

## LEGISLATIVE COUNCIL

Tuesday, 2nd March, 1993

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**The President (The Hon. Max Frederick Willis)** took the chair at 2.30 p.m.

**The President** offered the Prayer.

### ASSENT TO BILLS

Royal assent to the following bills of the previous session reported:

Bank Integration Bill  
Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill  
Coal Mining Industry Long Service Leave (Repeal) Bill  
Crimes (Application of Criminal Law) Bill  
Land Tax Management (Amendment) Bill  
Meat Industry (Game Meat) Amendment Bill  
State Revenue Legislation (Further Amendment) Bill  
Industrial Relations (Sick Leave) Amendment Bill  
New South Wales Crime Commission (Amendment) Bill  
Environmental Planning and Assessment (Contributions Plans) Amendment Bill  
Environmental Planning and Assessment (Miscellaneous Amendments) Bill  
Legal Aid Commission (Amendment) Bill  
Conveyancing Legislation (Notice of Sale) Amendment Bill  
Legal Profession (Practising Certificates) Amendment Bill  
Medical Practice Bill  
Nurses (Amendment) Bill  
Real Property (Torrens Assurance Fund) Amendment Bill  
Endangered Fauna (Interim Protection) Amendment Bill  
Criminal Procedure (Sentence Indication) Amendment Bill  
Financial Transaction Reports Bill  
First State Superannuation Bill  
State Authorities Superannuation (Scheme Closure) Amendment Bill  
Superannuation Legislation (Superannuation Guarantee Charge) Amendment Bill  
Centennial Park and Moore Park Trust (Amendment) Bill  
Commonwealth Powers (State Banking) Bill  
Community Welfare (Amendment) Bill  
Constitution (Amendment) Bill  
Co-operatives (Amendment) Bill  
Parliamentary Committees Enabling Bill  
Periodic Detention of Prisoners (Amendment) Bill  
Public Health (Amendment) Bill  
Statute Law (Miscellaneous Provisions) (No. 3) Bill  
Statute Law (Penalties) Bill  
Treasury Corporation (Amendment) Bill  
Centennial Park and Moore Park Trust (Macquarie Sydney Common) Amendment Bill

Tamworth Tourist Information Centre Bill

## **INDEPENDENT COMMISSION AGAINST CORRUPTION**

### **Report: Use of Informers**

**The President**, in accordance with section 78(1) of the Independent Commission Against Corruption Act 1988, laid upon the table the report of the Independent Commission Against Corruption on an investigation into the use of informers, volumes 1 and 2, and, in accordance with section 73(3), informed the House that he had authorised the report to be made public.

## **STANDING COMMITTEE ON STATE DEVELOPMENT**

### **Annual Report**

**The President**, in accordance with clause (31) of the resolutions relating to the Legislative Council's standing committees adopted on Tuesday, 2nd July, 1991, laid upon the table the annual report of the Standing Committee on State Development for the year ended 30th June, 1992.

**Ordered to be printed.**

## **TEMPORARY CHAIRMEN OF COMMITTEES**

**Suspension of certain standing orders, by leave, agreed to.**

**The President**, pursuant to standing orders and the resolution of the House, nominated the following honourable members to act as Temporary Chairmen of Committees during the present session: the Hon. Franca Arena, the Hon. Richard Thomas Marshall Bull, the Hon. Beryl Alice Evans, the Hon. Dr Marlene Herbert Goldsmith and the Hon. Andrew Bruce Manson.

## **LAW OF EVIDENCE BILL (pro forma)**

**Bill read a first time.**

## **JOINT SELECT COMMITTEE UPON POLICE ADMINISTRATION**

### **Special Report**

**The President** informed the House that pursuant to the resolution appointing the Standing Committee on Parliamentary Privilege, on 2nd February, 1993, he referred the special report of the Joint Select Committee upon Police Administration on disclosure of in camera evidence to the Privileges Committee for inquiry and report.

## **PETITION**

**Forestry Commission**

Petition praying that the Forestry Commission of New South Wales be reformed in accordance with the recommendations of the Public Accounts Committee and that the House urge the Government to act immediately for the good of our environmental heritage and the health of the plantation timber industry, received from the **Hon. R. S. L. Jones**.

## **COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION**

### **Collation of Evidence**

**The Clerk** announced the receipt of a collation of evidence of the Commissioner of the Independent Commission Against Corruption, Mr Temby, Q.C.,

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on general aspects of the commission's operations taken before the Committee on 9th November, 1992.

## **JOINT SELECT COMMITTEE UPON POLICE ADMINISTRATION**

### **Reports**

**The Clerk**, pursuant to the resolution of the House of 14th October, 1992, announced the receipt of copies of the interim report of the Joint Select Committee upon Police Administration, dated 26th February, 1993; and special report of the Joint Select Committee upon Police Administration on disclosure of in camera evidence, dated 2nd February, 1993.

## **SELECT COMMITTEE ON THE BANKS AND BANK HOLIDAYS (AMENDMENT) BILL**

### **Report**

**The Clerk**, pursuant to the resolution of the House of 25th November, 1992, announced the receipt of the report of the Select Committee on the Banks and Bank Holidays (Amendment) Bill, together with proceedings of the Committee.

## **LUCY OSBURN BIRTHDAY CELEBRATIONS**

**The PRESIDENT:** In relation to the circular forwarded to members last week on the Sydney Hospital celebrations for the 125th Anniversary of the arrival of Lucy Osburn, I neglected to inform honourable members of the details of Sister Lucy Osburn. Sister Lucy Osburn was born in 1835 at Leeds, England, and in 1866, against her family's wishes, she attended the Nightingale Training School attached to St Thomas' Hospital. In 1867, shortly after her graduation, Sir Henry Parkes appealed to Florence Nightingale to send a team of trained nurses to the Sydney Infirmary and Dispensary to establish "a nursery for hospital attendants". Lucy Osburn was chosen as lady superintendent and, with a staff of five sisters, arrived in Sydney in March 1868. Miss Osburn's promised new quarters had not yet been started. They were appalled at the condition of the old Rum Hospital, which was vermin infested, and the lack of training of the local nursing staff.

It was not until early 1869 that nursing staff moved into new quarters named after Florence Nightingale. Miss Osburn became matron and began the long struggle to reform the hospital and manage her sisters and their pupils. Under intolerable conditions she successfully established trained nursing on Nightingale principles. Miss Osburn was opposed in her attempts at reform by the doctors and board of management. These disputes led to a royal commission in 1873, whose report praised Osburn and her nurses and criticised many other

aspects of the hospital. The Sydney Hospital Act of 1881 provided for the building of a new hospital and the reform of the management structure. I trust that these remarks supplement the earlier circular that I sent to honourable members.

## **SESSIONAL ORDERS**

### **Suspension of certain standing orders, by leave, agreed to.**

### **Motion, by leave, by Mr Hannaford agreed to:**

That this House adopts the following sessional orders:

#### **Prayers**

That, during the present Session and unless otherwise ordered, Standing Order 10A be amended to read:

10A. Upon the President taking the Chair each day, if there be a Quorum present as provided by the 10th Standing Order, he shall offer the following Prayers:

"Almighty God, we humbly beseech Thee to vouchsafe Thy blessing upon this Parliament. Direct and prosper our deliberations to the advancement of Thy glory, and the true welfare of the people of our State and Australia.

