will be here.

The Hon. ROBERT BROWN: I challenge the Government and say to the Premier and the Attorney General that they can make it happen. All members will cooperate with them. I do not expect all the recommendations will be implemented as some will take time. In relation to recommendation 8, let us slip the leashes on the police and let them get back on the trail of that insane cur and run that dog to ground. It is an excellent report. I commend the report to the House.

The Hon. MICHAEL GALLACHER [10.47 a.m.]: This is the first time I have had a chance to speak in this House for some time. I want to say a few words about this significant and important moment. I congratulate the Standing Committee on Law and Justice and the Parliament on this report. Without a doubt, I commend Mr David Shoebridge for his passion and the Hon. David Clarke for his objectivity and his open mind whilst chair. When this committee was established I was the Minister for Police and Emergency Services, and I talked with Mr David Shoebridge and the Hon. David Clarke about the committee's work. The Legislative Council is often criticised as being too much about politics and not about the community, but this report gives hope and should give hope to everyone that on some occasions politics should be set aside because some issues are far more important than political posturing and grandstanding.

Matters dealt with in this report are historical; but current matters also need to be addressed by people coming together without their political colours and working together to right an injustice. I am proud of the work of the Hon. David Clarke as chair of this committee and of all members of the committee who have embraced this period of shame that has fallen upon New South Wales for far too long in relation to the way this matter was handled. When I was in opposition I spoke to family members in relation to this matter of the Bowraville community. In 2007 Reverend the Hon. Fred Nile asked questions in this Chamber about this issue. Other members have raised their concerns, but we almost came against a wall. Every time we asked a question we were told the evidence was not there; there was an attitude within the bureaucracy that simply said it has looked at the matter so many times and there simply was not enough evidence to run with.

But of course Mr David Shoebridge brought passion and with the committee brought objectivity to say, "Let's have a look at it; let's actually go and study it again." The committee has done so and the report is outstanding in its depth of work. It is culturally sensitive, it is realistic and it is achievable. As the Hon. Robert Brown just said, it is achievable in the short term as well as in the long term—and that is about righting the wrongs.

Every day when we sit in this House and have official functions we acknowledge elders past and present. More than 24 years ago Colleen, Evelyn and Clinton were viciously robbed of their chance to physically become elders within their communities. Despite the evil that was inflicted upon them they will never be forgotten. The community, the families and indeed the Parliament are remembering them as elders in their own right because they have brought together that spirit of reconciliation. Their families have not forgotten them, members of Parliament have not forgotten them and, of course, they have brought together the parties that for far too long have been so disparate and at opposing ends in seeking resolution. They are and forever will be symbols of injustice, symbols of family love and tenacity, never to let go, but to keep going—led by Gary Jubelin, who is in the gallery today. They are symbols of what can be corrected, what can be reconciled, provided people are prepared never to let go.

The report, of course, is only new. We have seen the recommendations. We have listened to the speeches given by members who were obviously emotionally drawn to the pain that family members and the community suffered for 24 years. The rest of us will now take the opportunity to study the report in great detail. But there are some messages to come out of the report: first, for the Aboriginal community. This is your House;

this is as much your House as it is to every other Australian. This report shows you that injustices can be recognised and corrected, and that with the support of all sides of this House we can move significantly towards fixing so many of the errors and mistakes that have been made in the past. They do not return your loved ones but understand that there is a genuine and heartfelt commitment to correct the wrongs of the past.

I give a message to the NSW Police Force. Congratulations on the work that you have done, not just in this area but in the work you have done to embrace the Aboriginal community into your number. Members would be aware that I have spoken in this House many times about the IPROWD program. I am proud of that program because it brings Aboriginal people into the NSW Police Force as an equal. They stand beside their non-Aboriginal graduates on the academy parade ground as an equal and bring to the rich fabric of the NSW Police Force the experience of their communities—that cultural understanding and sensitivity that will only make the NSW Police Force even stronger. My final message is to the person responsible for these murders: Sleep with one eye open. They are coming.

The Hon. LYNDIA VOLTZ [10.53 a.m.]: While I was not a member of the committee, I have certainly spoken to people from the community. This committee report is not the work of the New South Wales Parliament but it is indeed the work of the Bawrrung people. It is a testament to their strength and tenacity. As Troy Duroux said:

So many times I got my hopes up about the case. When the [POI] was charged, then again when he was charged with Evelyn's murder, then again when we helped overturn the double jeopardy laws, then again when Gary and Jason put the submission in to the DPP, and then again when we were represented by a great law firm, then again when a submission went before the Attorney-General. How do you keep up with it all? How do you continue feeling hope? Our families are strong but how much can we take?

But Troy and all the other families never gave up on the struggle. As Martin Luther King once said:

Human progress is neither automatic nor inevitable ... Every step toward the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals.

Your community stands in the footsteps of those warriors who have gone before you—Eddie Mabo, Mum Shirl and Burnum Burnum. In his Redfern speech Paul Keating said about the Reconciliation Council:

The council's mission is to forge a new partnership built on justice and equity ... In the abstract those terms are meaningless. We have to give meaning to 'justice' and 'equity' – and, as I have said several times this year, we will only give them meaning when we commit ourselves to achieving concrete results.

As the Hon. Robert Brown has already said, now is the time to commit to those concrete results. An apology was delivered by the Federal Government in 2008. It is a pity that in 2014 we still need to say sorry for the profound grief, suffering and loss of the Bawrrung people and the families of Colleen Walker, Clinton Speedy-Duroux and Evelyn Greenup. Nothing will ever replace the black hole in your lives.

The Hon. MELINDA PAVEY (Parliamentary Secretary) [10.56 a.m.]: I thank the members of the Gumbaynggirr people, who have stood firm and strong on behalf of your families and your children to reach this point. It has taken too long, it has been too painful and the justice system has let you down. However, this is the moment for reawakening. I was just talking to the mayor, Rhonda Hoban, who said the loss of Clinton, Evelyn and Colleen has been an open wound in the community and to date there has been no closure for the families. We have failed these children. As the Hon. Shaoquett Moselmane said, you have transformed your suffering into a fight for change. The committee's recommendations and the challenge laid down today will right that wrong.

I thank the members of the Standing Committee on Law and Justice, especially Mr David Shoebridge, the Hon. David Clarke, who chaired the committee, and the Hon. Catherine Cusack, who has spent many years talking about and sharing her journey in this case. I thank the Hon. Sarah Mitchell. I cannot imagine what the drive back to Gunnedah from Bowraville was like that day—I just cannot. This has been a stain on our community; just hearing the words about Aunty Elaine and Leonie. The courage, conviction and strength of Detective Inspective Gary Jubelin to keep fighting with the families have been profound. It shows that after all this time what unites us is more than what divides us. To see this Chamber work so beautifully together demonstrates that this committee has had the most astounding results in bringing people together for one common cause as we put down our political swords, as it should be.

As the Hon. Catherine Cusack said, we have been dismayed by your predicament but things will change. The recommendations are particularly exciting. There are the legal recommendations but there are also

the health and welfare recommendations relating to mental health services and memorials. I know that we on the mid North Coast will work together to ensure that those practical recommendations are met. I thank you for being part of this, I thank the committee but, most importantly, I thank the families of those beautiful children. Justice will be done.

Ms JAN BARHAM [10.59 a.m.]: I speak in debate on the report of the Standing Committee on Law and Justice and acknowledge that we are meeting on Gadigal land of the Eora nation. I pay respect to the Gumbaynggirr people of the mid North Coast and to the family and community members who are in the gallery today. I thank them for attending. I pay my respect to elders past and present and to the recent loss of an elder. Today members of this Chamber can feel pride in demonstrating to the people of New South Wales that politics is not a dirty word and that political representation has meaning.

Members on both sides of the Chamber have delivered an outcome of which we can all feel proud. In listening to the words of my colleagues I was moved to hear that their experience as members of the committee was transformative. We have heard of a family and a community that has suffered for many years the injustice and discrimination that is ingrained in our society. We must learn from this experience that the personal is political and it can create change. I offer my condolences to the family and to the community for their grief and suffering in the loss of the children who were taken from them at a young age.

Members have spoken about the transformative nature of this inquiry. I feel proud that the passion, commitment and perseverance of my colleague Mr David Shoebridge brought the matter to this point. He has told me of his high regard for the chair of the committee, the Hon. David Clarke, for the wonderful job he has done. Members will appreciate the importance of his work in that position. Mr David Shoebridge and others have told me that the inquiry has shown us what it means to be representatives of the people of New South Wales and the way in which we can work together for the good of the people of New South Wales. "Congratulations" does not seem to be the right word but I express to the committee members my respect for the manner in which they have undertaken this task. I also give my thanks and appreciation to the committee staff who facilitated this inquiry.

To the family and the community who were brave, strong and perhaps sad enough to continue to tell their story, I cannot imagine how that feels because I have never been exposed to such wrongdoing. I offer my respect for the efforts you have made and I hope that you experience some relief from the fact that today all that grief and sadness has contributed to change. I was pleased to hear of the relationship between the community and the NSW Police Force. I acknowledge the members of the NSW Police Force who are here today.

I come from a family of police. My grandfather was a country cop and I grew up hearing stories of racism and discrimination in regional communities. My mother would tell me stories of how she suffered because my grandfather had been a very proud, respectful man who supported the Aboriginal people. I will not repeat the things that were said to my mother but I grew up knowing that while regional communities can be harsh and cruel, they can also be loving and generous. I hope that this process takes us all to the latter and dissolves the former.

That the recommendations of the committee are unanimous is a tribute to the committee members and to the community that gave the evidence that resulted in this wonderful report. Like the Hon. Melinda Pavey, I acknowledge the importance of recommendations 11, 12 and 13—the ones that refer to what needs to happen now and on a continuing basis to support the Aboriginal people in the community of Bowraville.

On page 112 at clause 7.35 is the evidence of Dr Tracy Westerman of Indigenous Psychological Services [IPS], who first began working with the Bowraville families during the 2004 coronial inquest. She advised the committee that IPS had made a unique diagnosis of chronic collective trauma. I have heard that before; unfortunately, I have heard it too often. It is something that we all need to be mindful of whenever we deal with Indigenous issues. This is the history of our State and of this country. We must acknowledge it and recognise that resources are needed to assist in overcoming such trauma. I am pleased that the report recognises chronic collective trauma. It is a stain on our nation and on our State but it can now be acknowledged and addressed.

I again acknowledge the Reverend the Hon. Fred Nile. As the longest standing member in this Parliament, the Reverend the Hon. Fred Nile is the only member remaining who was present when the Land Rights Act was passed. I was not surprised to find his 2007 question about the Bowraville case. I pay respect to the Reverend the Hon. Fred Nile for his continued support for Aboriginal people and for his commitment to

justice. Today we have heard about justice delayed being justice denied. Let us ensure that justice is achieved from this inquiry. This is a proud day for the New South Wales Legislative Council and I thank all those who were involved in bringing us to this point today.

Reverend the Hon. FRED NILE [11.08 a.m.]: Together with other members, I pay my respect to the Aboriginal elders, past and present, as we meet on the Gadigal land of the Eora nation. I also pay my respect in what has become a very sad occasion, in many ways, for the families of the murder victims who are at the heart of this inquiry: Evelyn Greenup, aged four; Colleen Walker, aged 16; and Clinton Speedy-Duroux, aged 16. As members know, those three young people were murdered at Bowraville in the early 1990s. May God bless their families, their relatives and their community.

I was pleased to support Mr David Shoebridge's motion calling for the establishment of this inquiry, and I congratulate him for his perseverance in ensuring that it was established. I also congratulate the Hon. David Clarke and the other committee members for their excellent report—copies of which have only just been provided. They have done marvellous work and it is a credit to each of them. As members know, the man who the police have identified as the prime suspect in all three murders was tried and sadly acquitted of two of the murders. The three cases were not heard together in one trial, and that appears to be the key to resolving this issue. At page 44 of the report the committee makes the point:

... on 22 February 2006, the trial judge granted an application by the legal representatives acting for the POI to exclude certain tendency and coincidence evidence regarding the POI's behaviour and linking him to Clinton and Evelyn's disappearances and deaths. Certain evidence relating to admissions made by the POI to prison inmates was also excluded.

A new trial must be conducted involving the three murders and that evidence must be able to be admitted in court to ensure that justice is both seen and done. Many technical arguments were had during the previous trials, sometimes about the meaning of one word and so on. It is now time for the Government to respond appropriately. That is the challenge facing the Government as a result of this report. It should not be patronising and assume that this issue will go away—it must not. Recommendation No. 9 states:

That the NSW Government ensure that, should any new application for a retrial of the Bowraville murders be submitted to the NSW Director of Public Prosecutions or Attorney General, the merits of the application be considered by an independent assessor, such as a retired senior judge or senior prosecutor from another jurisdiction.

That is a very important recommendation. We do not want this matter to be shelved because of some technical issue. I personally would rather the application were directed to the Attorney General and not the Director of Public Prosecutions, but that is no criticism of the Director of Public Prosecutions. I am also pleased to support recommendation No. 15, which states:

That the NSW Government provide funding to:

- beautify and maintain the memorial dedicated to Colleen Walker-Craig, Evelyn Greenup and Clinton Speedy-Duroux in Bowraville
- beautify and maintain the Clinton Speedy Memorial Park in Tenterfield, and
- erect a memorial to Colleen Walker-Craig in Sawtell.

The beautification or establishment of these memorials should be undertaken in consultation with the families of the three children.

I am pleased to support this report. As I said, it must not be put on a shelf to gather dust. Even if it feels uncomfortable, the Government must pursue this matter. We must demonstrate to the families that justice is done with the suspect being found guilty and jailed.

Dr JOHN KAYE [11.14 a.m.]: I add my voice to others in support of the Standing Committee on Law and Justice report entitled "The family response to the murders in Bowraville". I acknowledge the Gumbaynggirr people, their elders past and present and their contribution to New South Wales. I also acknowledge that we are meeting on the land of the Gadigal people. This is Aboriginal land; it always has been and always will be. I will make a brief contribution to this debate because I can say nothing new. However, it is critical that we all take part in a process that recognises the injustice done and commit to righting it. We must commit to saying loudly and clearly that we will never again tolerate such an injustice, and it is a serious injustice.

Coming from a white, middle-class family I cannot imagine how it would feel to be told that my missing child had probably gone walkabout. I cannot imagine being subjected to the police indifference to a

missing child that the people of Bowraville suffered when their children went missing. I cannot imagine how I would feel if the court system had conspired to deny me justice or if the people of New South Wales largely turned their back on my fight for justice for 23 years.

This report begins to address those injustices in some small measure in its recommendations, which officially recognise what has happened. Hopefully it will also assist in the implementation of mechanisms that will ensure that it never happens again. Here we are in the oldest Parliament in Australia, with its long and sometimes not so honourable history in respect of Indigenous people, united with one voice in saying that justice can never be biased. Justice is not justice if it is not blind to colour, to creed, to race and to religion. If justice is denied to one, it is denied to all.

I acknowledge and thank the committee and the Hon. David Clarke for their work on this inquiry. I thank them not only for producing a report which will not gather dust and which will become a sentinel of change but also for advancing this Chamber's, this Parliament's and this community's collective capacity to listen to Aboriginal people. The learning process that the committee members clearly went through in producing this report is crucial to all of us in understanding a significant component of our community and in being able to listen and to understand. I thank my colleague and friend David Shoebridge, whose persistent intelligence about and commitment to this issue has led us to this point today. He never allows any injustice that he sees pass him by without making an effort to stop it.

I will conclude my contribution by naming three children: Clinton Speedy-Duroux, Evelyn Greenup and Colleen Walker-Craig. I say their names because it is important that we recognise that these beautiful children had their lives cut short. The promise of their future will never be realised. They were denied the love of their family and their family was denied the right to love them. I say their names not only because a tragedy has occurred and today we recognise that, or that we recognise and apologise for the failure of the agencies of this State to redress that tragedy, but because they will be a sentinel for a future in which never again will we turn our backs on Indigenous people and their fight for justice.

The Hon. HELEN WESTWOOD [11.18 a.m.]: This is a memorable and significant day for this House, and I am proud to bear witness to the debate on the report of the Standing Committee on Law and Justice entitled "The family response to the murders in Bowraville". I acknowledge that we are standing on the land of the Gadigal people and I pay my respects to elders, past and present. I offer my condolences to the families and to the community for the loss of their beautiful children. I am in awe of their resilience and determination to achieve justice for their children, who were taken away from them by the evil actions of another. The families of Colleen Walker-Craig, Evelyn Greenup and Clinton Speedy-Duroux and their community have taught us so much through their perseverance and strength. They have also taught us about the lack of cultural awareness in our justice system and alerted us to systemic racism at that time, which caused such grief and pain. Their strength will ensure that justice is achieved for these children.

I congratulate Mr David Shoebridge for his participation in this committee. His perseverance and determination for families to receive justice brought this matter before us. He responded to the wishes of the families and the community and his many colleagues who were willing to support his work. I particularly acknowledge the Hon. Catherine Cusack, whose support of the community made a real difference. I thank the chair of the committee, the Hon. David Clarke, for his contribution to this debate on the report. I also acknowledge the other members of the committee: the Hon Peter Primrose, the Hon. Shaoquett Moselmane, the Hon. Sarah Mitchell and Mr Scot MacDonald. As others have said, we have just received the report and have not had the opportunity to read it in detail. I have read the recommendations, which are brilliant, and overwhelmingly I support them, as clearly everyone does.

I look forward to reading the report as it is clear from the contributions of each of the participating members that the inquiry was a profoundly moving experience. It was obviously hurtful for everyone to go over the experiences again and relive the inaction and dismissiveness of the families' love and respect for their children. They talked about their love and respect for their children and their desire to find their children and have the criminal responsible for their disappearance brought to justice. It is now up to us, as the legislators of this State, to ensure that every one of these recommendations is implemented as soon as possible. While ever I have a role in this Parliament I will pursue that goal, as I know many others will.

The love and respect of the families for their children who were taken from them clearly know no boundaries. That love has helped all of us to understand what was wrong with our criminal justice system and

what needs to be changed to ensure that this never happens again. I thank the families for sharing their experiences with us, although it was heartbreaking for them. I believe the families will get justice for their children. It is their love for their children that will ensure that justice will be done.

The Hon. PETER PRIMROSE [11.24 a.m.]: This has been a complex and at times confronting inquiry for everyone involved. Other speakers have outlined their personal experiences and how confronting this inquiry has been. We can only begin to comprehend how confronting this has been for the Bowraville community. The inquiry frankly began with a reference from the House to examine issues associated with the brutal murders of three children, but with the restriction of not being able to look in any detail at the remedy that those most affected by the tragedy specifically sought. But as usually happens when any human beings really listen to other people, the sheer power of the stories that we were told and the still raw emotions that underpinned them led the committee to the conclusion that it would be impossible to fully address the terms of reference without clearly echoing the pleas for justice that we heard.

At the heart of this issue was the fact that a massive, destructive crime was committed. That was at the heart of the inquiry, whatever else the committee examined, and that has to be remembered and addressed. The inquiry heard of the incompetence of police investigations, of misunderstandings, of blatant racism, of ignorance, and of the indignity of the families' perceived unworthiness to receive justice, having been judged by their lifestyle. Our questions brought back painful and deeply personal memories for members of the three families directly involved. For that I and the rest of the committee are sorry, but we are also deeply grateful for their strength and courage.

The committee has made positive recommendations concerning some of the systemic flaws that the evidence revealed have compounded the families' experiences, particularly their interaction with the justice system, and the need to build on the effective but limited support networks already in place. The range of issues covered include police attitudes and responses, the operation of the criminal justice system, the changing landscape of evidentiary law, race, the role of health and other support services in assisting communities to respond to disaster and hardship, interfamilial relationships and the complex social fabric of a small country town like Bowraville. But perhaps more than anything else in this inquiry, I have been astonished by the tenacity that the three families have shown, despite continued frustration and uncertainty that has now lasted for decades. I was astounded by their faith in the justice system, and their weary but resolute belief that justice could, would and should be achieved.

We often heard despair and frustration but not anger. We heard anguish and grief, but the emotions we heard were not those of people seeking revenge or wanting to do violence to a perpetrator. They were the emotions of those who had experienced injustice and found it universally frustrating; they found it incomprehensible. These were not the emotions of people who had lost hope but the emotions of resilience and the belief that in the end justice would be done. But as long as the injustice remains, the hope remains unfulfilled and the families are not able to rest. I can express it no better than to quote from our committee report:

Like others external to the families who provided evidence during the inquiry, the committee has been struck by the dignified yet determined manner in which the families have approached their efforts to achieve justice for Colleen, Evelyn and Clinton. Having met with the families to discuss firsthand their stories, the committee can speak to the suffering and raw emotion that was so clearly evident both amongst the individual families and those who have supported them.

The families made it clear to us as they have done on so many occasions to other people that they will not rest until the evidence relating to the three cases has been heard together by a court. Many concerns were raised during the inquiry questioning the admissibility of much of the evidence referred to in the family's application for a retrial. The committee has accordingly recommended that the Government act quickly to clarify the definition of "adduced" within section 102 of the Crimes (Appeal and Review) Act 2001, with particular consideration accorded to the ramifications of defining "adduced" as "admitted".

The families have repeatedly called on the committee, the legal system and the Government to "be real" with them and not to give them false hope. For this reason the report reiterates that there are substantial hurdles remaining in the way of a retrial even if the Government determines that "adduced" can be defined as "admitted". The committee is not fully convinced that this clarification will be the "silver bullet" solution to the obstacles faced by the families in their efforts to have the cases retried. A number of rigorous legal tests must be met in order for an acquittal to be quashed and a retrial ordered. But at the same time the issues associated with a retrial in this specific matter are not valid reasons for failing to clarify the law. Accordingly, the committee believes the clarification should be made.

The families also told the committee that on many previous occasions their requests for information, assistance, justice, and even just to be heard, have fallen on deaf ears. However, there are also those who have stood out as beacons of positive change and hope—perhaps most notably Barry Toohey, for his support and compassion, and Detective Inspector Gary Jubelin, who has led the investigation since 1997. I think without exception we all stand in awe of Inspector Jubelin's professionalism, commitment and empathy.

I believe that the committee has honestly and openly approached this inquiry with a sincere will to assist the families as best it can within the parameters of its terms of reference. We sought to provide the families with a forum in which to share their stories, and through the recommendations we have made we are hopeful that our report will go some way towards justifying their resolute belief that justice is possible. I join all other committee members in expressing my sorrow, my sincere thanks and my admiration to all those who have participated in the inquiry, particularly the families of Colleen, Evelyn, and Clinton.

The Hon. DAVID CLARKE (Parliamentary Secretary) [11.33 a.m.], in reply: Everything that needs to be said has been said. It falls to me now to thank members for their contributions today. It has been a sight to behold, uplifting and moving that all sides, all parties, have joined together in supporting this report with beautiful words and heartfelt sentiments. It has been heart-rending to hear the way in which each member has been affected by what happened in this Bowraville saga. All the speeches were underlined by a call for action.

We thank the families, the friends and supporters from the Aboriginal community who are present today and those outside who stood by and assisted the families over the years. Today they have heard real commitments from everybody in this Chamber. We now want action. I commend the report to the House and I ask the Government to act as quickly as possible in implementing its recommendations.

Question—That the House take note of the report—put and resolved in the affirmative.

Motion agreed to.

The PRESIDENT: As family members of the three children are present in the galleries today I ask that members and officers stand as a mark of respect in memory of Colleen Walker-Craig, Evelyn Greenup and Clinton Speedy-Duroux and in memory of Elaine Walker, who made such an important contribution to the work of the Standing Committee on Law and Justice during the inquiry process.

Members and officers of the House stood in their places as a mark of respect.

MOTOR ACCIDENTS (LIFETIME CARE AND SUPPORT) BILL 2014

BIOSECURITY BILL 2014

LOCAL GOVERNMENT AMENDMENT (ELECTIONS) BILL 2014

Bills received from the Legislative Assembly.

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

Motion by the Hon. John Ajaka agreed to:

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

Bills read a first time and ordered to be printed.

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

BUSINESS OF THE HOUSE

Notices of Motions

Dr John Kaye, by leave, pursuant to Standing Order No. 71, gave notice of a motion relating to the tabling of the VIP Gaming Management Agreement.

BUSINESS OF THE HOUSE**Suspension of Standing and Sessional Orders: Order of Business**

The Hon. WALT SECORD [11.38 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. 2096 outside the Order of Precedence, relating to the Federal Government's health and hospital funding cuts, be called on forthwith.

This motion is urgent because our nation's universal healthcare system is under attack by State and Federal Liberal-Nationals governments. It is under attack due to daily cuts and an ideological commitment to privatisation by the Liberal-Nationals Coalition.

DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! The Hon. Walt Secord should speak to urgency. The member must not give a general speech on matters political. He must demonstrate why this motion is more urgent than other motions on the *Notice Paper*.

The Hon. WALT SECORD: This matter is urgent because the great work of previous Labor governments is being undone on a daily basis.

The Hon. John Ajaka: Point of order—

The Hon. WALT SECORD: Context.

DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! The Hon. Walt Secord will allow me to speak. He must argue why his motion is more urgent than other matters on the *Notice Paper*. If he does not do so he will be sat down.

The Hon. WALT SECORD: This matter is urgent because at the moment the Government is negotiating with and talking to the private sector about privatisation. Those talks are underway as we speak, which makes the matter more urgent.

The Hon. Duncan Gay: Point of order: There is no privatisation. The Hon. Walt Secord is misleading the House and should be brought back to the leave of the motion.

DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! There is no point of order.

The Hon. WALT SECORD: The Minister brought to the attention of the House the privatisation of the Northern Beaches Hospital, Byron Central Hospital and Maitland Hospital. Those matters are urgent. Those matters have been canvassed in the public arena in the past few weeks. At the moment the Government has its eyes on a number of suburban, rural and regional hospitals. As recently as the past weekend a public health official spoke about a public-private partnership [PPP] that the Liberal-Nationals Coalition is planning in southern New South Wales.

This matter is urgent because last week, on 29 October, the Premier and the health Minister announced that the Northern Beaches Hospital would be privately run—that is, a \$1 billion hospital to be run by the private sector. It will be the largest PPP in New South Wales. It was the subject of debate as recently as yesterday in this Chamber. The Government has similar plans for Byron Central and the lower Hunter. Those three hospitals make this matter urgent. The matter is urgent because the Government is trying to block and stymie debate. I commend the motion to the House.

The Hon. JOHN AJAKA (Minister for Ageing, Minister for Disability Services, and Minister for the Illawarra) [11.43 a.m.]: Clearly, the Hon. Walt Secord has failed in any way to establish the urgency of this matter. Mr Deputy-President, you have indicated that the member needs to show clearly that this matter is more urgent than any other matter on the *Notice Paper*. He has failed to do so. There is no basis for urgency. Indeed, he simply tried to debate the motion. I ask members to vote against it.

The Hon. LYNDIA VOLTZ [11.44 a.m.]: Some items inside the order of precedence on the *Notice Paper* have attracted their sixth, ninth or thirteenth postponement. When the Hon. Dr Peter Phelps has had an opportunity to debate his motion inside the order of precedence relating to Senator Lee Rhiannon—an issue that

he does not appear to think is urgent—he failed to do so and asked that the debate be postponed. When we compare urgent matters inside the order of precedence that are constantly being postponed to the immediate attacks to the New South Wales health system and the general practitioner tax, we find that that matter is more urgent than items currently inside the order of precedence—matters that members do not bother bringing on for debate when they have had a number of opportunities to do so.

The Government has so little legislation to deal with that members were sent home early on Tuesday night and Wednesday night when issues such as this could have been debated. This matter is urgent. The Opposition and the people of New South Wales believe it is urgent. We want to debate this matter but the Government wants to block debate on it. No matter is more urgent than this motion. Members will recall the number of matters that have been postponed by the Government when government business has had precedence as it has been unable to bring legislation before the House.

The Hon. Dr PETER PHELPS [11.45 a.m.]: I take umbrage at the statements made by the Hon. Lynda Voltz. Item No. 9 within the order of precedence relating to Senator Lee Rhiannon has been postponed on only one occasion, and that was done to allow for debate on an item that demonstrably was of greater import to this Parliament than my motion. In every other instance the matters were adjourned by the person who had pre-audience in debate on the matter—the Deputy Opposition Whip.

The Hon. Lynda Voltz: Point of order: The Hon. Dr Peter Phelps is required to argue urgency. I have already made the point that he asked me to adjourn debate on his motion, which is hardly relevant to urgency on this matter. The member should argue why he believes his motion relating to Lee Rhiannon is more urgent than the issue of a \$7 general practitioner tax and its effects on the New South Wales health system.

The Hon. John Ajaka: To the point of order: The Hon. Lynda Voltz said that the Hon. Walt Secord's motion was more urgent than any other matter. She also asserted that other matters had been adjourned on a number of occasions. The Hon. Dr Peter Phelps is simply answering the specific matter that she raised.

The Hon. Lynda Voltz: To the point of order: I was asserting that this matter is more urgent than any other matter. The Hon. Dr Peter Phelps is quibbling over the processes of the House and the role of the Whips; he is not arguing about urgency. If he thinks that his motion relating to Senator Lee Rhiannon is more urgent than a motion relating to a \$7 general practitioner tax he should say so.

DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I have heard enough from the Hon. Lynda Voltz. There is no point of order.

The Hon. Dr PETER PHELPS: I say again that I was not able to have the matter progressed at the speed that I would have liked due to the fact that the Deputy Opposition Whip has pre-audience in debate on the matter and on a number of occasions adjourned the debate. She referred to my motion as evidence of the fact that the Hon. Walt Secord's motion should be granted preferment today. However, it is not accurate to say that I consider it to be more important on the basis of the pre-audience that has been granted to her in previous debate.

The Hon. NIALL BLAIR (Parliamentary Secretary) [11.49 a.m.]: I speak against this motion which is not urgent. The Hon. Lynda Voltz obviously did not think the issue was urgent enough to participate in a debate on the ABC 7.30 program two weeks ago. It was not urgent enough then.

The Hon. Lynda Voltz: Point of order: The Hon. Niall Blair must argue why he believes other items on the *Notice Paper* are more urgent than the motion moved by the Hon. Walt Secord. As the Hon. Niall Blair has not referred to any other motion he should be brought back to the leave of the motion.

DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I am sure that the Hon. Niall Blair was making preliminary observations and he will get to his point quickly.

The Hon. NIALL BLAIR: If this matter were urgent the Hon. Walt Secord would take every opportunity to raise it in this House. The Hon. Walt Secord is renowned for using the media in relation to number of issues. When the Hon. Walt Secord was given an opportunity to debate this matter on television with the Minister for Health he squibbed it.