Our Father, which art in Heaven: Hallowed be Thy name. Thy Kingdom come. Thy will be done in earth, as it is in Heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive them that trespass against us. And lead us not into temptation; but deliver us from evil: For Thine is the kingdom, and the power, and the glory, for ever and ever, Amen."

#### **Sitting Days**

That, during the present Session and unless otherwise ordered, this House shall meet for the despatch of business at 10.30 a.m. on Monday, Thursday and Friday and at 2.30 p.m. on Tuesday and Wednesday each week.

#### **Questions**

(1) That, during the present Session and unless otherwise ordered, Questions shall commence at 4.00 p.m. on Monday, Tuesday and Wednesday and at 12 noon on Thursday and Friday.

(2) If, at the time for interruption:

- (a) a division is in progress, the division shall be completed and the result announced;
- (b) the House is in Committee of the Whole, the Chairman shall leave the Chair and report progress, and any business then under discussion, if not disposed of, shall be set down on the Notice Paper for a later hour of the sitting.

#### **Petitions**

That, during the present Session, a copy of every Petition received by the House shall be referred by the Clerk to the Minister responsible for the administration of the matter which is the subject of the Petition.

### **Cognate Bills**

That, during the present Session:

(1) Whenever a Minister shall intimate to the House that Bills specified by the Minister are cognate Bills:

(a) such Bills may be introduced upon one Motion for leave and be presented and read a first time together;

(b) one Motion may be moved and one Question put in regard to each of the several stages for the passage of such Bills through the Council; but

(c) such Bills shall be considered separately in

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Committee of the Whole.

(2) When Bills sent from the Assembly are reported by the President as cognate Bills, the first reading and subsequent stages shall be proceeded with in a similar manner.

### **Right of Reply to Ministerial Statements**

That, during the present Session and unless otherwise ordered, the Leader of the Opposition and the Leader of any other party or group, where such leadership has been previously announced to the House, or a Member nominated by any such Leader, may speak to a ministerial statement. The remarks of any speaker shall not exceed the time taken by the Minister in making the statement.

### **Motion for Adjournment**

That, during the present Session and unless otherwise ordered:

(1) On any Motion for adjournment to terminate a sitting:

(a) the Question shall be put not later than 15 minutes after such Motion has been moved or, when a Minister desires to speak or is then speaking, at the conclusion of the Minister's remarks;

(b) any Member may speak for 5 minutes on matters not relevant to the Motion, but shall not refer to matters which are otherwise not in order.

(2) Proceedings shall be interrupted at 4.15 p.m. on Thursday and 3.45 p.m. on Friday to permit a Motion for adjournment to be moved, if a Minister shall think fit, to terminate the sitting.

(3) If, at the time of interruption:

(a) a division is in progress, the division shall be completed and the result announced;

(b) the House is in Committee of the Whole, the Chairman shall leave the Chair, report progress and seek leave to sit again.

(4) When any business under discussion, if not disposed of, is interrupted by operation of this Sessional Order, the debate shall stand adjourned and be made an Order of the Day for the next sitting day at the end of Government or General Business, as the case may be, fixed for that day (but so as not to preclude the operation of Standing Order 67), unless a motion is moved without amendment or debate for the adjournment of the debate to another day (to be stated).

### **Divisions - Recording of Pairs**

That, during the present Session and unless otherwise ordered, Members pairing on any division shall be recorded by the tellers and the names of all Members so paired shall be recorded upon the tellers' lists and printed in the Minutes of the Proceedings and Hansard.

### **Ministerial Reply to Adjournment Matters**

That, during the present Session and unless otherwise ordered, a Minister may, before the House proceeds to the business of the day, make a statement in relation to any matter or matters raised on the Adjournment at a previous sitting.

### **Leadership of Parties and Groups**

That, as soon as practicable after each periodic Council election and whenever change shall occur, announcements may be made in the House as to the leadership in the House of parties or groups represented at such elections and of which parties or groups there are two or more persons who are Members of the House.

### **Questions on Notice**

That, during the present Session and notwithstanding anything contained in the Standing Orders, the procedure in relation to Questions on Notice is varied, as follows:

- (1) Notices of Questions shall be handed to one of the Clerks at the Table during the sitting of the House, duly signed.
- (2) The Clerk shall enter in a Questions and Answers Paper printed and circulated to Members, Notices of Questions in the order in which they are received.
- (3) The reply to a Question on Notice shall be delivered to the Clerk and shall appear in the Questions and Answers Paper.
- (4) During any adjournment of the House, replies to Questions on Notice may be delivered to the Clerk who shall cause a Questions and Answers paper to be printed and circulated.
- (5) A Questions and Answers paper shall be printed and circulated on any prorogation of the House.

### **Bill Passed - Message to the Assembly**

That, during the present Session and unless otherwise ordered, Standing Order 191 be amended to read:

191. After the third reading the Bill shall be deemed to have passed the House and the Clerk shall so certify, and the Bill shall be sent, with a Message, to the Assembly for concurrence.

### **Introduction of Public Bills**

That, during the present Session and notwithstanding anything contained in the Standing Orders:

- (1) When any Bill, except a Bill sent from the Assembly, has been read a first time and ordered to be printed the second reading may be moved forthwith or made an Order of the Day for a later hour or for a future day. Immediately following the second reading speech by the mover, debate thereon shall be

adjourned until a future day which shall be at least five clear days ahead.

(2) Provided that if a Minister declares a Bill to be an urgent Bill and copies have been circulated among Members, the Question "That the Bill be considered an urgent Bill" shall be put forthwith, no debate or amendment being allowed. On such Question being agreed to, the second reading debate and subsequent stages may be proceeded with forthwith or at any time during any sitting of the House.

### **Matters of Public Interest**

That, during the present Session and unless otherwise ordered:

(1) A Member may make a Motion, pursuant to notice given at a previous sitting "That the following important matter of public interest should be discussed forthwith (here stating the matter to be discussed)".

(2) On the day proposed for bringing on such Motion it shall be called on immediately before the House is to proceed to the consideration of business set down on the Notice Paper for that day, except business taking precedence under Standing Order 55.

(3) When the Motion has been made, the Question shall be decided without amendment or debate except a statement by the mover and a statement by a Minister not exceeding 10 minutes each.

(4) If the Question is decided in the affirmative, subsequent discussion of the matter shall not exceed one and one half hours, whether on the same or subsequent sitting days, excepting the reply of the proposer.

(5) The speech of:

(a) the Member proposing the matter;

(b) the Minister first speaking;

(c) the Leader of the Opposition, or a person nominated by the Leader, first speaking when the Motion has been moved by a Member of the Government,

shall not exceed 15 minutes each. The speech of any other Member or the proposer in reply shall not exceed 10 minutes each. Every Member shall confine himself or

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herself to the one subject in respect of which the motion has been made.

(6) When discussion of such a matter is adjourned until a subsequent sitting day the Order of the Day for its resumption shall take precedence of all other business on the Notice Paper for that sitting day except business taking precedence under Standing Order 55.