The Hon. Lynda Voltz: Point of order: My point of order relates to relevance. The Hon. Niall Blair has not referred to any other motion that is more urgent than the motion moved by the Hon. Walt Secord and should be brought back to the leave of the motion.

DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! The Hon. Niall Blair will get to his main point rather than deal with preliminary points.

The Hon. NIALL BLAIR: The Hon. Walt Secord would not man up then but as the Minister is absent he is trying to man up today. He had an opportunity to debate this matter. If this matter was urgent he would have debated it with the health Minister.

Ms JAN BARHAM [11.51 a.m.]: I was not informed that this matter would be brought on for debate.

The Hon. Walt Secord: That is incorrect, Jan.

DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I warn the Hon. Walt Secord, who is known to heckle, that if he interrupts Ms Jan Barham one more time he will be called to order. Ms Jan Barham may proceed uninterrupted.

Ms JAN BARHAM: I have been told that other members were aware that this motion would be moved today but I was not informed. The Hon. Walt Secord knows I am concerned about his continuing campaign to scare people in my community.

The Hon. Walt Secord: Point of order: My point of order relates to relevance. Ms Jan Barham is canvassing a matter when she should be debating whether the motion is urgent.

DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! There is no point of order.

Ms JAN BARHAM: The Hon. Walt Secord said I was not addressing the matter of urgency. This matter is not urgent. I have campaigned in the community for 20 years for a much-needed hospital. However the Hon. Walt Secord is now politicising this issue by scaremongering and informing members of my community that these hospitals are to be privatised, which is untrue.

The Hon. Lynda Voltz: Point of order: I appreciate the point that Ms Jan Barham is making but we are debating whether this motion is more urgent than any other motion on the *Notice Paper*. The matters that she is raising should more properly be dealt with in substantive debate.

DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! Ms Jan Barham is addressing the issue of whether this motion is urgent and should be heard in silence.

Ms JAN BARHAM: The matters that I have raised relate to whether or not this motion is urgent. I do not know whether any other matters on the *Notice Paper* are more urgent than debating a motion relating to Byron Central Hospital. This matter is not urgent as the project has now come to fruition after 20 years of failed attempts by previous governments to deliver it. The Hon. Walt Secord knows that his continued scaremongering about privatisation is causing my community a great deal of concern. The motion moved by the Hon. Walt Secord is not urgent. After all the hard work undertaken by my community this Government has finally made a commitment to deliver that hospital. Earlier the Hon. Walt Secord referred to privatisation—a matter raised also by the Labor Government—but this Government is delivering that hospital.

The Hon. Walt Secord: Point of order—

DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! If the Hon. Walt Secord does not take a valid point of order he will be called to order.

The Hon. Walt Secord: My point of order relates to relevance. Ms Jan Barham is canvassing the content of the motion when she should be debating urgency.

DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! There is no point of order. If the Hon. Walt Secord interrupts again he will be called to order.

Ms JAN BARHAM: When I became a member of Parliament I accepted the fact that people have different opinions, but I draw the line at feigned arguments about urgency.

DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I call the Hon. Walt Secord to order for the first time.

Ms JAN BARHAM: This matter is not urgent. I am not aware of the circumstances of the other hospitals but I call on the Hon. Walt Secord to remove Byron Central Hospital from his list as his motion is flawed. [*Time expired.*]

The Hon. MELINDA PAVEY (Parliamentary Secretary) [11.56 a.m.]: I join Ms Jan Barham and my colleagues on this side of the House in saying that this matter is not urgent and does not deserve to be debated today. All members are aware why the Hon. Walt Secord moved this motion. Ms Jan Barham completely and utterly exposed the intentions of the Hon. Walt Secord in moving this motion—to instil fear and misinform the community. All that the Hon. Walt Secord wants to do is cause trouble. This matter is not urgent and does not deserve to have precedence over other more important motions on the *Notice Paper*.

Motion No. 1530 of the Hon. Marie Ficarra relating to the State's economy surely deserves more attention than a scare campaign that has been exposed by Ms Jan Barham. This State is no longer on credit watch; it has a triple-A rated economy thanks to the wonderful management of the Liberal-Nationals Government. Ms Jan Barham, who is interested in delivering services to her community, knows that for 20 years the Labor Government has not delivered for the North Coast. She has seen through the trickery, deceit and misinformation of the Hon. Walt Secord who moved this motion for political purposes. She also does not like the inclusion of Byron and Mullumbimby in this motion. The Byron community has worked hard to ensure the delivery of Byron Central Hospital.

Motions that are moved for base political purposes serve only to waste the time of this House. The motion moved by the Hon. Walt Secord, which is a scare campaign, will only instil fear in the Byron community. There are other motions on the *Notice Paper* that are more urgent than this motion. I urge all members not to support it.

Dr JOHN KAYE [11.59 a.m.]: The Greens support the motion for urgency. I imagine that Ms Jan Barham will raise issues about Byron Central Hospital. Certainly it has a history that needs to be unpacked and I look forward to debate on that. This matter is urgent because regardless of the backwards and forwards about Byron Central Hospital, there is a new healthcare model for the Northern Beaches and Maitland-Lower Hunter hospitals. I do not think the Government can hide from the fact that it is saying there is a new healthcare model.

The Hon. Niall Blair: Do you support Jan in her views on Byron?

Dr JOHN KAYE: I understand it is disorderly to respond to interjections but in this case I will respond. The Hon. Niall Blair might be a good Parliamentary Secretary but he is not a great listener because he did not hear what I said. I will repeat it for him in smaller words with fewer syllables.

The Hon. Niall Blair: Just slower.

Dr JOHN KAYE: And slower. Regardless of the backwards and forwards on what is or is not happening at Byron Central Hospital, there is a key issue around the change in healthcare delivery across New South Wales, particularly at the Northern Beaches and Maitland-Lower Hunter hospitals where the private sector is being handed provision of critical healthcare facilities that properly belong in the public sector. Having a debate on these issues is critical.

DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I warn the Hon. Walt Secord that he is on one call to order. The Hon. Walt Secord and Ms Jan Barham will not argue across the Chamber and will cease interjecting.

Dr JOHN KAYE: This matter is urgent because this is a serious change in the way health care is delivered and will have serious consequences for the people of New South Wales. If we do not have this debate now before the House rises for the summer, we could come back next year and find that the contracts are signed on the Northern Beaches Hospital. Healthscope has already been chosen as the private provider. We could find that matters have progressed beyond the point of no return at both Kempsey and the Maitland-Lower Hunter hospitals.

These are critical changes that not only will undermine the capacity of the so-called public hospital system to continue to deliver world-standard services but also will undermine the cost structures for the State. In the long run this will cost more. There is a debate to be had about Byron Central Hospital and plans for that

hospital. I look forward to the contribution by my friend and colleague Ms Jan Barham and the Government's response so that we can get to the bottom of the issue and understand what is happening. The Greens support this motion for urgency.

Mr SCOT MacDONALD [12.02 p.m.]: I quickly address the lack of urgency of paragraphs (a), (b) and (c) of the motion. The motion is highly speculative as there is nothing in legislation. Anybody who follows Federal politics knows that there is a lot of argy-bargy around these figures. Nothing has been set in concrete. The motion for urgency is a fake. As the Hon. Melinda Pavey stated, it is very much about scaremongering and issuing a press release. Urgency cannot be established, particularly for paragraphs (a), (b) and (c), and I reject the motion.

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

Motion agreed to.

Order of Business

Motion by the Hon. Walt Secord agreed to:

That Private Members' Business item No. 2096 outside the Order of Precedence be called on forthwith.

HEALTH AND HOSPITALS FUNDING

The Hon. WALT SECORD [12.05 p.m.]: I move:

That this House:

- (a) opposes the \$15 billion in Commonwealth health and hospital funding cuts and the Abbott Government's \$7 GP Medicare co-payment;
- (b) notes with concern that NSW Health's modelling projects an extra 507,000 patients will go to emergency departments as they will be unable to afford the co-payment;
- (c) calls on the Baird Government to voice its opposition to the Abbott Government's \$7 GP co-payment and the Federal Government's health cuts; and
- (d) expresses alarm at the Baird Government's privatisation push within NSW Health, particularly a range of hospitals and services including the Northern Beaches Hospital, Byron Central Hospital, Kempsey Hospital and the new Maitland-Lower Hospital.

As the shadow Minister for Health I speak to the motion. Health and education are great levellers in an otherwise unfair society and I believe they are core to our society and core to Labor. A commitment by successive Canadian governments to quality universal health care and educational access are the reasons that it is possible for a child from an Indian reserve in Canada from a bicultural marriage to be the first member of his family to attend high school, to graduate from university and to stand in front of members today in this Chamber and speak as the shadow Minister for Health. I never forget that. The same is true in Australia. Hundreds of people have told me about their start in life due to Whitlam's education reforms, and Labor and Hawke's support for Medicare and a universal healthcare system.

Federal and State Labor have a proud record on health. In government we spent billions of dollars to rebuild every major teaching hospital in New South Wales and dozens of hospitals such as Tweed Heads hospital, Westmead Hospital, Sydney Children's Hospital and Lithgow and Queanbeyan hospitals. Between 1995 and 2011 nearly every major hospital in New South Wales was rebuilt or upgraded. This included 72 rural and regional hospitals. In the last financial year of government Labor spent more than \$918 million on capital works. In contrast, across the State the Baird Government is seriously downgrading our health system, especially rural and regional hospitals. The Baird Government has cut \$3 billion from New South Wales Health funding and has failed to stand up to Tony Abbott's cuts to our health and hospital system. In addition, Tony Abbott has cut \$1.2 billion from New South Wales hospitals, with a plan to cut a further \$15 billion over the next 10 years. That is \$1.5 billion a year for a decade.

Furthermore, the New South Wales Liberals and Nationals are now about privatisation. Last Wednesday, 29 October the Premier, Mike Baird, and the Minister for Health, Jillian Skinner, announced that a Northern Beaches hospital would be run privately. They have similar plans for Byron Central Hospital and the

new Maitland (Lower Hunter) Hospital. Labor wants to continue to offer New South Wales communities a genuine public health system where priority is dictated by community health needs. It is what we call in health terms the Australian way. The Liberals and Nationals want to go a different way. They want to go the American way. The Liberals and Nationals are seeking an Americanisation of our health system, cutting public jobs and services, privatising and outsourcing, and making consumers pay.

Let us just think about the term "making consumers pay". When people choose to buy a coffee, they are consumers. When people pay someone to fix their roof, they are consumers. When people take their child to the emergency department with a raging fever, tonsillitis or appendicitis are they customers? When people need hip or knee operations in order to walk and care for their own needs, are they customers? We do not think so. Labor believes they are patients. Hospitals are not businesses and cannot be run like a conventional business. Clinical standards and the care of patients cannot be set by commercial contracts like rail timetables or motorways. Going to hospital is not a lifestyle choice; it is a matter of essential care, a core function of government. It is why State and Federal governments exist and the fact that the New South Wales Liberal-Nationals Government could see it otherwise highlights the fundamental contrast between Labor and the conservative side of politics.

Labor sees health care as a public priority; the Liberal-Nationals see it as a private problem. That is why a vote next March for the Liberal-Nationals is a vote for more privatisation and cuts. It is also an endorsement of Tony Abbott's \$7 general practitioner [GP] tax and his extra charges on follow-up tests. The Baird Government has cut \$3 billion from New South Wales health funding and has failed to stand up to Tony Abbott's cuts to our hospitals. Five beds have been closed at Bathurst Hospital and nursing places, including senior nurse unit manager positions, have been lost in its intensive care and emergency departments.

These cuts have caused situations such as that reported last week where Gunnedah parents were forced to drive their baby daughter to hospital because the Baird Government had stopped paramedics from using child safety restraints in ambulance vehicles. Every toddler in New South Wales was placed at risk. Parents had to transport their own children to emergency departments because the Government was not providing child restraints in ambulances. After a public outcry, the Government was forced to back down.

In March 2011, the community overwhelmingly put its trust in the Liberal-Nationals. Those opposite boasted that they would improve health care and hospitals, but what they said in Opposition was not what they have done in Government. This can be seen at both State and Federal levels. In Opposition, those opposite said that they would protect the health system, but in Government they have slashed funding for the health system. Before the last election, Tony Abbott emphatically promised that there would be no cuts to health but he has cut \$1.2 billion from New South Wales hospitals, with a plan to cut a further \$15 billion over the next 10 years. That is \$1.5 billion a year for a decade.

Tony Abbott promised no new taxes, but the \$7 GP tax will rip \$1.1 billion out of families' pockets. Tony Abbott has also made medicines more expensive, adding \$400 million to New South Wales families' budgets. New South Wales needs leadership against the Abbott attack, but the Hon. Mike Baird is not leading on this issue and has not stood up to Canberra. Less than a week after becoming Premier he said that he would consider privatising the State's public hospitals. He went on to say that private sector involvement was a way to "transform and improve health care" and highlighted a role for the private sector in running New South Wales hospitals.

I quote from direct comments made by the Hon. Mike Baird to the Australian Associated Press. The Premier said his vision of privatisation for the State's hospitals extended "anywhere from cleaning to public-private partnership to design, build, operate and maintain" new hospitals. Labor vehemently disagrees with the approach to the health system taken by the Hon. Mike Baird and Prime Minister Tony Abbott. When hospitals are run for shareholders and not for patients New South Wales families lose out, especially rural and regional families. We need look only at the last time a Liberal-Nationals Government went down the privatisation route—the disastrous failure of the Port Macquarie Hospital.

In 1991 the Liberal-Nationals announced a public-private partnership to design, build, operate and maintain the new Port Macquarie Hospital, but it was a monumental failure from the get-go. From the minute it opened, stories emerged of compromised services. I have attended public rallies where nurses have reminded the community that they were told that they were employed at the hospital for the shareholders and not for the patients. Meanwhile, privatisation of the hospital was not saving the taxpayer at all. Mayne Nickless was hitting the Government with a \$47 million bill every year for 20 years. This was in addition to the initial outlay of \$52 million. After more than 10 years of unsatisfactory service, it was the State Labor Government in 2005 that bit the bullet and bought back the hospital.

Labor and New South Wales taxpayers cleaned up the Liberal-Nationals Port Macquarie Hospital privatisation mess. Who can forget the words of the then Auditor-General when conducting his autopsy of the privatisation deal that the Liberals and Nationals had dumped on Port Macquarie? He said the Port Macquarie privatisation was "like paying for a hospital twice and then giving it away for free." But this is the tale that the Hon. Mike Baird and the health Minister, the Hon. Jillian Skinner, wish to repeat in New South Wales.

Yesterday this House passed a motion under Standing Order 52 calling for papers relating to the privatisation of the Northern Beaches Hospital. We will see those papers in 20 days. The Liberal-Nationals Government wants to do the same in Maitland (Lower Hunter) and Byron Bay. The Liberal-Nationals have learned nothing from the Port Macquarie Hospital debacle. All they do is attack Labor for taking a stand in supporting publicly run hospitals. The 1990s is a long time ago and the Premier was a busy merchant banker at the time, probably selling collateralised debt obligations to unsuspecting investors—

The Hon. John Ajaka: Point of order: The member is well aware that if he wants to make imputations against members of Parliament, whether in this House or the other, in fact against the Premier of this State, he should do so by way of substantive motion.

DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I uphold the point of order.