(7) Only one such matter shall be proceeded with on any sitting day, but this provision shall not operate so as to preclude the resumption of an adjourned discussion and one such matter being dealt with.

### **Routine of Business**

That, during the present Session and unless otherwise ordered, the House shall proceed each day with its ordinary business in the following routine:

- (1) Formal Business under Standing Order 57.
- (2) Presentation of Petitions.
- (3) Notices of Motions.
- (4) Any proposal under Standing Order 13.
- (5) Ministerial Statements.
- (6) Ministerial replies to matters raised on the Adjournment.
- (7) Motions and Orders of the Day, or vice versa, as set down on the Notice Paper.

### **Proposing of Questions on Amendments**

That, during the present Session, and notwithstanding anything in the Standing Orders to the contrary, on any amendment proposed in the House or Committee of the Whole, the Chair, unless otherwise determining, will put the question "That the amendment be agreed to".

### **Committals**

That during the present Session and unless otherwise ordered, Standing Order 171 be substituted as follows:

171. After the second reading of a Bill, unless the Bill is referred to a Select or Standing Committee:
- (a) the President may inquire of the House if leave is granted to proceed to the third reading of the Bill forthwith; or
  - (b) a motion may be made "That the President do now leave the Chair, and the House resolve itself into a Committee of the Whole to consider the Bill in detail", which shall admit of no debate or amendment, or a future day may be appointed for the purpose.

### **Messages from Assembly Transmitting Bills**

That, notwithstanding anything contained in the Standing Orders, during the present Session and unless otherwise ordered:

Whenever the President has several Messages from the Legislative Assembly to report transmitting Bills for concurrence, the President may inquire if leave is granted for procedural motions for the first reading, printing, suspension of Standing Orders (where applicable) and fixing of sitting day for second reading to be dealt with on one motion without formalities.

## **GOVERNOR'S SPEECH: ADDRESS IN REPLY**

### **First Day's Debate**

**The PRESIDENT:** I report the receipt of a copy of the Speech made on Wednesday, 24th February, 1993, by His Excellency the Governor, which is recorded in the Minutes of the Proceedings.

**The Hon. Dr MARLENE GOLDSMITH [3.10]:** I move:

That the following Address be adopted and presented by the Whole House to the Governor, in reply to the Speech which His Excellency had been pleased to make to both Houses of Parliament:

*To His Excellency Rear Admiral **Peter Ross Sinclair**, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.*

May it Please Your Excellency -

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Council of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's Speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, and that we will faithfully carry out the important duties entrusted to us by the people of New South Wales.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

It is a special privilege for me to move the motion for the adoption of the Address in Reply to His Excellency the Governor's Speech in this august Chamber, the mother of Australian parliaments. There have been 36 Federal parliaments. New South Wales as a whole is currently celebrating its Fiftieth Parliament, but this Legislative Council is in its Fifty-sixth Parliament. As a descendent of two First Fleet convicts, Deborah Ellam and John Herbert, I am deeply honoured to have been given this opportunity. His Excellency Rear Admiral Sinclair has been an exemplary Governor of this State. We have been most fortunate to have his leadership and guidance. He followed a Governor who was much loved, at first for his warmth and genuine love for people and later for his courage and devotion to duty regardless of personal suffering. Sir David Martin set an example to us all, and Rear Admiral Sinclair has continued the tradition of caring for the people of New South Wales in everything, from the opening of Government House to the people to his concern for the victims of child abuse - so clearly demonstrated to me when I had the privilege of hosting one of his first public engagements, the launch of National Child Protection Week 1990.

His Excellency has outlined the Government's program for the coming year, the third session of the Fiftieth Parliament of New South Wales. In that outline he has clearly delineated the philosophy of the Fahey Government - the careful, responsible use of taxpayers' dollars in order to maximise the return to the people of New South Wales in goods and services. Part of that responsible management involves the continued policy of gradually reducing the massive State debt accumulated through years of profligate Labor administration in this State, administrations that understood little and cared even less about the cost of debt to the people in the long term. In the last full year of Labor administration, 1986-87, gross State debt totalled 26.3 per cent of gross State product. In

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the past financial year the debt was 21.8 per cent, in spite of the pressures of the Keating recession we had to have. In other words, we have returned 4.5 per cent of the value of our State production as equity belonging to the people of New South Wales, rather than debt on which we must pay interest.

In recent years the target of debt reduction has been increasingly difficult to attain because the well-being of New South Wales is very much dependent on the economic health of the nation. Australia has endured 10 years of increasing economic chaos, 10 years of promises that things were getting better, 10 years of the J-curve, followed by assurances that there would be no recession and then by the recession that we had to have, all accompanied by repeated assertions that Australia had turned the corner. David Koch of radio station 2GB summed up the disillusionment and betrayal of the people of Australia on 9th February, commenting on the latest economic statement from the Federal Labor Government released on that day. As he said, this was, "the sixth economic statement since 1991 and every one of them has told us that we are over the worst of it".

In this economic climate, the achievements and programs of the Government of New South Wales, outlined in the Governor's Speech, are particularly commendable. With the election of the coalition Government in 1988, New South Wales gained a measure of protection from Labor mismanagement through a responsible program that reduced the State's debt and made government trading enterprises more competitive. As His Excellency indicated, government trading enterprises have been turned around from being a net drain on the State Budget to being significant providers of its revenue. In the five years of coalition administration their

contributions to this State have increased by 900 per cent, to almost \$1 billion. As the Governor noted, in real terms this has meant more services for the people of New South Wales.

Given that Australia is now in the depths of the deepest and longest recession for 60 years, the program spelt out by His Excellency shines as a particularly bright beacon of hope from New South Wales to the rest of the nation, showing what a responsible administration can achieve even in the most difficult of circumstances. The New South Wales achievement is one to which other States have responded. First Tasmania, then Victoria and now Western Australia have recently thrown out their incompetent Labor governments and replaced them with Liberal Party-National Party administrations. There is hope for Australia but, clearly and demonstrably, there is no hope with Labor. Here I can discuss only a few of the many positive initiatives from the Governor's Speech. Obviously, the issue of greatest concern to every one of us at this time is unemployment. Although fundamentally a Federal responsibility, this must concern all of us with over one million Australians on the dole queues and the recent finding by the Australian Bureau of Statistics that more than a million other Australians want to work but are not registered, many of them because they have simply given up hope and have stopped looking for a job.

The Federal Government has kept promising that things were getting better. The One Nation program promised more than 800,000 jobs in four years. Instead, an additional 70,000 Australians lost their jobs in the past 12 months. No wonder the electorate is disenchanted and frightened. In this climate, the creation of 18,000 jobs in New South Wales with a \$540,000,000 addition to capital works spending is particularly welcome. Unlike the Keating Federal Government, the New South Wales Government has no credibility problem with employment. In the last recession of the early 1980s New South Wales under the Wran Labor Government was first in and last out. This time New South Wales was last in, and of all the States it has consistently recorded the lowest or near lowest unemployment rate during the past several years - in spite of the many public servants accepting voluntary redundancy packages in order to create greater productivity.