The Hon. WALT SECORD: The Hon. Jillian Skinner, the Minister for Health, has been around long enough to know better. She has bragged that she used to babysit Malcolm Fraser. She was in the last Liberal-Nationals Government and was part of the Port Macquarie disaster. Rather than repeat the same mistakes, the Hon. Jillian Skinner should be offering the Premier history lessons. That is why earlier this month the Deputy Leader of the Opposition, Linda Burney, and I joined the Labor candidate for Ballina, Mr Paul Spooner, to announce that a State Labor government will build Byron Central Hospital and keep it in public hands with no privatisation of surgical services.

Advertisements in the *Byron Shire News* have called for private operators to provide private surgical services. The Nationals are taking market soundings for "private providers to deliver surgical services at the facility". State Labor would guarantee that Byron Central Hospital would be a government-run facility providing day-stay procedures such as colonoscopy, endoscopy, orthopaedic and gynaecological services. On Thursday, 30 October, Labor leader John Robertson and I made a similar pledge with the Labor candidate for Maitland, Jenny Aitchison, to the families of the lower Hunter in relation to the second hospital in the Maitland area.

The Liberal-Nationals are refusing to provide the funding model or details about how those two hospitals will operate. I reaffirm that the new Maitland (Lower Hunter) Hospital will be run by the State Government and not by a private consortium. It will be run for patients and not for shareholders. We have seen the way in which this Government fails to stand up to Canberra. It is also failing to stand up for NSW Health. It has warned that the \$7 GP tax will put extra pressure on our State's emergency departments, especially rural and regional ones. NSW Health's modelling for the Department of Premier and Cabinet shows that there will be a 27 per cent increase in emergency department attendances. It is conservative modelling based on a \$6 GP tax, but the proposal is for a \$7 GP tax. It will cost an extra \$80 million a year to cover the extra patients.

Across the State an additional 507,000 people will attend emergency departments for treatment that should have been obtained from a GP—that is, people presenting with triage 4 and 5 complaints. The modelling shows that there will be 507,000 extra patients. This means that Tamworth Base Hospital will see an extra 11,000 patients a year, Maitland Hospital an extra 12,000, Bathurst Base Hospital an extra 6,325, Lithgow Hospital 3,235 extra patients, Queanbeyan Hospital 4,370 more patients, Bega Hospital almost 2,900 extra patients, Katoomba Hospital 4,000 extra patients, St George and Sutherland hospitals 18,000 more, Hornsby Hospital almost 9,800 more patients, Broken Hill Base Hospital 5,116, and an extra 40,000 patients across the State's northern rivers on the North Coast. These people will turn up at emergency departments because they cannot afford Tony Abbott's \$7 GP tax.

Lismore Base Hospital Nurses Association Branch Secretary Gil Wilson told the *Northern Star* on 21 October that the hospital would struggle with an extra 7,600 patients a year. Furthermore, Mount Druitt Hospital and Blacktown Hospital will likely be the hardest hit in the State. With the highest Medicare bulk-billing rate in Australia—almost 99 per cent—Mount Druitt Hospital will be swamped by families and pensioners forced to go to the emergency department to avoid Tony Abbott's \$7 GP tax. The average bulk-billing rate for general practitioner visits in Sydney's 10 poorest electorates is 96 per cent. This tax will hit the poorest families in New South Wales.

According to the latest NSW Health data, the bulk-billing rate in Chifley in Western Sydney is 98.9 per cent. Meanwhile, Prime Minister Tony Abbott's Northern Beaches electorate of Warringah—the third wealthiest electorate in Sydney—has Sydney's lowest bulk-billing rate at 61.3 per cent. The residents of Warringah will not feel the impact that poorer families will feel. The elderly, children, the poor and areas with high levels of Medicare bulk-billing, like Mount Druitt and rural and regional areas, will be badly affected. Put simply, the \$7 GP tax is unfair, particularly to families.

It will also cause the long waiting times already experienced in emergency departments to be even longer. The Australian Medical Association said that the average emergency department waiting time will blow out from 5.6 hours to 8.5 hours. The Liberals and The Nationals have attempted to dismiss this as a scare campaign. However, they have failed to notice that these figures were prepared by their own health bureaucrats using conservative modelling. I repeat: This data was prepared by NSW Health for the Department of Premier and Cabinet, and the Cabinet. If these figures do not give Mike Baird and Jillian Skinner the spine to face up to Canberra then I do not know what will.

In election mode, the Liberals and The Nationals pledged more doctors, nurses and services for rural and regional communities. What have we received? The Government tried to replace an overnight emergency doctor in Mullumbimby with a video camera. The Government wanted patients arriving at the emergency department at night to consult with doctors in Tweed Heads and Lismore via video link. Understandably there was a huge community protest and I commend the community of Mullumbimby for exposing and staring down this appalling idea. The State Government has been criticised by a well-respected doctor for not employing a visiting medical officer at Bulahdelah Community Hospital. Instead of supporting the community, the Government waged a vicious campaign against the doctor. As a result, he retired and the community of Bulahdelah has lost. One would think that Liberal and Nationals members would understand that our regional towns could not afford to lose good doctors, but they did nothing.

Meanwhile, the Minister for Health, the Hon. Jillian Skinner, was roundly congratulating herself at the time with her infamous statement to Parliament, "We have never had it so good." That is what she said. I invite her to say that to a mother who gave birth alone, while taking painkillers from her handbag, because of a lack of beds. The Minister says we have never had so many resources. However, that depends on the definition of a "bed". Several years ago, the Opposition exposed that the Minister for Health had created a bizarre new definition. It is easy to understand that a bed is a bed, but the Minister believes it is something else. She has been counting chairs in corridors and baby cots as beds under a new classification system. That is one way to increase bed numbers—simply redefine the term.

Meanwhile, last year New South Wales had the longest median waiting time for surgery in Australia. Elective surgery covers procedures such as hip and knee replacements, cataract treatment, tonsillectomies, and ear surgery for children. The situation is only getting worse under the Baird Government. Companies have been established to help New South Wales patients who would rather go to Thailand for a knee procedure than to wait for months for treatment in this State. No thanks to the Baird Government's health budget cuts, North Coast children can wait up to 12 months for dental surgery in a public hospital. I could go on, but I think the picture is clear. New South Wales residents now have a longer life expectancy, there is greater demand for health services in suburban, rural, regional and coastal areas, and there are booming child populations in many urban areas. We understand now more than at any time in history the economic value of investing in quality health services and preventative care.

Tony Abbott has slashed \$370 million from the budget for preventative health programs such as those that inform young women about the dangers of smoking during pregnancy. We know that the best way to prevent smoking is for people to get the message early. The average female smoker takes up the habit at 16 years of age. Those who reach the age of 20 and who have not taken up the habit are highly unlikely to do so. That is good for the individual and good for the community. Investing in health care protects our economy and saves our State in the long term. Instead of responding to this challenge, the Liberal-Nationals Government has slashed \$3 billion from the Health budget. [*Time expired.*]

The Hon. JOHN AJAKA (Minister for Ageing, Minister for Disability Services, and Minister for the Illawarra) [12.25 p.m.]: The Government opposes this motion, which clearly demonstrates that the Labor Party puts politics before patients by continuing to cook up scare campaigns. The facts are clear. Let us consider the scare campaign that the Hon. Walt Secord has launched with regard to the general practitioner [GP] co-payment. A GP co-payment has not been introduced by the Federal Government, but the Labor Party continues recklessly to scare patients and health staff. It should surprise no-one that members opposite are spinning and scaremongering. They are wasting time and energy on something that does not exist.

The Federal Parliament has not passed any legislation relating to a GP co-payment and members opposite know that. We do not know whether the Federal Parliament will ever pass any such legislation. Again, that means nothing to members opposite; they will continue to scaremonger and play politics. The New South Wales Liberal-Nationals Government has made it clear that it will not charge a co-payment for emergency department treatment. Our emergency departments will continue to deliver free public health care to patients across the State. Following public discussions about a potential recommendation from the National Commission of Audit flagging a GP co-payment, NSW Health developed various scenarios relating to potential impacts on hospital emergency departments. NSW Health has undertaken no detailed modelling on potential impacts since the Federal budget was handed down in May, and the Minister for Health has not commissioned any modelling. The reason for that is clear: There is no GP co-payment.

Minister Skinner has always maintained that there will be no cut to hospital and health services in New South Wales. The Government continues to increase the Health budget to meet patient demand; in fact, this year the Health budget was increased by 5.2 per cent to reach a record \$18.7 billion. That is a 20 per cent increase since the Labor Party was last in office. This year's budget comprises funding for 80,000 extra emergency department admissions, which is an increase from 69,000 last year. The budget also contains funds for 40,000 extra patient admissions to hospital, which is an increase from 34,000 last year. That includes 3,000 extra elective surgery procedures, which is equal to the figure for last year.

The Government deals with increased demand every day and continues to develop innovative models of care to manage the larger patient numbers. This State's recent performance in elective surgery and emergency procedures demonstrates that the health system is caring for more patients more quickly than ever. As I indicated, there is no GP co-payment and there may never be a GP co-payment. If one were introduced, the Government would implement new models of care to meet patient demand. That would include inviting general practitioners into our hospitals. That is already happening at hospitals across the State, including at Port Macquarie Base Hospital.

Why is Labor continuing to lie to the community about the Health budget? Clearly, Labor cannot be trusted. The Hon. Walt Secord's comments in relation to this motion were pure political grandstanding, electioneering and scaremongering. This is shameful. I put on the record that there is no \$3 billion cut to Health; this is a Labor lie. This year's recurrent Health budget is \$18.7 billion, a 5.2 per cent increase on last year and a 20 per cent increase since Labor was in office. To show its contempt for the health system, Labor replaced its Health spokesman, a respected doctor, with a spin doctor. Labor's complete mismanagement of the State's health system cannot be forgotten. It has no credibility when it comes to health in New South Wales. The Premier and Treasurer said on the day the budget changes were announced that it was a "kick in the guts for the people of New South Wales". When those opposite were in government they clearly failed the people of New South Wales.

Outsourcing of some services is not uncommon, such as the outsourcing of imaging services at Port Macquarie Base Hospital. The Labor Party made it its core business to bring in the private sector to build projects such as Orange Base Hospital, Bathurst Base Hospital and Royal North Shore Hospital. The Labor Party also did that with the Cross City Tunnel and the Lane Cove Tunnel. The Mid North Coast Local Health District has existing relationships across a range of its services with public, non-government and private operators as part of its collaborative approach to the provision of health services to the mid North Coast community.

Mid North Coast Local Health District currently provides services using both public and private radiology models. In the Hastings-Macleay Clinical Network radiology, services are provided at both Wauchope District Hospital and Port Macquarie Base Hospital by Healthcare Imaging Services. A public-private model currently exists at Kempsey District Hospital, with radiology services undertaken by the local health district and the reading of X-ray images contracted to Healthcare Imaging Services. The Mid North Coast Local Health District is undertaking a preliminary assessment of available options for the provision of radiology services at the redeveloped Kempsey District Hospital and will continue to consult with staff and the Health Services Union throughout this process. Last Wednesday this Government announced that a brand-new level 5 hospital will be designed, built, operated and maintained by Healthscope.

This is the first new greenfield hospital to be built in more than 20 years. After a rigorous evaluation process, the Government is proud to announce that Healthscope's proposal for a modern, nine-storey hospital will contain 488 beds, 1,400 car spaces and a helipad; 1,300 staff will be employed; and the total number of beds available on the Northern Beaches will increase to 554 by 2018. Importantly, public patients will access

services at the new Northern Beaches Hospital in exactly the same way they do at any other public hospital in New South Wales. Public patients will no longer have to travel from the Northern Beaches to other hospitals for higher order health care.

I refer to a front page article dated 31 March 2006 in which then Premier Morris Iemma and then Minister for Health John Hatzistergos announced that a new Northern Beaches Hospital would be open by 2010, but as usual those opposite never delivered. This Liberal-Nationals Government is delivering that hospital. The Hon. Walt Secord started to talk about hospitals those opposite will build, but not once did he mention where the money would come from. He did not mention how Labor would fund the hospital it announced it would build in 2006. Nothing was built then; there was not even a sod-turning ceremony. People cannot take anything said by the Hon. Walt Secord as fact. He talks about building hospitals, although he knows there is no funding. Fortunately for the people of New South Wales, those opposite will not be in government in March 2015. A lot of hot air comes out of those opposite.

I say to the people of the Northern Beaches, finally there is a government looking after them and providing the services they need. No-one should consider voting for the Labor Party because it will never deliver. The hospital the Government will deliver to the Northern Beaches will be valued at about \$1 billion, including \$400 million in road upgrades, with 700 jobs created during construction. Our partnership with one of Australia's leading healthcare providers means the Northern Beaches Hospital can be built faster and at a lower cost to the taxpayer. The money saved can be reinvested by the New South Wales Government into front-line health services.

The Northern Sydney Local Health District will enter into a long-term partnership with Healthscope to provide public patient services over the next 20 years. As part of the contract, Healthscope will be required to meet stringent Australian quality and safety healthcare standards. At the end of the contract period, the public portion of the hospital can be handed back to the New South Wales Government at no additional cost. Healthscope then has a further 20 years to provide services to private patients before the remaining part of the hospital can also be returned at no cost. The final contract with Healthscope is expected to be completed by the end of this year. Preparatory activities are underway on the site, with construction due to begin in early 2015. The new hospital is set to open in 2018. We will deliver the hospital that those opposite never delivered. That is the difference between those opposite and this Government.

Since March 2011 we have invested nearly \$5 billion in more than 130 projects to redevelop or upgrade hospitals and health services across New South Wales. Compare our record in less than four years to the failures of those opposite in more than 16 years. We have upgrades commencing at Westmead, Gosford, and St George and Sutherland, just to name a few. Only the Liberals and Nationals in New South Wales can be trusted to deliver better health outcomes for patients. Labor is all spin and no substance, and cannot get its story straight when it comes to the new hospital for Maitland. On 22 May this year former Labor shadow Health spokesman, Dr Andrew McDonald, said about the new Maitland (Lower Hunter) Hospital:

It has to be a public hospital, possibly with some private involvement as part of a public-private partnership, but it has to be the Lower Hunter public hospital.

When Metford was announced as the site for the new hospital, Labor member for Cessnock, Clayton Barr, said:

It's just absurd. What about those people further up the valley?

Mr Barr also told the *Maitland Mercury* the hospital would be better located near growth areas. In January 2011 an ABC transcript stated:

The State Government says there are no immediate plans to build a second public hospital in the Maitland region, despite the growing population.

A Government Regional Planning Strategy released a few years ago identified the need for an extra hospital. But Health Minister, Carmel Tebbutt says it is not on the agenda.

"If Labor cannot get its act together on something as simple as the location, how can they be trusted to deliver a new public hospital for our community?" the member for Maitland, the Hon. Robyn Parker said. In almost 20 years, Labor has promised the world but produced nothing to improve health services for Maitland. In stark contrast, the New South Wales Liberal-Nationals Government has committed \$20 million for planning and site selection for the new hospital, chosen the site of the new hospital at Metford, progressed remediation of the site, started the comprehensive planning process, appointed the lead design team to plan the build of the new

hospital, held a community information session to involve locals in the process, and committed to building the new hospital within five years of planning completion. The Hon. Robyn Parker recently announced a second community information session will be held on Tuesday 25 November to provide locals with more detail about the hospital development.

The Hon. Walt Secord: I'll be there in the front row.