**The PRESIDENT:** Order! If two honourable members wish to have a conversation they will please do so in the lounge.

**The Hon. Dr MARLENE GOLDSMITH:** Our exciting Olympic bid also has great potential to create many jobs for this State, as well as providing a positive and unifying goal for all the people of New South Wales. With the panache of our Liberal Olympics Minister, Bruce Baird, the bid has an excellent chance of success. All of Australia needs hope, but a Prime Minister whose track record has been disastrous cannot bring that hope. The Federal coalition's Fightback package, on the other hand, offers a genuine opportunity to restructure the economy in a way that can create jobs and a better future for us all. Nowhere is the achievement of the New South Wales Government clearer than in the area of transport. When the coalition came to office in 1988 the State Rail Authority alone was losing about \$3 million every day. The Government has cut that loss by \$1 million a day, money that can now be spent elsewhere on meeting the needs of New South Wales. At the same time, railway stations are cleaner and brighter, the red rattlers have been replaced, there are help points with telephones, and Nightride buses so that women can travel safely late at night, just to name a few of the innovations. Furthermore, restrictions which prevented cleaners and platform staff getting promotion in the SRA have been lifted so that the vast majority of female SRA workers, most of them women of non-English speaking background, have now been given a career path.

If there is one thing that makes me particularly angry in the current Federal election campaign, it is the claim by trade unions and the Labor Party that their policies are the ones for women workers. Trade unions have often obstructed women's advancement, as they did in the SRA in New South Wales, and I am very proud that the Greiner Government brought opportunity to the most disadvantaged workers of the  
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SRA, its women cleaners. The big Labor campaign is nothing more than scare tactics, the politics of desperation, relying on allegation rather than fact. It is particularly callous to direct such tactics to those who are most disadvantaged under the present system. Our poorest workers have enough to worry about wondering whether they will lose their jobs, without coping with lies about having their wages cut. The subject of this fear campaign by Federal Labor is enterprise bargaining, yet all the Labor Party can do is lie that enterprise

agreements will allow employers to cut salaries, when the opposite is true. The track record for enterprise agreements - its history, as honourable members may recall from the industrial relations debate in New South Wales - is that workers' wages under enterprise agreements go up, not down.

Under the coalition's proposed Federal changes, basic award rates would be retained to protect workers. It is interesting that the Labor Party has been careful not to mention the success of the industrial relations legislation in New South Wales. If the sky is supposed to fall under enterprise bargaining, why has it not fallen in New South Wales, where provision for such enterprise agreements was legislated in March of last year? To date, 69 agreements have been registered since the commencement of the Industrial Relations Act, with a further 99 being processed. Another theme of the Governor's Speech was the family, with the announcement of a special package of support to be developed for the 1994 International Year of the Family. I am particularly delighted by this announcement, for never in Australia have families been so under threat. Under the Federal Labor Government families with dependent children - particularly single parent families headed by females and families with more than two children - have become the most poverty vulnerable group in Australia. Under the Keating regime the gap between rich and poor has widened substantially and many middle-class families have slid towards poverty.

Ten years ago, when the Hawke-Keating Labor Government came to office, the wealthiest 1 per cent of the population owned as much wealth as the poorest 10 per cent. Now the wealthiest 1 per cent own as much as the bottom 20 per cent. The ratio has doubled. The rich have become richer and the poor and many more have been forced into poverty, until 700,000 Australian children do not have a parent working. The Labor Party talks about social justice, but its actions promote social injustice while it takes care of its big business and big union mates. This is the worst kind of hypocrisy, a hypocrisy that fortunately the administration of New South Wales has been spared for the past five years. For many young people there are no jobs and no university places waiting, thanks to Federal Labor. Compare that with New South Wales, with more than 17,000 new technical and further education places provided in 1993, as the Governor mentioned.

His Excellency referred also to law and justice, and I was delighted to hear of the commitment to the reform of juvenile justice in this State. Last year the Standing Committee on Social Issues, which comprises 10 honourable members of this Chamber and which I have the honour to chair, brought down a major report recommending such reform. Many of its recommendations are embodied in the green paper that has been recently released for public discussion. I am particularly pleased with the emphasis in the green paper on pre-court measures for dealing with young offenders and on prevention strategies. Last year I had the privilege of representing the Minister for Justice at a national conference on juvenile justice, and I am confident that New South Wales will lead the nation in this area when the reforms are implemented. Indeed, a number of important reforms have been implemented already, not least better vocational opportunities for young detainees and the growth of community justice centres to assist with rehabilitation and crime prevention.

The establishment of the Domestic Violence Advisory Council is a step that every woman in New South Wales must applaud. Domestic violence is a much larger problem in our society than has been generally realised and is the cause not only of great suffering but also of blighted lives, whether of the abused spouse or the abused or frightened children. It is a cost that we, as a society, cannot afford and, sadly, a cost that escalates in times of economic stress, such as many families throughout Australia are currently experiencing. As many honourable members know, I have a particular concern about violence and its social damage. I have had the honour to be the Premier's representative on the Australian Violence Prevention Awards Committee, and I am very pleased that two of the awards for 1992 went to New South Wales. The Eastlakes Community Network Committee in Gateshead near Newcastle and the Cottage Family Care Centre at Campbelltown have both been highly commended for their work in the area of violence reduction or prevention. The Eastlakes Community Network Committee was nominated in the category of adolescents at risk. It provides a multidimensional response to poor living standards, high unemployment and single-parent families, by promoting positive interaction between the various service providers, thus maximising preventative strategies and resource utilisation. The Cottage Family Care Centre provides a neonatal home visitation system, which aims to prevent child abuse and neglect, particularly targeting first-time mothers and or families. I congratulate those two organisations for their substantial achievement and the wonderful work they are doing for our State.

I also believe that as a society we must start addressing the issue of media violence, particularly violent images. Our society is awash in media violence, including demeaning and degrading pornographic images of women - images that reinforce the inferior social status of females. The Government is amending the Anti-Discrimination Act, but discrimination against women, which is blatantly condoned in much of our media, continues unchecked

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such that, in desperation, women are driven to deface billboards because the law is seen as providing them no protection. Another support for women which gives me particular pleasure to mention is the New South Wales Government's Spokeswomen program, which is based in the Premier's Department and provides information and support for all the women of the New South Wales public service, particularly those at the lower levels - the ones most in need of support. Spokeswomen is a self-help program. It empowers women to help themselves and others by providing training and information.

In the 1991-92 financial year 151 women received training through the program - quite an extraordinary achievement for a program that deliberately relies on volunteers. Special commendation is owed to the dedicated research officer-in-charge of the program, Jean Slarke, to the members of the Central Co-ordinating Committee of Spokeswomen, and to the senior members of the Premier's Department who have provided support. As the parliamentary patron of Spokeswomen, I would also like to place on record my particular commendation and gratitude to both the Premier, the Hon. John Fahey, and his predecessor, Nick Greiner, for their commitment to this program and to increasing career opportunities for women in the public service.