The Hon. JOHN AJAKA: I note the interjection. Maybe the Hon. Walt Secord would like to have a debate with the Minister for Health. Interested community members can come along to find out about the progress being made by the New South Wales Liberals and Nationals Government to deliver this new hospital. The event will include presentations on the planning undertaken so far and how community input has been used in the master planning process. The project team will discuss the next steps in preparing for the region's new hospital. The choice is simple: Vote for the Liberal-Nationals Government. The Government opposes the motion. *[Time expired.]*

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

[Deputy-President (The Hon. Trevor Khan) left the chair at 12.40 p.m. The House resumed at 2.30 p.m.]

REPRESENTATION OF MINISTER ABSENT DURING QUESTIONS

The Hon. JOHN AJAKA: I advise members that during the absence from the Chamber today of the Minister for Roads and Freight I will answer questions relating to his portfolio.

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

QUESTIONS WITHOUT NOTICE

NEWCASTLE LIGHT RAIL

The Hon. LUKE FOLEY: My question is directed to the Minister for Roads and Freight, representing the Minister for Transport. Will he confirm that Transport for NSW planned to run light rail down the existing corridor in Newcastle but changed that decision as a result of a request from former Newcastle Lord Mayor Jeff McCloy?

The Hon. JOHN AJAKA: I thank the member for his question, which I will refer to the Minister for Transport, obtain an answer and either the Leader of the Government or I will come back with an answer.

GRANDPARENTS DAY

The Hon. CATHERINE CUSACK: My question is addressed to the Minister for Ageing. Will the Minister update the House on Grandparents Day events across New South Wales?

The Hon. JOHN AJAKA: Grandparents Day is an initiative of the New South Wales Liberal-Nationals Government that was delivered in its first year in office in 2011. This year it was held on Sunday 26 October. Grandparents Day provides a wonderful opportunity to recognise the contributions that grandparents make in their families and within the New South Wales community. The New South Wales Government is pleased to have delivered on a promise to continue this important day each year to recognise the contribution that grandparents make to our community. It was, of course, my first grandparents day as a new grandfather to my beautiful grandson, John Urbano.

Grandparents Day was formally recognised in New South Wales in 2011 and occurs on the last Sunday of every October. For years many in the community have lobbied for official recognition of the special contributions made by grandparents. I am pleased to say that this Government has listened to those calls and has put Grandparents Day on the calendar. We provide funding annually to have grants allocated to Grandparents Day events across the State and to ensure the awards competition continues. In the past three years, Grandparents Day has grown into a statewide community-based event. Grandparents Day engages local and

State members of Parliament, New South Wales government agencies, local councils, and libraries and schools, and provides grants to community groups, cultural groups and grandparent groups to assist with holding local events.

This year hundreds of events were held all over New South Wales, which showed how the community has embraced Grandparents Day. People have a real desire to show grandparents how valued they are. Many fantastic community events were held across New South Wales, including some great school-based and local community activities. Highlights include various tours that were held by the children at various public schools for residents of local nursing homes, and the go-go disco that Centacare held in Wagga Wagga. Grandparents Day ended with formal celebrations at the Norton Street Fiesta in Leichhardt, which attracted tens of thousands of people. There was a great turnout for the formal presentation of the Grandparent of the Year Awards, one of the most important elements of Grandparents Day each year. The awards are provided as official recognition of the special contributions made by grandparents.

Mr Ray Williams, the member for Hawkesbury, represented the Premier and me at the Grandparents Day event in Leichhardt and presented the Grandparent of the Year Awards. This year's winners were Denise Deroux from the North Coast of New South Wales for Grandparent Carer of the Year, Gary Payne from Bogangar near Tweed Heads for Community Grandparent of the Year and Raelene Bernhardt from Mortdale in Sydney for Grand Friend of the Year. I congratulate the Grandparent of the Year award recipients not only on their direct contributions to the care of those around them but also on becoming ambassadors and for sending positive messages about the role of grandparents in our society. The 2014 Grandparent of the Year Awards were given to three extraordinary individuals for the invaluable care, support, love and guidance they provide to their community and, most importantly, to vulnerable children. We know that the people of New South Wales are inspired by these individuals. I also take this opportunity to commend all individuals, groups and organisations across New South Wales who helped us to celebrate grandparents.

Grandparents Day is all about recognising the important role of older members in society and how they link us to our history and culture. Grandparents are often the backbone of families, just as older Australians are often the backbone of our clubs and volunteer organisations. I encourage people to remember the times they have spent at home with their grandparents, whether it was passing on secret recipes, sharing words of wisdom or simply spending time together. We should appreciate grandparents all year round.

PENSIONER CONCESSIONS

The Hon. ADAM SEARLE: My question without notice is directed to the Minister for Ageing, Minister for Disability Services and Minister for the Illawarra. Given the Abbott Government's cut of \$450 million in Commonwealth funding for pensioner concessions, will the Minister guarantee that the amount of assistance pensioners will receive to help them pay their council rates will remain unchanged after the 2014-15 financial year?

The Hon. JOHN AJAKA: It is amazing how quickly those opposite forget. When the Federal Government made those cuts, this Government clearly criticised it for doing so. Treasurer Andrew Constance and I have made it clear on a number of occasions that cuts to pensioner concessions are unacceptable. As a result, in the last budget the Treasurer confirmed that we would make up the \$107 million that was cut from the budget, which is what we did. We ensured that pensioners would not lose one concession dollar; whether it is council rates or any other concessions this Government made sure those concessions were reinstated. That is what has occurred but we have not heard one thank you from those opposite.

MARTINS CREEK PUBLIC SCHOOL

Dr JOHN KAYE: My question without notice is directed to the Minister for Ageing, representing the Minister for Education and refers to Martins Creek Public School. Why did the department subject the parents of Martins Creek Public School to a lengthy and painful process of consultation when the department's bureaucrats were saying to themselves that this was a done deal? On 6 February Mr Andrew Eastcott, Director of Public Schools NSW for Maitland, said, "Unless a great storm strikes the school will close" and on 3 June he sought an estimate of the sale value of Martins Creek Public School.

The Hon. JOHN AJAKA: I thank the member for his question, which I will direct to the Minister for Education and come back with an answer.

WINDOW AND BALCONY SAFETY

The Hon. MELINDA PAVEY: My question is addressed to the Minister for Fair Trading. Will the Minister update the House on how Fair Trading is working to promote children's window and balcony safety?

The Hon. MATTHEW MASON-COX: I thank the member for her question. As she is a mother I am sure she understands, as do we all, the importance of safety for our children. Recently there have been serious incidents of children falling from windows and balconies—an issue that needs to be brought to the attention of the community. Safety is everybody's business, no matter what those opposite might think. Yesterday I issued a media release urging families to take action on this important area relating to window and balcony safety checks. Each year about 50 children are injured—some fatally—from falls from windows, particularly in strata blocks around Sydney and across New South Wales. This is a serious issue and those opposite should reflect upon it. Rather than engaging in raucous behaviour they should listen carefully.

The Hon. Lynda Voltz: Point of order: My point of order relates to relevance. Given that Opposition members are sitting quietly in the Chamber, the reference by the Minister to raucous behaviour is not relevant to the question that was asked about window safety.

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

The Hon. MATTHEW MASON-COX: Approximately 50 children fall from windows every year. Some children are seriously hurt and there are some fatalities. It is a serious issue. Householders, whether they are owners or tenants of high-rise buildings, should take the time to check the safety of their windows and balconies. In the past two weeks two children have been admitted to New South Wales hospitals suffering serious injuries from falls from windows.

I urge home owners and tenants to check that their windows and balconies are safe. There are a few things that people should look for. Fair Trading has made it easy for people with the release of videos that are available on our website. I encourage members to look at those videos. Fair Trading has a wonderful website and more than four million people a year visit it and have access to a number of useful services.

The Hon. Greg Donnelly: What's the address?

The Hon. MATTHEW MASON-COX: I will get to that. The videos show the ease with which safety devices can be installed and give step-by-step instructions on the installation of some of those devices. There is a reference on the Fair Trading website to YouTube at www.youtube.com—

The Hon. Penny Sharpe: You've been reading the website again—every day.

The Hon. MATTHEW MASON-COX: Are Opposition members writing this down? They should show more interest.

The PRESIDENT: Order! The Minister should ignore interjections and direct his remarks through the Chair.

The Hon. MATTHEW MASON-COX: If members opposite, and indeed the public, go to the Fair Trading website they will be referred to two YouTube videos which will inform them of the practical things that they can do to ensure window safety. A product guide and a checklist are available on the "Kids Don't Fly" page issued by the Department of Health, which are also good resources. These are practical measures. Clearly, the most important area relates to strata schemes. It is important for those who live in high-rise strata scheme buildings to take steps to ensure that their windows are safe and that residents, particularly children, are protected.

The PRESIDENT: Order! I call the Hon. Walt Secord to order for the second time.

COASTAL CROWN LAND

Ms JAN BARHAM: My question is directed to the Minister for Ageing, representing the Minister for Natural Resources, Lands and Water. Did the Government consult with the NSW Coastal Panel, the statutory

authority whose role it is to provide expert advice on coastal issues, before introducing legislation that would have created definitions of core beach land and Crown beach and coastal land that are inconsistent with the existing definitions and concepts regarding beaches and coastal lands?

The Hon. JOHN AJAKA: I thank the member for her question, which I will refer to the Minister and come back with an answer.

NSW HEALTH PATHOLOGY FOOD TESTING SERVICES

The Hon. WALT SECORD: My question is directed to the Minister for Ageing, representing the Minister for Health. Given that on 17 October NSW Health Pathology food testing laboratories were privatised and the work is now conducted by a Melbourne commercial company, what steps is the Government taking to ensure public safety in the event of a food poisoning outbreak in New South Wales, as micro-samples need to be tested within 24 hours of their collection?

The Hon. JOHN AJAKA: I thank the honourable member for his question, which I will refer to the Minister and come back with an answer.

CYCLEWAYS

The Hon. CHARLIE LYNN: My question is addressed to the Minister for Disability Services, representing the Minister for Roads and Freight. Will the Minister update the House on how the New South Wales Government is delivering vital cycling infrastructure?

The Hon. JOHN AJAKA: Last month the Minister for Roads and Freight, the Hon. Duncan Gay, and the Minister for the Environment, and Minister for Heritage, the Hon. Rob Stokes, opened the newly completed \$1.65 million Oxford Street cycleway—the next important link in Sydney's cycling and pedestrian network. Since June this year work has been underway to build the specially designed off-road cycleway that will improve safety and access for pedestrians and cyclists. The new 800-metre cycleway starts at the corner of York Road at Bondi Junction and travels to the Paddington Gates at the intersection of Moore Park Road and Lang Road. The cycleway is a 3.5-metre-wide two-way cycle path and a 1.8-metre-wide pedestrian path along Oxford Street at Paddington, with some sections weaving through Sydney's Centennial Parklands. Clearly, it is a great way to travel to the city. This work is part of a \$33 million investment made last financial year by the New South Wales Liberal-Nationals Government to build walking and cycling paths across Sydney.

The cycleway is part of the Centennial Parklands Sustainable Parklands Program being delivered through record investment by the New South Wales Government. More than 20 million visitors use Centennial Parklands every year, with the need for ongoing facilities and infrastructure upgrades required to ensure this world-class parkland continues to deliver for the community. Improvements to Centennial Parklands infrastructure and capital maintenance requirements are being delivered through a further \$27 million grant from the New South Wales Government. The cycleway will improve safety and access for all road users between Bondi Junction and the city. The cycleway is a valuable addition to cycling opportunities and infrastructure within Centennial Parklands and clearly makes riding safer.

During this work, a project to restore and repair the 125-year-old Woollahra Gates at the end of Ocean Street was completed. The cycleway is a valuable addition to the cycling offerings and infrastructure within the Centennial Park and makes both riding and driving safer—a benefit to all commuters. Other Sustainable Parklands Program projects recently completed or underway include the \$1.2 million Belvedere Amphitheatre refurbishment and accessibility upgrades; the opening of the new \$500,000 Centennial Park Labyrinth, funded through private philanthropy; \$100,000 restoration works on the historic Woollahra Gates in Centennial Park; \$800,000 for the major upgrade to the Moore Park golf driving range; \$28,000 to create a new equestrian safety track within Centennial Park; and \$20,000 to upgrade the fitness station at the Woollahra Gates in Centennial Park.

This is just another reminder for those opposite that this Government is delivering infrastructure right across this great city. While we are delivering the big-ticket items like WestConnex and NorthConnex, we are committed to smaller projects for which local communities have been crying out for years. These projects are just the start of the good things to come. In fact, in the 2014-15 State budget, \$69 million has been committed for cycling and pedestrian infrastructure right across the city—the largest funding commitment to active transport in this State's history. Communities across this great State can be sure that this Government is committed to making it easier and safer to cycle in the city.

FIREARMS REGISTRY

The Hon. ROBERT BORSAK: I direct my question to the Minister for Ageing, representing the Minister for Police and Emergency Services. Is the Minister aware of the Auditor-General's 2014 report released in March this year which reveals a sharp increase in information security issues? Was the New South Wales Firearms Registry one of the 84 government agencies audited in 2012 and 2013? Was the registry afflicted by any of the 36 per cent of issues reported in 2012 that were repeated in 2013? If so, why has the Government allowed the registry to continue to operate with flaws in its information security systems and to risk the personal safety of all firearms owners and citizens of New South Wales?

The Hon. JOHN AJAKA: I thank the member for his question. I will refer it to the Minister for Police and Emergency Services and provide an answer.

UNLICENSED MOTOR VEHICLE REPAIRERS

The Hon. LYNDIA VOLTZ: I direct my question to the Minister for Fair Trading. Did NSW Fair Trading officers attend the QPlus workshops at Riverwood and identify unqualified workers undertaking smash repairs? If they did, what action did the agency take?

The Hon. MATTHEW MASON-COX: The member did not say when the workshop visit occurred. Was it in the past 10 years or the past 10 weeks? It is an open question. Our officers take every complaint very seriously. I think I am familiar with the circumstances to which the member refers, but I am always more interested in specific rather than general questions. As I understand it, NSW Fair Trading has been in conversations about defects in many repair workshops in New South Wales.

Responding to complaints made by people who are not happy with car repairs is a normal part of the agency's role. Indeed, it responds to all manner of complaints and has an exemplary record of resolving them as soon as possible and in a way that satisfies both the complainants and those who are the subject of complaints. It is a very important service. Members opposite know that because I have spoken at length about it on many occasions. NSW Fair Trading is getting on with the business of responding to complaints and ensuring that customers who are affected by defective repairs have recourse as appropriate.

SMALL BUSINESS

Mr SCOT MacDONALD: I direct my question to the Minister for Fair Trading, representing the Minister for Small Business. How is the New South Wales Government assisting small businesses?

The Hon. MATTHEW MASON-COX: I am very pleased to thank the member for a question about the small business sector because he is a former small business owner and he understands the important role it plays in this State's economy.

The Hon. Melinda Pavey: He has sold a lot of fertiliser.

The Hon. MATTHEW MASON-COX: Yes, he has sold a lot of fertiliser at Guyra. Costa has 20 hectares of tomatoes in greenhouses. It is a wonderful business. I congratulate the Minister for Small Business, the Hon. John Barilaro, who is doing an excellent job in protecting and promoting small business across this State. We have 683,000 small businesses in New South Wales and the Government is concentrating on ensuring that they are able to thrive. It is pleasing to be able to share with members opposite some great news about this State's economy. The unemployment rate has reduced from 5.9 per cent to 5.7 per cent and another 17,300 jobs were created in October. Clearly, the driver of job creation in this State is the small business sector. Members opposite should stop talking down our economy and acknowledge that it is travelling well. It is leading the pack.

The PRESIDENT: Order! The level of conversation is far too high. The Minister has the call.

The Hon. MATTHEW MASON-COX: Over the past couple of weeks we have had the release of the CommSec "State of the States" 2014 report and confirmation that the State's triple-A credit rating has been upgraded from a negative to a steady outlook. We have great news again today that the New South Wales economy is leading the pack. That is very reassuring for the people of this State. We have been talking about red tape and small business. This Government is determined to roll out the red carpet rather than create red

tape for small business, and that is as it should be doing. That is the difference between the approach taken by members on this side of the House and that taken by members opposite. I ask members to reflect on that for a moment.

Since March 2011, this Government has repealed 205 legislative instruments and introduced only 37. That is five instruments repealed for every one introduced. The Government promised that that ratio would be 2:1, but it has delivered a ratio of 5:1. The people of New South Wales want more, and this Government will not rest on its laurels because they deserve much more. The reduction in regulations has saved small, medium and large business \$500 million. That represents costs that those businesses do not have to pay each and every year. That saving will continue to grow because this Government is doing much more. I will share the details of what it is doing at another time. [*Time expired.*]

The PRESIDENT: Order! There is far too much audible conversation from Government members.

FIREARMS REGISTRY

The Hon. ROBERT BROWN: I direct my question to the Minister for Ageing, representing the Minister for Police and Emergency Services. It follows on from a question asked by my colleague the Hon. Robert Borsak. Was the New South Wales Firearms Registry the subject of any management letters issued by the Audit Office of New South Wales in 2012 or 2013? If so, has the Government held the relevant individuals named in those letters to account for any failures in fulfilling their responsibility to implement the appropriate security measures on the Firearms Registry database?

The Hon. JOHN AJAKA: Like his colleague, the member is seeking very specific details. I will refer the question to the Minister for Police and Emergency Services and obtain some of the details that he is seeking. In relation to the rest of the question, I am informed that the Government is investing \$5 million to overhaul the information technology system at the Firearms Registry. The Government has appointed the external consulting firm Deloitte's to examine the efficiency and effectiveness of the registry's operations and its systems and safeguards for securing the sensitive information that it holds. The NSW Police Force is currently working towards implementing the recommendations made by Deloitte's.

SOUTH COAST TRAIN TIMETABLE

The Hon. SHAOQUETT MOSELMANE: I direct my question to the Minister for the Illawarra. Given that the Illawarra has one of the largest commuter populations in the State, what is the Minister doing to respond to community concerns about the impact of the changes to the South Coast train timetable?

The Hon. JOHN AJAKA: The feedback from everyone in the Illawarra, other than members of the Labor Party, is that they are incredibly happy with the train timetable. This Government is providing more services, more trains and faster services throughout the Illawarra and to the city. Members opposite cannot cope with the fact that the Minister for Transport, the Hon. Gladys Berejiklian, is doing a fabulous job.

Sixteen years of neglect from those opposite, that is what the opposition cannot cope with. During consultation on the Long Term Transport Master Plan, our customers told us that they wanted improved journey times between the South Coast and Sydney. In October 2013 the Government delivered a new timetable developed by experts and built around our customers' needs based on research and consultation. The new timetable delivered 125 new weekly express services on the South Coast line, enabling journey time savings of up to 40 minutes a week between Wollongong and Central and up to 65 minutes a week between Kiama and Central.

The local Port Kembla to Thirroul service has been extended to Waterfall, providing better connections for Wollongong's northern suburbs. Every train now stops at Wolli Creek, which makes it easier for South Coast customers to catch a train to Sydney airport. The Government has delivered a timetable that is easier for customers to use, with fewer stopping patterns and consistent service times. Customers are experiencing more comfortable journeys with more even loading, particularly at peak times. I am pleased to say that since 2012 customer satisfaction with the South Coast line services has increased from 84 per cent to 90 per cent.

The Hon. SHAOQUETT MOSELMANE: I ask a supplementary question. Will the Minister elucidate his answer in response to recent comments made by the member for Kiama, Mr Gareth Ward?

The PRESIDENT: Order! The supplementary question is out of order. It is essentially a new question.

DISABILITY SERVICES

The Hon. RICK COLLESS: My question is addressed to the Minister for Disability Services. Will the Minister update the House on the capital investment being provided for people with a disability?

The Hon. JOHN AJAKA: I thank the Hon. Rick Colless for his question. The Premier has made it clear that the Government is rebuilding New South Wales and I am ensuring that we are playing our part in rebuilding the disability sector. This is part of preparing New South Wales for the full implementation of the National Disability Insurance Scheme [NDIS] in July 2018. The capital investment and building of new group homes will enable a sustainable future for people with disabilities in New South Wales by providing the sector with an outstanding accommodation platform to deliver disability services in the future. The infrastructure program will deliver over 250 new homes valued at approximately \$530 million.

These homes will allow us to close a number of large residential centres, including Riverside in Orange, Westmead and Rydalmere and the three remaining government large residential centres in the Hunter region. These large residential centres will be replaced by new contemporary homes in the community. Our infrastructure program will also provide an additional 78 new homes to accommodate growth in the disability sector by June 2016. A further 55 existing group homes will be replaced to provide safer, more contemporary accommodation for those currently living in older group home accommodation. In 2013-14 the New South Wales Government completed the first 32 homes in this program. This is a significant capital contribution from the New South Wales Government which will result in real benefits for people with disabilities in New South Wales.

I recently attended turning-of-the-first-sod events with non-government organisations, marking the start of construction on a number of group homes. I was honoured to have the opportunity to meet with people whose quality of life is set to benefit from the investment in these new homes. In August this year I had the privilege of attending a turning-of-the-first-sod event with the member for Hornsby, Matt Kean, for a new group home in Castle Hill which will provide accommodation for six residents. Once completed, the \$2.4 million New South Wales government-funded residence will consist of a four-bedroom villa and a two-bedroom villa for adults. The new housing will give the residents a contemporary home in the community close to shops and public transport and all the necessities enabling them to participate in day-to-day life. The service provider, Warrah, will deliver much-needed services and support to all the residents in the new property.

Earlier this year, Mr Stephen Bromhead, the member for Myall Lakes, Deputy Mayor Robyn Jenkins from Greater Taree City Council and I, together with Dundaloo, a disability service provider on the mid North Coast, visited another site in Taree before construction started. This \$1.2 million investment will provide the residents with a five-bedroom group home with all the services of the community close by to enable a fulfilling day-to-day life. I visit a lot of sites and enjoy seeing the bricks and mortar because it cements for me that work is underway across the State rebuilding disability housing in New South Wales for some of our community's most vulnerable.

The difference these small group homes make for people with disabilities is outstanding. They live in the wider community and flourish with their new-found independence. By the end of the program in June 2018 we will have delivered over 250,000 new homes across New South Wales, transforming the sector and impacting the lives of over 1,250 people with disabilities in New South Wales. This investment in group homes will underpin the industry with a suitable accommodation platform from which the NDIS can be successfully implemented.

BROKEN HILL WATER SUPPLY

Mr JEREMY BUCKINGHAM: My question is directed to the Minister for Ageing, representing the Minister for Natural Resources, Lands and Water. Is the town of Broken Hill and its population of 18,500 residents running out of water due to the mismanagement—

The PRESIDENT: Order! I am having difficulty hearing the question.

Mr JEREMY BUCKINGHAM: Is the town of Broken Hill and its population of 18,500 residents running out of water due to the mismanagement of water in the Menindee Lakes system? Can the Government assure the residents of Broken Hill that they will not be placed on permanent bore water supply?

The Hon. JOHN AJAKA: I thank Mr Jeremy Buckingham for his question. It is interesting because last night Mr Jeremy Buckingham swore that the population of Broken Hill was 30,000 people. Now he acknowledges it is 18,500. It is encouraging to know that at least one fact in his question is right. I am sure the Hon. Duncan Gay would be saying that he does not accept the vast majority of "facts" in Mr Jeremy Buckingham's questions.

The Hon. Greg Donnelly: Don't channel Duncan.

The PRESIDENT: Order! And do not reflect on Mr Jeremy Buckingham either.

The Hon. JOHN AJAKA: The people of Broken Hill face water shortages because it has not rained for a considerable period. If the member had spent any time in regional New South Wales he would be well aware of this. I advise that last night in this place Mr Jeremy Buckingham was unable to even confirm whether he had been to Broken Hill. My strong advice to him is that he should try to spend some time in Broken Hill and actually speak to the people there.

The Hon. Steve Whan: Point of order: My point of order is relevance. Whether Mr Jeremy Buckingham has been to Broken Hill is not relevant to the water supply, a matter that is important to the people of Broken Hill. They would like an answer to this question.

The PRESIDENT: Order! It is difficult to say whether the answer is not generally relevant. Perhaps the Minister could be more relevant.

The Hon. JOHN AJAKA: The situation in Broken Hill is one that the New South Wales Government is taking very seriously. The Minister for Natural Resources, Lands and Water is working extremely closely with the New South Wales Office of Water, Broken Hill City Council and the local community in relation to the future management of the lakes. Securing and maintaining a reliable source of water for Broken Hill is one of the Government's highest priorities and we have wasted no time in investigating what options were available to protect the water supply for the local community. The drilling of investigation bores to examine the geology, water quality and quantity of local government groundwater supply is simply one of the options that the New South Wales Government is looking at to secure Broken Hill's water supply in the event the city reaches a point where it is in imminent danger of running out of water.

Groundwater will only be used to secure the town water supply as a last resort if the surface water supply runs dry. The lakes are not at that stage yet, and that is why these works are solely to investigate the feasibility of that option and not to start providing town water supply. This solution has only ever been intended to be temporary and, as Mr Jeremy Buckingham would know, it would be foolish to suggest it would be permanent. The New South Wales Liberal-Nationals Government is taking sensible, proactive and consultative steps to look after the people of Broken Hill.

WARNERVALE HIGH SCHOOL PROPOSAL

The Hon. GREG DONNELLY: My question is directed to the Minister for Ageing, representing the Minister for Education. With the number of new houses being built in the Warnervale area of the Central Coast, when will the Government commence consulting with the local community regarding the planning for a new high school to respond to the growing population?

The Hon. JOHN AJAKA: I thank the member for his question. I will refer the question to the Minister for Education and come back with an answer.

SERVICE NSW

The Hon. NATASHA MACLAREN-JONES: My question is addressed to the Minister for Fair Trading, representing the Minister for Finance and Services. How is Service NSW making it easier for people to transact online?

The Hon. MATTHEW MASON-COX: I thank the member for her question. It is clear that the New South Wales Government has been listening because there is now a range of ways to do business with the New South Wales Government that are responsive to the needs of consumers by using the best available technology. I am pleased to announce a new mobile phone app. I think members on this side of the Chamber are already

using it, but it is about time those opposite knew about it. This new Service NSW app has been released in an iPhone version, to be followed by an Android version later this year. Most of us have an iPhone, so we can have a crack at this app. It builds on the NSW Rego iPhone app, which most members have. The Rego app works very well to enable customers to securely renew vehicle registration, check registration status and set a reminder for when registration is due.

The Hon. Trevor Khan: That is a really good idea.

The Hon. MATTHEW MASON-COX: I acknowledge the interjection of the Hon. Trevor Khan; it is a wonderful idea. It is great that we can do our car registration over the internet and set a reminder so as not to miss the renewal date. Paper registration is no longer issued; the process is paperless. The New South Wales Government is listening to the people of New South Wales and cutting red tape and regulation to save money. This is common sense. Those opposite had 16 years to do something but all they did was to spend money like drunken sailors. We are trying to pick up the pieces.

The economy is going well, and those opposite hate that. We have new ideas and are innovative, and they hate that. Anything we are doing that is positive they hate, and that is why they will be on the losers lounge for 16 years while we enjoy watching them in that pitiful stance. As part of the app, we have built on a new locator function to enable customers to more easily locate the popular one-stop shops, another great innovation of this Government. At these one-stop shops customers can access more than 800 government transactions.

The Hon. Greg Donnelly: That is exciting!

The Hon. MATTHEW MASON-COX: It is exciting and I am glad the member opposite is excited. The Government is introducing this innovation so that government services can be accessed at a Service NSW one-stop shop. Service NSW one-stop shops are open on Saturdays and before normal business hours—a revolutionary step so that businesspeople can access these services before opening their businesses. These new opening hours show that this Government is listening to consumers, small business owners and business owners generally by using technology as a facilitator. We have introduced this locator function and a range of services that are available on the new app. NSW Fair Trading has put out a lot of new apps which have been well received by the market, particularly the one in relation to gift cards. One of the problems with gift cards is remembering the expiry date and this particular app sends a reminder before the card expires. *[Time expired.]*

SAVING OUR SPECIES CONSERVATION PROGRAM

Dr MEHREEN FARUQI: My question is directed to the Minister for Fair Trading, representing the Minister for the Environment. Almost one year ago the Government announced the Saving our Species Conservation program, but according to the Office of Environment and Heritage website the program is still in the expressions of interest stage. Why is the Government so quick to vandalise our environment but so slow to introduce potentially positive environmental programs?

The Hon. Niall Blair: Point of order: The question clearly contains argument and should be ruled out of order.

The PRESIDENT: Order! The question is clearly out of order. The member can reword her question and ask it again later in question time.

DISABILITY SERVICES

The Hon. STEVE WHAN: My question is directed to the Minister for Ageing, and Minister for Disability Services. Given the NSW Disability Service Forum promotes dignity of risk for people with disability, would the Minister indicate whether the Government supports this approach? If so, how is the Government implementing it?

The Hon. JOHN AJAKA: The member is well aware that this Government supports all people with disability and of the great strides that this Government has taken in relation to disability services. The member is also well aware that I have acknowledged on many occasions the great strides taken by the previous Government. Let me indicate one recent great stride, the Disability Inclusion Plan.

WOLLONGONG RUGBY LEAGUE TEST MATCH

The Hon. GREG PEARCE: My question is addressed to the Minister for the Illawarra. Will the Minister update the House on upcoming rugby league events in Wollongong?

The Hon. JOHN AJAKA: I thank the Hon. Greg Pearce for his question. I am proud to inform the House that Wollongong's WIN Stadium will host its first ever rugby league test match this Sunday 9 November, when the Kangaroos take on Samoa as part of the Four Nations tournament. Everyone in this Parliament knows that I am a rugby league tragic, as are many other members in the Parliament including the Hon. Luke Foley and the member for Camden, Chris Patterson, co-chairs of the Parliamentary Friends of Rugby League, and you, Mr President. There is clearly bipartisan support for rugby league in this Parliament.

The news that this exciting game was coming to Wollongong made my day. Rugby league is a fantastic game that is enjoyed by thousands of Australians and watched by millions. Bringing players and fans to Wollongong is a great opportunity for the Illawarra to showcase all it has to offer. I am glad the Illawarra can experience such a significant match. Venues New South Wales has been working closely with the National Rugby League [NRL] for some time to bring the Kangaroos test to Wollongong's WIN Stadium. Their success is a great result for the people of the Illawarra. WIN Stadium is a multi-use venue that can host multiple sports for any occasion. Following its opening last year, I am looking forward to experiencing an elite event such as the Four Nations game there. The stadium has been an integral part of the NRL scene since the mid-1980s, being the home to the Illawarra Steelers and now the southern home of the St George-Illawarra Dragons.