The record of the New South Wales Government of the Forty-ninth and Fiftieth Parliaments is impressive, and this program continues in that tradition of positive reform. All of the initiatives mentioned by the Governor have been achieved in spite of the long economic winter of Paul Keating, as Treasurer and then Prime Minister - a period which has seen record unemployment, record bankruptcies, record farm failures, record child poverty, record foreign debt, a record tax grab, and record family break-ups. In this chilly climate the New South Wales achievement has been particularly impressive. However, the problem for New South Wales has been far greater than simply coping with the Labor recession and its effects. Federal Labor's negative effects on New South Wales have reached much further than the recession. Labor's political philosophy of centralisation, of the expansion of Federal powers at the expense of the States, has been insidiously pursued under the Hawke and Keating strategies of starving the States of funds, particularly the larger States, most particularly the non-Labor State of New South Wales.

As Treasurer and then Prime Minister, Paul Keating has presided over the highest taxing government in Australia's history. His tax haul doubled between 1984 and 1989 alone. Yet, since the coalition came to office in New South Wales, this State's share of Commonwealth general purpose revenue has been cut by \$1.4 billion a year. Some of this has gone directly to Labor States to try to clean up the mess their governments have created. As for the rest, one can only wonder just what Keating has done with our New South Wales tax dollars. Yet this is the man who is trying to scare the people by alleging that John Hewson will tax them more. Not only is Mr Keating ignoring the fact that the coalition's Fightback package will replace seven different hidden taxes with only one up-front tax; he is ignoring the fact that any leader would have a difficult time trying to break his record for tax increases.

New South Wales has been punished for being a non-Labor State and for being a State with better management than Labor States. In fact, New South Wales has been attacked across the board by the Federal Government. Let us take one example - health. Since 1985 the Federal contribution to the New South Wales health budget has fallen from 40 per cent to 31.5 per cent, yet this State's 254 hospitals account for 35 per cent of the nation's patients and treatments every year. New South Wales' major teaching hospitals treat difficult - read for that expensive - cases from all over Australia, yet our health reimbursement from the Federal Labor Government, in return for the Medicare tax levy paid by every New South Wales taxpayer, has been shrinking alarmingly. The people of New South Wales pay for health care twice over - once in the Medicare levy to the Federal Government and again in the State taxes and charges that have to be raised to pay for our hospitals.

In Paul Keating's tradition of being a high taxing Prime Minister, the Federal Labor Government recently raised the Medicare levy tax yet again by a whopping \$300 million. Imagine the reaction of the press if a coalition government had tried such a thing! The New South Wales Minister for Health demanded that the \$300 million be distributed on a per capita basis, which would give New South Wales a fairer slice of the cake. Premier John Fahey called on the Federal Government to immediately allocate \$100 million worth of stalled One Nation funding to new hospital and health projects in western Sydney and rural New South Wales. The Premier made his application after revelations that \$345 million of previously announced One Nation funding would not be spent in this financial year. Resulting negotiations by the Liberal Minister for Health have ensured additional annual funding of \$78 million for New South Wales with the latest agreement - but only after great difficulty.

It is long past time that the Federal Government was held accountable for the health funding crisis it has created, a crisis exacerbated by Federal attempts to force more and more people out of private health insurance and into public hospitals, resulting in longer and longer waiting lists for surgery. In order to give some idea of the magnitude of such a shift it should be noted that the New South Wales Government's submission to the Senate committee reviewing the Medicare agreement estimated that the shift from private to public patient status during the period 1989-90 to 1991-92 cost New South Wales \$240 million, or an average of \$60 million per annum. Fightback involves a significant restructure of health insurance arrangements designed to protect Medicare while it encourages people who can afford it to take out private insurance. This will reduce the level of demand on public hospitals and free up beds for the needy. As private patient revenue is less than

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marginal cost, this should have a favourable net impact on the public system as well. Things must change. In *Reinventing Government* Osborne and Gaebler comment in relation to the American situation in the following terms:

. . . we must change the basic incentives that drive our Governments. We must turn bureaucratic institutions into entrepreneurial institutions . . . the difficulty lies not so much in developing new ideas as in escaping from old ones.

We have seen this difficulty in New South Wales as the Labor Party screamed with outrage at the restructuring by the Greiner and Fahey governments, at our aims of greater productivity, and entrepreneurial competition in the provision of services. Yet we have also seen in New South Wales just what such reforms can achieve, even in the Keating recession we had to have. Under Labor, Australia has been living off its children's future, running up a massive debt that future generations will have to pay back unless we start accepting some responsibility. There is no sign that Labor, either federally or in this State, is capable of accepting any responsibility. The response of the Leader of the Opposition is to take the State on a \$1.2 billion spending spree. He would destroy the careful management of New South Wales that has preserved its triple-A credit rating and has saved this State millions of dollars in dead interest money.

Now Federal Labor is trying to entice voters with a whole swag of costly promises - including new child care places. The people of New South Wales meanwhile are asking where the child care places are that were promised by Labor in the last Federal election - and I suggest the new promises are no more likely to be fulfilled. There are only two ways Paul Keating can meet his commitments: through either a consumption tax of his own, which he has not been honest with the voters about, or a massive escalation in cuts in Commonwealth grants to New South Wales. One promise alone of his, to eliminate the Federal deficit by 1986-87, will cause a \$5 billion annual shortfall in revenue. And let us not forget who was the first to propose a goods and services tax in Australia - Paul Keating. The goal for Australia must be a fairer society with a better quality of life. On both these counts, Labor has failed; on both these counts, New South Wales is doing better. In one area alone - education - the provision of opportunity to those with special learning needs and difficulties, to the gifted, and to those with special talents has been a major accomplishment of the Greiner and Fahey governments, an accomplishment that continues.

It was not always so. At the opening of this year's Scientia program for gifted and talented school students - a splendid program run by the University of New South Wales - Dr Miraca Gross, who has an international reputation in this field of education, told the story of coming across one little boy who could

already pass the university entrance test in mathematics, but whose teacher refused to give him anything but the regular grade 4 work on the grounds that it would be a violation of the principles of social justice. That is how Labor perverts the notion of social justice in education - to deny individuality, to deny talent, to insist upon mediocrity. That philosophy has been ousted in New South Wales and it must be ousted across Australia, because we can never be a clever country under Labor.

To paraphrase President Clinton in a recent address to the American people, the cost of continuing to do things in the same old way is often greater than the cost of change. We have seen that in New South Wales. Fightback offers hope federally to achieve for Australia what has already been achieved in New South Wales and what will continue under the program outlined by the Governor. There is only one way out of the darkness, and the light for Australia has been lit by New South Wales. This State has shown the way and can rightly take pride in its achievement. I congratulate the Government for its program, particularly the Leader of the Government in this Chamber, the Hon. John Hannaford, on behalf of the Premier in the other place, and I place on record my appreciation of His Excellency the Governor for his outline of the program. I commend the motion.

**The Hon. L. D. W. COLEMAN** [3.44]: It is a great pleasure and honour to second the motion for the Address in Reply moved by my colleague the Hon. Dr Marlene Goldsmith and to have the opportunity to speak to the Governor's Speech on his Government's policy for the third session of the Fiftieth Parliament. Let me refresh members' memories by reminding them that the Governor's opening remarks were about the Federal campaign and the awareness and unease of the people of New South Wales about the increasing deficit of Australia's balance of payments and the unjust terms to which the taxpayers of New South Wales are subjected by the Commonwealth. This State has practised good financial management, as the Hon. Dr Marlene Goldsmith said. No longer can New South Wales be asked to carry the economic can of sound financial management while the Commonwealth mismanages Australia's economy. A budget deficit of \$16 billion, unemployment of more than 1 million and a balance of payments deficit of \$200 billion cannot be tolerated by the people of New South Wales or Australia. The present New South Wales coalition Government came to office just in time; otherwise today this State would be in the same precarious position as Victoria, South Australia and Western Australia.