WIN Stadium has hosted four St George-Illawarra Dragons NRL games this year, which has been great for the local fans and great for the region. Earlier in the year, it hosted the NRL Charity Shield game between the St George-Illawarra Dragons and the South Sydney Rabbitohs, which I was pleased to attend. I was thrilled to be able to present the shield at the end of the game—unfortunately, it was to the Rabbitohs. Now it is a multisport venue. During 2013-14 WIN Stadium hosted 46 events, with a multitude of uses. This match will provide a massive boost to the community; it is a real vote of confidence by the NRL in the sports-loving people of the Illawarra and demonstrates the capability of WIN Stadium to host major international events.

The game will deliver a significant tourism and economic boost to the region and give locals the chance to put their products and services on show to the many visitors who will be coming to see the game. I encourage fans to arrive early—and I hope each and every member of this House will attend the game—to enjoy the pre-game entertainment celebrating the Illawarra's local international players. Women's rugby league will be showcased when the Australian national team, the Jillaroos, play the New Zealand Kiwi Ferns as a curtain-raiser. I am particularly proud that four members of the Jillaroos squad are from Helensburgh—Sam (Samantha) Hammond, Maddie Studdon, Kezie Apps and Ruan Sims. This outstanding news was warmly welcomed by the member for Heathcote, Lee Evans, who was thrilled that such a substantial number of the squad were from his electorate. Twelve teammates from the victorious 2013 World Cup winning Jillaroos team were selected as part of the 2014 team. I encourage all members to consider travelling to Wollongong to enjoy both momentous matches this Sunday. I will be watching and hoping to see Australia win.

SHOALHAVEN POLICING

The Hon. PAUL GREEN: My question without notice is directed to the Minister for Ageing, representing the Minister for Police and Emergency Services. I note comments made last night by the new astute Parliamentary Secretary for Police and Emergency Services, who assured the Hon. Mick Veitch and me that the Government "will continue to invest in our regions, with record numbers of front-line jobs, including police and nurses, and the investment in infrastructure, including roads and hospitals. This Government has budgeted for more than \$13 billion in infrastructure spending for our regions." Given the Parliamentary Secretary's commitment to police and infrastructure, will the Minister commit to the building of a police station in the Bay and Basin region of the Shoalhaven before the March 2015 election?

The Hon. JOHN AJAKA: I am thrilled about the record spending of this Government in the Illawarra in all the aspects referred to by the member. In relation to the specific part of the question concerning the building of a police station, I will refer it to the Minister for Police and Emergency Services and come back with an answer.

DAPTO RESPITE CENTRE

The Hon. MICK VEITCH: My question without notice is directed to the Minister for Ageing, Minister for Disability Services, and Minister for the Illawarra. Will the Minister indicate whether the Dapto Respite Centre will remain in operation with the same levels of access and care for the parents and young people who currently use the centre?

The Hon. JOHN AJAKA: It is interesting that some time ago those opposite and some of the local Labor members of Parliament from the Illawarra engaged in scaremongering about the Dapto Respite Centre. What happened after all that scaremongering? There were no changes to the Dapto Respite Centre. The Dapto Respite Centre was not closed by this Minister, notwithstanding the assertions of those opposite. After they realise they were completely wrong, those opposite now come up with the question: Is the Dapto Respite Centre going to change in any way? Will services be maintained?

I can assure members opposite that Dapto Respite Centre and respite centres throughout New South Wales will continue to provide the same excellent services they have always provided. When we transition to the National Disability Insurance Scheme and people will have their own funding, people with disabilities will have control of their funding and will be able to make their own choices. They can continue to choose the respite centres they wish to visit, not respite centres they are forced to visit if they want to change a respite centre. That is what those opposite keep forgetting.

The Hon. MICK VEITCH: I ask the Minister a supplementary question. Will the Minister give a guarantee that the respite centre at Dapto will receive the same level of service and care that is currently being provided?

The PRESIDENT: Order! The member's supplementary question is clearly out of order.

NSW FAIR TRADING CUSTOMER SERVICE

The Hon. DAVID CLARKE: My question is directed to the Minister for Fair Trading. Will the Minister update the House on Fair Trading service rates for the 2013-14 financial year?

The Hon. MATTHEW MASON-COX: When people think of service they think of Fair Trading because that is what the marketplace has come to understand. We are very proud of Fair Trading's high customer service and its recognition throughout communities in New South Wales. It is most important that people understand that when they come to NSW Fair Trading they will find somebody who will listen to them and that Fair Trading will do its best to resolve their problems as quickly as possible, and that is what is happening.

The Hon. Steve Whan: They have never had it so good; is that right?

The Hon. MATTHEW MASON-COX: They have never had it so good because Fair Trading has a 93 per cent success rate in solving people's complaints. It has never been so good. I have mentioned a couple of times previously that over the past year the Fair Trading website has been visited by 4.1 million people. I can update that figure because I have been informed that the Fair Trading mobile website, which people who use mobile telephones can access, was visited more than 261,000 times throughout the year—an increase of 50 per cent over the previous year. People want to use their mobile devices to access the internet site and obtain good information at a time that suits them so that they can get on with their lives. Fair Trading is listening and ensuring that that service is provided and is accessible to people on whatever day suits them.

Each year NSW Fair Trading receives nearly one million telephone inquiries for service across its centres, and 89 per cent of those calls are answered within five minutes. That is a terrific response and I congratulate the staff of Fair Trading, who do a wonderful job. I visited the call centre at Parramatta and met the staff and saw what they do firsthand. It is an impressive operation and one cannot help but feel uplifted when one walks into that environment and sees the focus the staff have on ensuring that customer service is a touchstone in everything they do. I congratulate the assistant commissioner at Parramatta, Andrew Gavrielatos, and his team, who do a wonderful job ensuring that the people of New South Wales are protected, that they have their complaints answered as quickly as possible and that the marketplace is promoted.

In the 2013-14 financial year Fair Trading received 45,108 complaints about transactions in the marketplace. Fair Trading responded to those complaints promptly and, as I said earlier, 93 per cent of them

were resolved without recourse to a tribunal or court. It does not cost the consumers anything and the complaints are handled quickly and in a way that meets consumers' needs as quickly as possible. We are proud of our customer service at Fair Trading. *[Time expired.]*

SAVING OUR SPECIES CONSERVATION PROGRAM

Dr MEHREEN FARUQI: My question without notice is directed to the Minister for Fair Trading, representing the Minister for the Environment. Almost one year ago the Government announced the Saving Our Species program, but according to the Office of Environment and Heritage website, the program is still in the expressions of interest stage. When will this program be implemented?

The Hon. MATTHEW MASON-COX: I will have to refer the question to the Minister for the Environment for a response. I know that it is something that he very passionately believes in. I am sure he will provide a response quickly to the House.

LOCAL INFRASTRUCTURE RENEWAL SCHEME

The Hon. SOPHIE COTSIS: My question is addressed to the Minister for Fair Trading, representing the Minister for Local Government. During budget estimates last year the former Minister for Local Government committed to publish progress updates for projects funded by the Local Infrastructure Renewal Scheme twice a year on the Office of Local Government's website. Has the Government kept this commitment?

The Hon. MATTHEW MASON-COX: Given the specific detail of the question, I will take it on notice and ask the Minister for Local Government for a response. I will pass it on to the member as soon as possible.

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

The House continued to sit.

The Hon. JOHN AJAKA: The time for questions has expired. If members have further questions they should place them on notice.

Questions without notice concluded.

ADJOURNMENT

The Hon. JOHN AJAKA (Minister for Ageing, Minister for Disability Services, and Minister for the Illawarra) [3.31 p.m.]: I move:

That this House do now adjourn.

RENEWABLE ENERGY

Dr JOHN KAYE [3.31 p.m.]: This afternoon I begin with a quote: "The New South Wales Government is committed to securing an affordable and renewable energy future for New South Wales." Those are fine words but they will never become reality. New South Wales will not become a California by market forces alone. There needs to be either direct public investment in renewable energy or mechanisms established that nurture and support the renewable energy industry and make it an attractive investment environment, as well as taking into account longer payback periods. Hence the greater need for certainty both in the market and in prices available for renewable energy products.

That is not surprising. The history of coal-fired power stations is quite similar. When large centralised power stations fired by gas or coal were seeking to grab an economic foothold they struggled until they were given access to capital borrowings guaranteed by the State government, with payback periods of up to 30 years. That degree of certainty was effectively a huge subsidy that established coal-fired and central gas-fired power stations in New South Wales. They have been sustained by an ongoing subsidy in respect of the diesel fuel rebate, low-cost fuels and free use of the environment as a dump.

Despite technical innovation, rapidly declining costs of wind and solar and energy efficiency, capital barriers to the renewable energy future still exist. Those barriers are maintained by the politics of the old parties

and driven by the fossil fuel industry. Not making major inroads into the renewable energy industry will have major impacts for New South Wales. We will not only lose the opportunity to cut greenhouse gas emissions but also jobs will be lost in large numbers. The wind industry in its current form offers the opportunity to cut 16.8 million tonnes of carbon dioxide—about a quarter of the emissions from the State's electricity industry—and generate 3,940 new jobs directly in the State.

More importantly, investment in renewable energy now builds the economy of the future with huge export potential. But that will happen only if New South Wales gets ahead of the curve and stops languishing behind it. John Howard's original mandatory renewable energy target set a ridiculous target of only 2 per cent. In 2009 the Rudd Government increased that to 20 per cent by 2020, crucially not as a percentage of energy consumed but as an absolute gigawatt hour figure—41,000 gigawatt hours by 2020—in order to provide certainty to the industry and attract capital, recognising that the industry could not absorb the risk of declining demand for electricity. Critically, that target received bipartisan support, resulting in massive growth in jobs and in cuts in greenhouse gas emissions.

Shortly afterwards the market for small renewable energy systems, such as roof-top solar, were separated to increase certainty. Enter the Abbott Government. After it was elected—under pressure from the coal and gas industries and climate deniers in its ranks, led ably by Alan Jones, Miranda Devine and Andrew Bolt—the Abbott Government established a review by the champion climate denier Dick Warburton, of itself enough to destabilise the industry, sending a clear signal of the Federal Liberal-Nationals Government's intention to destroy the industry. What came out of that review was even more frightening: close the scheme entirely or cut it to a 20 per cent target. We went from 41,000 gigawatt hours or 20 per cent, which is a 7 per cent cut, to suggestions of 27,000 gigawatt hours a year, which is a 40 per cent cut, with Ian McFarlane seeking Labor's support. That would cost New South Wales more than 1,600 jobs.

The Coalition, Labor and The Greens in New South Wales agree that that is not a good outcome. However, it can be solved by State-based renewable energy target legislation, as happened in 2007. Resuscitating that legislation and putting it through the Parliament would provide an investment environment for renewable energy in this State. It is not simply a matter of rescuing the planet or jobs now; it is a question of what sort of economic future the State wants to have. Just as support was given to coal-fired power stations in the 1950s to build a new economy, it is time for New South Wales to put the same support into renewable energy by guaranteeing a market and filling the gaps that might be left open by whatever the Federal Government and Federal politicians might do to the renewable energy industry.

ELECTRICITY SYMPOSIUM

The Hon. GREG PEARCE [3.36 p.m.]: Last month I was privileged to host a symposium in Parliament House on the Baird Government's recent announcement that it proposes to take a policy to the next election for a long-term lease of 49 per cent of the State's network electricity businesses, excluding Essential Energy. That is probably the most significant transaction ever proposed in this State's history. The flow-on of the infrastructure spend and freeing up of at least \$20 billion for investment in new infrastructure and renewal is well overdue. The predictable scare campaign focusing on electricity jobs, future pricing and selling the farm has already begun. Alarmist predictions should not be the only part of the debate.

The symposium focused on the benefits to the State of the policy and the safeguards that we put in place as part of delivering such transactions. It also considered other issues and trends, primarily focused on the consumer, including key performance indicators for investors; the regulatory implications of recent policy changes, including carbon and renewable energy; pressures and changes in demand, particularly through the installation of renewables; capital profiles; and future pricing. I am grateful to my colleagues the Hon. Andrew Constance, the Treasurer and Minister for Industrial Relations, and the Hon. Anthony Roberts, the Minister for Energy and Resources and Special Minister of State, who gave their time to address the packed Strangers' Dining Room, which was full of interested parties from industry representatives to representatives of the finance industry and consumers.

I am grateful to a number of leading business people and others who gave their time to be part of the symposium. Mr John Azarias from Deloitte, a friend of all governments, chaired the panel. Vince Graham, the Chief Executive Officer of Networks NSW, gave his time to explain the background to what is happening in the industry. Dr Abby Bloom, a director and corporate adviser, gave us an insight into some of the issues impacting on consumers. In particular, she made the important point that consumer protections are one key reason to proceed with the transaction if the Government is returned. John Bradley, the Chief Executive

Officer of the Energy Networks Association, Tony Wood, the Energy Program Director at the Grattan Institute and Michael Hanna, the head of Infrastructure Australia at IFM Investors also gave their time to participate in the forum.

I commend to members the opportunity to read the Government's discussion paper "Rebuilding NSW", which has been released. The discussion paper relates to the proposed transaction and particularly focuses on the objectives of the transaction, which begin with ensuring that we have an electricity supply in this State that is safe, reliable and affordable, unlike under the previous Government where we saw multiple compound increases in prices every year.

The other interesting point—and something that will come out with the regulator's paper that is due this month—is the comparison between electricity businesses that are in private hands and those that are still in public hands. We have already a significant public and private spread of ownership and those results showing the performance of the public companies and the private companies will be important as we move forward. Australia has world-leading rates of solar penetration and costs of electricity continue to fall, including the solar penetration. Technology implications for network investments and operations and the role of smart grids are key issues going forward in this transaction.

I was interested to hear, in particular, the perspective of the representative of the 30 Australian industry super funds, Mr Hannah, who made it plain that the industry super funds were eager to invest in this sector and eager to invest in infrastructure. They want to see certainty. I was pleased that they were prepared to support the discussion at this very important potential transaction. I certainly support the prospect of going forward in an exciting further term of the Baird Government and delivering on this transaction for the people of New South Wales.

WESTCONNEX

The Hon. PENNY SHARPE [3.41 p.m.]: The latest proposal for WestConnex is nothing more than a tunnel to a traffic jam—a traffic jam that has the potential to gridlock cars and trucks from the airport to Parramatta Road and every local street in between. This week the Prime Minister and the Premier of New South Wales hopped in their shiny white cars and went down to St Peters armed with glossy brochures, the obligatory oversized picture dotted with colourful lines and a promise to build a tunnel to St Peters that will simply dump traffic onto the bottom of King Street and throughout the inner west. Behind the scenes and away from the cameras 80 local households were being doorknocked to be told that their houses could be acquired. For those who live in Tempe, St Peters, Alexandria, Newtown, Enmore, Erskineville and beyond the project has been announced without any information, consultation or basic respect for the communities that are affected by this proposal.

These are the facts about this latest proposal for WestConnex. This proposal is not backed by a proper traffic analysis. If the Premier has ever spent any time in and around St Peters he would know that these streets are already gridlocked. King Street, Unwins Bridge Road, May Street and Edgeware Road are already at capacity. There is simply no more room. Carmel Tebbutt fought and won the removal of road reservation along Edgeware Road for the very reason that it was recognised that with the Marrickville Metro, St Pius Primary School and a local childcare centre this road was the wrong place for more traffic. The Premier and the Minister for Roads and Freight would do well to listen to the words of the Mayor of Marrickville. Marrickville Council, the authority responsible for local roads—it knows a bit about traffic and it knows a bit about what is going on in the local area—opposes this plan. This week Mayor Mark Gardiner said:

We are extremely disturbed that aspects of the plan—which include widening Campbell Street and Road—are environmentally unsound, will dump traffic onto local streets and damage the fabric of the local community.

The Premier would do well to listen to the Newtown Business Precinct president Mark Ely, who said on behalf of business owners this week that the funnelling of traffic onto King Street would lead to the extension of clearways that would effectively kill King Street. The Premier should heed the words of my colleague the member for Heffron, who pointed out in the other place this week that the plan to build an interchange at St Peters has been considered before and rejected. Twenty years later the reasons for the initial rejection remain. The Premier should listen to the advice of experts such as Ron Christie, who has raised concerns about building a road with no public transport corridor or interchange, issues of ventilation, and safety concerns about the mixing of private vehicles with large heavy vehicles.

This proposal is not backed by an environmental assessment of the project, only the promise that it will be done well after the State election next year. This proposal does not have a clear route. Previously there have

been plans for cut-and-cover tunnels down Parramatta Road and to run the roads through Tempe lands and Wolli Creek. The Premier has proposed his own extra connections to various parts of the city and various thought bubbles. This week's announcement demonstrates that 3½ years into this Government, Mike Baird and Duncan Gay still do not have any idea of the route or the purpose of this road aside from a media opportunity for the Premier.

There are some who believe that the solution to congestion in Sydney is to not build any more roads at all. This is, of course, preposterous. We need to tackle congestion head on, with investment in public transport and integrated planning for freight on rail and road. We need to have careful analysis of how to invest in the right roads at the right places. The Government's latest proposal for this version of WestConnex fails because it does not address these basic issues. Let us remember what the objectives of WestConnex are supposed to and should be: a road that gets truck movements to and from the port and to separate as much as possible heavy vehicles from passenger vehicles. This plan does precisely the opposite. The already congested area to the west of the airport will become absolutely gridlocked with not just cars but also large trucks that have nowhere to go.

In cahoots with Tony Abbott—who has an ideological obsession with funding only roads projects over urban rail—the Baird Government is blundering ahead with a project that has not had the most basic appraisal done. The approach to this project has been well described by Lenore Taylor in the *Guardian*, "Promise the money first; examine the business case later." We decry every day in this city the need to build bipartisanship and long-term commitment to building the infrastructure that Sydney needs. I completely agree with the need for bipartisanship. But we cannot build anything if governments fail to do the proper assessments and cost benefit analyses, demonstrate proper due diligence, undertake proper consultation and ultimately they put up projects that do not offer transparency and the certainty that is needed to build the support for infrastructure projects into the future. This current proposal is simply a tunnel to a traffic jam.

CHRISTIANITY IN AUSTRALIA

Reverend the Hon. FRED NILE [3.45 p.m.]: The subject of my adjournment speech is Australia is a Christian nation. As members know, in the last Census more than 63 per cent of the people claimed to be Christian when all Christian denominations were totalled: Anglican, Catholic, Baptist, Presbyterian, Lutheran, Assemblies of God, Christian Reformed Church, Congregational, Church of Christ, Salvation Army, Greek Orthodox, Coptic Orthodox, Ancient Church of the East, Chaldean, Maronite, Melkite and many others. We need to note that not all Christians answer that voluntary question about religion to maintain their privacy. Our nation is a Christian nation because our laws are based on the Judea Christian ethic of the *Bible*, such as the Ten Commandments. Our Australian flag also bears the crosses of three saints: St Patrick, St George and St Andrew. The Australian Constitution defines us as a Christian nation when it states in its preamble:

Whereas the people of New South Wales, Victoria, South Australia, Queensland and Tasmania humbly relying on the blessing of almighty God, have agreed to unite in one indissoluble federal Commonwealth under the crown of the United Kingdom of Great Britain and Ireland, and under the constitution hereby established.

The key words here are "humbly relying on the blessing of almighty God". Almighty God is the God of the Christian *Bible*. From the beginning our Federal Parliament and our State parliaments have always commenced with a Christian prayer, following the tradition of the British Parliament way back in the 1600s when the first Parliament prayer was read—it was quite a long prayer that has now been shortened to the one we use today. Our first Federal Parliament opened on 9 May 1901 with Christian prayers led by the Governor-General and the singing of Psalm 100. The following statements by founding fathers indicate that they believed they were establishing a Christian nation. Alfred Deakin, who was Prime Minister in 1903-04, prayed:

God preserve these people and grant its leaders unselfish fidelity and courage to face all trials for the sake of brotherhood. Thy blessing has rested upon us here yesterday and we pray that it may be the means of creating and posturing throughout all Australia a Christ-like citizenship.

Sir Henry Parkes, the father of Federation, who was born in 1815 and died in 1896, said:

As we are a British people—predominantly a Christian people as our laws, our whole jurisprudence, our constitution are based upon and interwoven with our Christian belief, and as we are immensely in the majority, we have a fair claim to be spoke of at all times with respect and deference.

In 1898 another of the founding fathers of our nation, Sir John Downer, stated:

This Commonwealth of Australia from its first stage will be a Christian Commonwealth.

There is no doubt that Australia was a Christian nation at its founding. The Australian people have not voted in any referendum since that date to change that. However, confusion has arisen because of section 116 of the Commonwealth Constitution, which states:

The Commonwealth of Australia should not make any law establishing any religion.

People have become confused because they thought that referred to the Christian, Muslim or Buddhist religions. In those days any religion referred solely to Christian denominations, which were regarded as religions such as the Church of England. The fear was that the Church of England and Australia would try to establish a state church as is the rule in England. That is why that particular provision was included in our Constitution. It was in no way included to be negative towards the promotion of the Christian faith in Australia or to change the nature of Australia as a Christian nation. It is a pity that section 116 has been misunderstood by so many people, particularly academics. It is important for them to stop quoting section 116 and trying to claim that we are a secular nation.

It should be noted that another of Australia's Prime Ministers, Sir Edward Barton, also made a strong stand that Australia was a Christian nation in its laws, culture and convention. It is important, as we know, that parliaments, both Federal and State, open each morning in prayer and continue these traditions. This nation should be proud of its Christian traditions which have become stronger, not weaker, through the flood of immigrants who have brought with them their Christian faith from countries such as Korea, Greece, India and Italy and now refugees from the Middle East have come to Australia with a strong Christian faith. We thank God for the contribution that these people from other nations have made. I regard them as reinforcements in this debate, increasing the percentage of Christians in our nation. We thank God for them.

KOKODA TRAIL HERITAGE PROTECTION

The Hon. CHARLIE LYNN (Parliamentary Secretary) [3.50 p.m.]: Gallipoli is the most sacred symbol of our Anzac heritage from the Great War. Kokoda is our most sacred symbol of our Anzac heritage from the war in the Pacific. Gallipoli is managed and maintained by the Office of Australian War Graves within the Federal Department of Veterans Affairs and is responsible for "building and maintaining national memorials overseas". Inherent in its role is the responsibility for our military heritage, as evidenced by the allocation of \$10 million from the Federal Government to develop an Australian Remembrance Trail in France and Belgium as a Centenary of Anzac project in order to help Australians, and other visitors to the Western Front, learn about the Australian experience of war. It will be our World War I commemorative trail for future generations. Responsibility for our World War II commemorative trail, the Kokoda Trail, has been delegated to the Federal Department of Environment, which is responsible for our heritage, defined as:

All the things that make up Australia's identity—our spirit and ingenuity, our historic buildings, and our unique, living landscapes. Our heritage is a legacy from our past, a living, integral part of life today, and the stories and places we pass on to future generations.

Our Anzac heritage has obviously been absorbed into the definition, even though the department does not have the expertise to protect and perpetuate this important part of our military history. The Department of Veterans Affairs will undoubtedly acquire a great deal of expertise in the interpretation and development of the Remembrance Trail in France and Belgium for the Centenary of Anzac. It would seem logical for this corporate knowledge to be seamlessly transferred to the protection of the wartime integrity of our World War II interpretive trail between Owers Corner and Kokoda in Papua New Guinea in time for the seventy-fifth anniversary of the Kokoda campaign in 2017. Unfortunately this will not happen due to a bizarre Federal Government decision in 2007 to allocate responsibility for the protection of our wartime integrity on the Kokoda Trail to the Department of Environment.

The Department of Environment, Water, Heritage, and the Arts, as it was then known, set out to use the Kokoda Trail as a gateway to assisting the Papua New Guinea Government to develop a case for a World Heritage listing of the Owen Stanley Ranges, based on its environmental values. A joint agreement, with an emphasis on global warming and climate change speak, was signed with great fanfare but terms relating to the protection of our wartime military heritage did not rate a mention. I will leave it to others to speculate how "joint" the agreement was in the framing process.

Highly paid Canberra envirocrats, with tax-free salaries and generous allowances, were dispatched to assist Papua New Guinea to "save" the Kokoda Trail. It was the first trip to Papua New Guinea for most of those involved and the trail quickly became a lucrative honeypot for a coterie of anointed consultants who came, saw,

held talkfests and produced five-point action plans to address issues they will never understand. The results speak for themselves. When the Canberra envirocrats arrived in 2008, 5,600 Australians trekked Kokoda. After three years of "assistance", which led to a tenfold increase in staff, a conga line of consultants and more than \$20 million of taxpayers' money, the numbers have decreased by 40 per cent. During this time they initiated projects without any reference to relevant Papua New Guinea authorities or the trekking industry. These included the construction of a massage parlour on a historic battle site, a \$3 million Village Livelihood Project that has not generated a single cent, and a dysfunctional management structure.

Hewitt-Pender and Associates has developed significant interpretive memorials for the Australian Government at Sandakan, Hellfire Pass and Isurava. It was given just four days notice to submit a tender for the development of a master plan for the Kokoda Trail by the Department of the Environment. Its tender was rejected because of its emphasis on the military heritage of the Kokoda campaign. The envirocrats within the department are obviously unaware of the fact that Australians do not elect to trek the Kokoda Trail to have an environmental levitation or a cultural awakening. That comes later, as a result of their experience. Most come to walk in the footsteps of the brave and to learn about the Kokoda campaign. Most leave with a better understanding of themselves and with knowledge of the humbling hospitality of their hosts in local villages and of the spectacular beauty of their pristine environment. Trekkers leave also with a profound respect for the sacrifice made by all who served in the Kokoda campaign. The deeds and sacrifices of those soldiers become embedded in their consciousness as a reference point for the rest of their lives.

We are the link generation between those who served and paid the supreme sacrifice and those who hopefully will never have to put their lives on the line in defence of freedom on such a scale as our veterans did 70 years ago. We have a duty of care to current and future generations to ensure sites sacred to our wartime heritage in Papua New Guinea are identified, interpreted, protected and perpetuated. Responsibility for the protection of our military heritage clearly rests with the Department of Veterans Affairs. Other departments, such as Foreign Affairs, Defence, Education, and Environment, together with the Returned Services League of Australia, have important contributions to make but the lead agency for this important national responsibility rests with the Office of Australian War Graves. I urge the Australian Government to transfer responsibility for the protection of the wartime integrity of the Kokoda Trail and other significant sites in Papua New Guinea to the Department of Veterans Affairs.

PARLIAMENTARY COMMITTEES

The Hon. HELEN WESTWOOD [3.55 p.m.]: This House was witnessed at its best this morning during the tabling of the report of the Standing Committee on Law and Justice on the family response to the murders in Bowraville. As my first term in this place is drawing to a close, I want to reflect on my experiences as a member of the Fifty-fourth Parliament and the Fifty-fifth Parliament of New South Wales. It is in the work of the committees that I believe the best work of the Legislative Council is done. It is the inquiries and the reports of those inquiries where we truly fulfil our role as the House of review. I want to reflect upon a number of the committees I have had the privilege of serving on and some of the inquiries in which I have been involved.

I have served, and still do serve, on the Committee on the Health Care Complaints Commission and the Standing Committee on Social Issues and General Purpose Standing Committee No. 2. In the last Parliament I served also on General Purpose Standing Committee No 3 and General Purpose Standing Committee No. 5. I have also been involved in a number of the select committees. I had the honour of chairing the Committee on the Health Care Complaints Commission during the term of the last Parliament. This joint committee plays an important role in reviewing the work of the Health Care Complaints Commission and ensuring that it meets its obligations under the Act. The committee reviews annually the report of the Health Care Complaints Commission. It is a useful exercise in which committee members ask the commissioner about the commission's performance and often identify areas where there may be a need for legislative reform or some changes within the commission. I have enjoyed serving on that committee.

Other inquiries that I have been involved in include the promotion of false and misleading health-related information or practices. That inquiry only recently concluded and tabled its report. I was also involved in the inquiry into Health Care Complaints and Complaint Handling in NSW and the operation of the Health Care Complaints Act. An investigation was also carried out by the Health Care Complaints Commission into the complaints made against Mr Graeme Reeves. Members will remember that horrendous case and the tragic outcomes for the women who were patients of that man when he was registered as a medical practitioner.

One of the inquiries of the Health Care Complaints Commission took us to Wagga Wagga where we met with a family who had unexpectedly lost a daughter through an ectopic pregnancy followed by surgery that went terribly wrong. These are experiences that I will never forget. I was also involved in the inquiry into the former uranium smelter site at Hunters Hill, the inquiry into rural wind farms, the privatisation of prisons and prison-related services, the inquiry into the Education Amendment (Ethics Classes Repeal) Bill 2011 and the drug and alcohol treatment inquiry. While undertaking those inquiries members visited other parts of the State. Indeed, while conducting the inquiry into drug and alcohol treatment the committee travelled to Perth to inspect a clinic. I would not have had those experiences if I had not been a member of those committees.

Social issues are my passion and being a member of the Standing Committee on Social Issues has been a delight. I thought I knew a great deal about social issues, but my participation in that committee and its inquiries has taught me so much more. I was also involved in inquiries into substitute decision-making for people lacking capacity, transition support for students with additional complex needs and their families, domestic violence trends and issues in New South Wales, strategies to reduce alcohol abuse among young people in New South Wales and, of course, the law as it relates to same-sex marriage in this State. The committee certainly deals with controversial issues. I am most proud to have been involved in the Select Committee on the Partial Defence of Provocation, and I am now a member of the Select Committee on Home Schooling. It has been a great privilege to be involved in the committees of this House. I would not have had the opportunity to participate in those inquiries had I not been a member of this House.

PARLIAMENTARY COMMITTEES

The Hon. MELINDA PAVEY (Parliamentary Secretary) [4.00 p.m.]: I take this opportunity to reflect on the contribution the Hon. Helen Westwood has just made about the committee system in this House. We had an exceptional moment in this Chamber today which moved everyone and which reflects on the committee system and what we can achieve together. When we put our political swords aside we see what we as a group can achieve. What happened today in this Chamber is worthy of us and of the people of New South Wales. I particularly acknowledge the Hon. Helen Westwood's work on social issues and in this Chamber.

[Time for debate expired.]

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

Motion agreed to.

The House adjourned at 4.01 p.m. until Tuesday 11 November 2014 at 2.30 p.m.