Because of sound management by the coalition Government in this State and by the previous National Party Government in Queensland, the present Federal Labor Government has so far survived. New South Wales can no longer afford to go without at the expense of other States. The New South Wales coalition Government has proved to be a role model in terms of efficient management of government enterprises. The fiscal equalisation scheme of the Commonwealth Grants Commission has resulted in New South Wales transferring \$1.4 billion to other States, that is, a direct subsidy of \$1.4 billion to the rest of Australia - not much of a reward for good management. In education, New South Wales schools

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lose out to the tune of \$167 billion a year. In other words, the Grants Commission discourages efficiency. Although its aims are to improve equity, fiscal equalisation shifts funds from States with efficient service delivery to those with much less efficient delivery. This provides an ongoing disincentive for reform and has a negative economic impact on Australia overall. Present fiscal equalisation discourages the private sector in the provision of public services. This is so because the commission penalises those States with a high level of private sector service provisions in areas such as health and education on the basis that this reduces demand and hence required funding for public services.

Residents of this State, who pay for a high level of private services, are penalised by having to subsidise States which use a higher proportion of public services. It should be noted that in recent years the Commonwealth decreased the real value of general purpose payments to the States and increased the proportion of total grants tied to specific purpose expenditure. This has reduced the ability of States to fund their own policy initiatives and, in effect, allows the Commonwealth to dictate State spending priorities. A new government in Canberra will give new hope for reform. The New South Wales Government will continue to protest against a system which forces New South Wales to collect a much higher proportion of its total revenue through State taxes and charges than is required by other States. The New South Wales Government will

continue to call for reform to ensure that the people of New South Wales receive a more equitable distribution of Commonwealth funding. While on the subject of efficiency, or lack of reward for it, and the imperative need to utilise the private sector while still receiving fair funding from the Commonwealth, I wish to quote from a letter recently written to one of the hospitals in my area by the New South Wales Minister for Health - who is coping remarkable well in what can only be described as incredibly trying circumstances brought about by such things as lack of funding by the Commonwealth, the hostility of Labor governments and the Labor Party to private participation in funding, and the depression forced on this country by Paul Keating as Treasurer. I quote the Minister:

I also note your recent media comments on efficiency gains and the 1992-93 budget allocation. All hospitals are allocated what is considered an adequate budget to provide health services to their community for the financial year. Hospitals are then expected to work within this budget allocation. You should appreciate the strains that the current recession is placing on the health system, not only for the impact that it has on the State's revenue but also because of the impact it is having on the levels of private health insurance. There is no doubt at all that these pressures will only increase if this State does not secure a more equitable share of the Commonwealth funds under the next Medicare agreement. I am sure you are also well aware that the Commonwealth Government has reduced its contributions to the New South Wales health system over recent years. Indeed, since 1985 a reduction in the proportion of the New South Wales health system funded by the Commonwealth has led to a shortfall of \$1.3 billion.

Obviously, there are basic flaws in Labor's approach to health which conflict with the Australian concept of social justice. First, Labor's negative attitude to private health insurance and private hospitals restricts access to health care while the current Federal Government's policy ignores a major contributor to health care - the private hospitals, which now have empty beds while waiting lists get longer and longer in public hospitals. I think honourable members would agree that there is something desperately wrong with policies that allow this to occur. New South Wales must lead the way to take every opportunity to set clear goals and objectives for the health care of Australians into the next century. A clear signal must be sent to the people of New South Wales that our system is not under threat by the coalition, that the New South Wales Government believes that it is the Federal coalition that has shown support for the basic principles of Medicare with universal access - access on a basis of need, and equity in provision. We wish to strengthen Medicare further. We want to enshrine the right to choice of all Australians to be treated in public or private hospitals while being supported by private health insurance, if that is the individual's choice.

The partnership that exists between public and private health systems is a keystone of the Australian health care system. A health financing system, as we have under the current Federal Government, which erodes an ever-shrinking private health insurance industry ultimately threatens access to services. A health system that leaves private hospital beds empty while public hospitals overflow is simply inefficient. That is why we in New South Wales strongly support a mixed public-private system which is guaranteed by the Fightback proposals. This is a critical difference between the two parties. Regardless of the improving funding deal that the Hon. Ron Phillips, the Minister for Health, has negotiated for the State's health system, it must not be forgotten that the health funding crisis being experienced in this State has been exacerbated by the impact of Medicare on levels of private health insurance. Private health insurance coverage has fallen dramatically from about 70 per cent of Australians before the introduction of Medicare to the current level of around 40 per cent. This trend has been speeded up by the impact of recession.

It is interesting to note that the majority of State health Ministers have strongly argued for private health insurance to be considered by the heads of government in the funding of health. However, the current Federal health Minister has made it very clear that he is not prepared to consider an increase in the role of the private sector in the funding of health services. Indeed, he is not even concerned about the decline of private health insurance coverage. Such a view is not only shortsighted; it places further pressure on State public hospitals and, as a consequence, State Government resources. It is grossly unfair that New South Wales voters should suffer at the hands of the Labor Federal Government. Virtually all other players in the health field except the Federal Government have emphasised the need for a more viable role for private health insurance. As people drop private health insurance coverage, the

public patients. We must look for tax incentives and rebates that will allow self-help for those more fortunate while not disadvantaging the poor.

As a result of the increased number of people relying on Medicare, New South Wales has suffered a \$52.3 million loss of revenue from private patients, and up to \$58.6 million in additional costs for treating patients who previously would have used private hospitals. At the same time this demand increases waiting times and threatens access to public hospital services for those who cannot afford any alternative. The high quality services available in private hospitals are effectively going to waste. The private hospital system is now able to access only about one-third of the population, and private hospital beds are empty when the cost pressures are increasing and waiting lists are getting longer in public hospitals. Make no mistake about it: unless the Commonwealth addresses these issues, with the rising cost of premiums and more people opting for Medicare, the viability of private health insurance is threatened, and with it the viability of the whole of the Australian health system.

The Federal Government must now provide appropriate funding and demonstrate the same commitment to the microeconomic reform which it is demanding from the State public hospitals. In conclusion on the health problems, there is little doubt that New South Wales has negotiated a hospital agreement with the Commonwealth that places the State in a much better position than past agreements did, in terms of better financial outcome and greater opportunity for reform. However, a number of issues are still to be addressed. The State's capacity to fund public hospitals is not commensurate with its responsibilities for providing services. It is time to ensure States are guaranteed funding commensurate with responsibilities. There must be a defined and sustainable role for private health insurance. The roles and responsibilities and the level of the involvement of the Commonwealth and States in providing and funding health services need to be clearly defined. Let me conclude on health by quoting some of the Minister's thoughts:

A national health policy is fundamentally important to the continued existence of Medicare, and I intend to press for an immediate start to this process regardless of the outcome of the Election.

For too long the Australian health system has been a political battleground. It is time to seek a national agreement on health. The health of Australians is too important for health policy to be determined by ideology. We must focus on achieving the best possible health outcomes for all Australians.

Again with regard to the Grants Commission, New South Wales and Victoria received approximately \$600 per capita while Queensland received \$900, Western Australia \$960, South Australia \$1,050, Tasmania \$1,230 and the Northern Territory \$4,900. What is worse, this gross subsidy, which now costs New South Wales \$1.4 billion, since 1987-88 has increased 40 per cent. In other words, in percentage terms New South Wales each year is increasing its subsidy to the other States - a great reward for sound economic management! Talking of economic management - mismanagement as it is in the case of the Federal Labor Government - I note that an overview of Commonwealth payment and Loan Council allocations shows that since 1987-88 the net payment to the State has risen by only 1.6 per cent compared with 17.2 per cent for the Commonwealth's own general purpose expenditure. In other words, we must practise economic restraint while the Federal Labor Government does not - do as I say, not as I do.

Labor governments must learn restraint and leadership for the sake of Australia or be banished to the Opposition benches, as has happened in most States. It would be remiss of me not to mention education and the outstanding job that the Hon. Virginia Chadwick as Minister for Education and Youth Affairs and Minister for Employment and Training, ably assisted by the Hon. Richard Bull as ministerial secretary, is doing for New South Wales. This Chamber should be very proud of the profound effects these two honourable members have had and are having on education of the youth of New South Wales in providing a start to life that gives real opportunities for New South Wales young people to gain education and skills needed to be competitive in today's labour market.

The coalition has made education a key priority, starting in 1988. One should mention in particular the Start to Life program. Young people today want an education that will lead somewhere. It should be

remembered that they as individuals need a vast range of things and require different opportunities, challenges and assistance. It is interesting to note that young people are able to enter the Start to Life program at any point, and those still at school have such programs as Staying On and the School Industry Link program to help ensure that their schooling is relevant. Young people who have left school early with inadequate skills in reading, writing and arithmetic or those who have poor self-esteem and low confidence have access to the Helping Early Leavers program, or HELP, which provides the necessary skills for life. Other programs such as Skills Gap and Workplace will be very beneficial in ensuring stable employment for the young. It is interesting to note that in 1988 only 44 per cent of students stayed to year 12, while in 1992 the figure was over 67 per cent. Again, this puts increased pressure on the State's resources and is a direct result of a much improved New South Wales government education system on one hand and an economic nightmare caused by an economy grossly mismanaged by the Federal Government on the other. In essence, due to its success in the field and the inadequacies of the Federal Government, which has totally mismanaged the economy, New South Wales must foot the bill for an increased commitment to education. The Federal Government should give the New South Wales Government due recognition for its commitment and provide financial help to offset this problem. New South Wales is fortunate that it has a very capable and dedicated education Minister.

**The PRESIDENT:** Order! Pursuant to  
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sessional orders, business is interrupted for the taking of questions.

## QUESTIONS WITHOUT NOTICE

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### WATER BOARD SPECIAL DIVIDEND

**The Hon. M. R. EGAN:** My question is directed to the Minister for Planning and Minister for Housing. Why did the Water Board amend its 1991-92 accounts to treat a \$100 million payment as a special dividend rather than an asset purchase? Was the board instructed to take this action by the Auditor-General or by the Minister? If the instruction was from the Minister, was the Auditor-General informed and did he concur with the Minister's instruction? Why was no reference made to the instruction in the board's annual report?

**The Hon. R. J. WEBSTER:** I am not surprised to receive a question from the Leader of the Opposition on this subject because he has not, as usual, covered himself in glory in the way in which he has tried to capitalise politically on this issue. The other day I was very interested to hear an interview on this subject between a 2GB radio journalist and Mr Ross Gittins. The reporter said to Mr Gittins, "You have no doubt heard Robert Webster defending this payment of the special dividend, the \$100,000,000. You had a chance to look at the accounting and the figures. What do you reckon?" Mr Gittins started out by saying, "Well, I must say I have more sympathy for Mr Webster than I do for Mr Egan and I really think that Mr Egan's ability to score political points far outstrips the public's ability to understand the ins and outs of public finance"; and so he goes on about the Leader of the Opposition. In other words, the Leader of the Opposition has sought deliberately to mislead the general public of New South Wales on this issue by using words such as "swindle".

I challenge the Leader of the Opposition to see how far he gets by calling me a swindler outside the House, which is implied in his remark. He knows as well as I and every member of this House that there is nothing at all wrong with the Water Board paying a dividend. In fact, in the privacy of some of these board rooms that he visits from time to time, he has spoken out in favour of government trading enterprises paying dividends.

**The Hon. M. R. Egan:** Yes.

**The Hon. R. J. WEBSTER:** The Leader of the Opposition agrees. He thinks they should pay dividends, so why should they not pay \$100 million as a special dividend. The truth is that the Leader of the Opposition has deliberately tried to mislead the public into believing things that are blatantly untrue. He knows that there has been no impropriety in anything that has been done in this matter by me, as the Minister

responsible for the Water Board, by my predecessor or by Treasury. Everything that has been done has been above board; all these matters have been signed off by the Auditor-General; they were part of the Budget Papers last year and were referred to in the Auditor-General's Report.

### **WATER BOARD SPECIAL DIVIDEND**

**The Hon. M. R. EGAN:** I wish to ask a supplementary question. Who gave the Water Board the instruction to amend its accounts? Did the instruction come from the Minister or the Auditor-General? If the instruction came from the Minister, was the Auditor-General informed and did he concur with the instruction?

**The Hon. R. J. WEBSTER:** I have already given the answer to that question.

### **ENGLISH AS A SECOND LANGUAGE COURSE FUNDING**

**The Hon. R. T. M. BULL:** My question is directed to the Minister for Education and Youth Affairs and Minister for Employment and Training. Will the Minister comment on the effect of the Commonwealth's application of a tendering process in relation to funds for adults wishing to learn English as a second language? Will this process result in significant disadvantage to particular groups within the community?

**The Hon. VIRGINIA CHADWICK:** I thank the honourable member for his important question. I know in his work as my Parliamentary Secretary in the area of education, with particular interest in tertiary education, that this has been a matter of great concern to him. I know that concern about education opportunities being provided for people of non-English speaking background is not isolated to our side of the Chamber. I acknowledge that honourable members on the crossbenches and in the ranks of the Government have a deep interest in this matter. Those honourable members must share the Government's concern at the most unfair deal and the unfair arrangements that are being applied in New South Wales. This is well highlighted in the most bizarre tendering process that has been introduced by the Commonwealth Government. New South Wales has engaged in continuous and strenuous discussions and I and a large number of people have conducted a great letter-writing campaign about the new procedures that have been introduced. It would be fair to say - this would be acknowledged even by honourable members opposite - that this process has been a cause of concern to all ethnic communities in New South Wales.

The changes seriously disadvantage particular groups within the migrant community. In particular they disadvantage women who are not in the work force and who are older migrants who, for whatever reason, did not take advantage of the opportunity to learn English when they first arrived in this country. Perhaps they had family responsibilities; perhaps they had work responsibilities such as helping spouses establish a business; or perhaps they had a responsibility to help children in school. They may not have moved to English classes straight away for

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a variety of reasons. Through these new, quite bizarre and heartless procedures, they have been cut off from that opportunity to attain English language proficiency. These changes made by the Commonwealth, stemming from the Federal Government's 1992-93 Budget, were made, I suspect, without appropriate consultation - indeed, I have no evidence of any consultation having taken place - with ethnic communities in New South Wales or elsewhere. They most certainly were made without consultation with me or significant officers of my department.

It is bizarre that together with the announcement of additional funding was the announcement of a new set of rules and regulations pertaining to who could actually access those funds: they were available to registered job seekers only. A huge constituency of non-English speakers is absolutely excluded from accessing any of these courses and the funds associated with them. The hours of English language tuition entitlement have been cut to 510. I defy any person in this Chamber - talented, assiduous and dedicated though he or she may be to the acquisition of another language - to learn another language in 510 hours of tuition. But they are the rules:

one must learn English in 510 hours or one is out; one just has to muddle through as best one can. In addition, and I am sure the Hon. Franca Arena could not support this -

**The Hon. Franca Arena:** I have made representations about it.

**The Hon. VIRGINIA CHADWICK:** I am pleased to hear that the Hon. Franca Arena has also made representations to her Commonwealth colleagues. I am terribly sorry that her voice, like my voice, has not been heeded by those in Canberra. In 510 hours one has to learn English; 511 hours and one is out. You must be a quick learner or heaven help you. Fees will be charged. They will range from \$250 to \$4,080. The entitlement to English language tuition is limited to those who have arrived in this country during the previous 12 months. Let us imagine what our first priorities might be in another country. Would they not be to try to find a job, a school for one's children, and a house or a roof over one's head? The formal acquisition of other language skills is a personal indulgence for many migrants. Rightly or wrongly, the acquisition of such skills by new arrivals will be deferred until the immediate concerns of income, a job, shelter and education for their children have been dealt with. Yet under these new, heartless and ill-conceived rules, if one does not undertake one's 510 hours of tuition after payment of the fees within the first 12 months of one's arrival, one is no longer eligible. I ask honourable members to think about all of the ageing migrants in our community, particularly women, who, because they have had child rearing and family responsibilities or who, for other reasons, did not undertake the learning of English language skills. They may now feel that their children are off their hands and that they are now able formally to learn English. Since it is more than 12 months since they arrived in Australia they are not ineligible.

I am not the only education Minister who is concerned about these changes. I am not aware of any Minister right across Australia who does not share my concern. Indeed, I have had discussions and consultations with most of them, regardless of their party politics, about how the Federal policy can be changed. We have fought a rearguard action. Subsequently the Commonwealth has agreed to consider issues relating to longer term residents, but nothing has happened. Indeed, the consultations being undertaken by the Commonwealth are, I think, quite suspect and narrow and will not result in the correct answers. The imposition of the tendering process occurred without consultation and is in direct contradiction to the findings of the Department of Education, Education and Training in its 1991 review of its tendering procedures for services under its labour market programs. The key findings of that review questioned the efficacy of short-term funding arrangements, including tendering on an annual basis for limited funds being applied to courses with a high and continuous demand. In relation to funds for English as a second language courses for adults, the current lack of consistency in tender specifications has resulted in an excessively bureaucratic and, subsequently, inefficient process which has impeded planning for the establishment of a proper framework of education and training pathways for adult migrants.

I do not intend to let this matter drop. On a later occasion I intend to bring into this House a sample of some of those tender documents. Apart from the unfairness and heartlessness of the processes and policies that have been introduced and their absolute disregard for the realities of the situation in which migrants find themselves in this country, it is administratively bizarre that agencies and government groups within my area of responsibility have had to tender for courses that they have undertaken for years. In fact, in relation to adult and community education, it has been found that entire forests have been felled to write tendering documents that have been submitted to the Commonwealth Government. The department has then found that it has been awarded the tender only for projects that it has conducted for decades. It is administratively bizarre but, more importantly, in a human sense it is absolutely misguided and heartless.

### **SYDNEY CASINO POKER MACHINES**

**Reverend the Hon. F. J. NILE:** I wish to ask the Minister for Education and Youth Affairs and Minister for Employment and Training, representing the Chief Secretary and Minister for Administrative Services, a question without notice. Is it a fact that 1,500 poker machines in the proposed new casino at Pyrmont would have a disastrous impact on registered clubs in New South Wales, especially those in the Sydney area? What

action is the Government taking to eliminate these poker machines so as to protect the registered clubs of New South Wales, whose activities benefit the community, whereas the casino's 1,500 poker machines will benefit only the profits of foreign

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shareholders?

**The Hon. VIRGINIA CHADWICK:** I should say at the outset that, although I am the responsible Minister in this Chamber, I do not pretend to be able to answer in detail a question such as this on behalf of the Minister. I much prefer to refer the question to her. However, whether one agrees with Reverend the Hon. F. J. Nile, it is perfectly clear to all honourable members, particularly bearing in mind not only the debate on the casino legislation but Reverend the Hon. F. J. Nile's general view on related issues, that Reverend the Hon. F. J. Nile is strongly and firmly opposed to gambling and to the casino per se. Whether honourable members agree with him, it is important to remember - and I stand to be corrected - that he was formerly opposed to gambling in any form, whether it was in registered clubs or in casinos. The matter of principle here is gambling and its ill-effects on families and the broader community.

I am somewhat startled to discover that by implication Reverend the Hon. F. J. Nile apparently now supports poker machines if they happen to be in clubs but not if they happen to be in casinos. I felt much more comfortable when Reverend the Hon. F. J. Nile opposed gambling and was therefore opposed to poker machines per se. However, as there has apparently been an ideological shift in his position, I will draw the matter to the attention of my colleague the Hon. Anne Cohen. The recommendations followed by the Government in relation to the casino - not only in relation to its siting, but also in relation to whether it should contain poker machines and in what quantum - are not matters that we as politicians should believe we are expert about. They are matters for the committee, which has been carefully selected and which has conducted a careful investigation. The legislation was supported by all members of this Chamber and, indeed, by the lower House.

**Reverend the Hon. F. J. Nile:** Except for Call to Australia. We did not support it.

**The Hon. VIRGINIA CHADWICK:** Except for members of the Call to Australia group, who, as I recollect the debate - and perhaps I should refresh my mind on it - expressed concerns about gambling but did not support poker machines in Sydney clubs.

#### **WATER BOARD PURCHASE OF AWTT PTY LIMITED**

**The Hon. B. H. VAUGHAN:** I direct my question without notice to the Minister for Planning and Minister for Housing. Is it a fact that the Government has recently purchased a private company called AWTT Pty Limited for the purpose of providing the Water Board with property management services? What staff, if any, will be transferred to the private company from the Water Board? What assets, if any, will be transferred to the private company from the Water Board? In the event the company is sold off in the fullness of time, what will happen to the staff and assets transferred to it?

**The Hon. R. J. WEBSTER:** I think the Deputy Leader of the Opposition is somewhat confused. The Government has not purchased the company known as AWTT. That company is a subsidiary of the Water Board and was set up some time ago to manage the non-core services of the Water Board. Quite rightly, that company must now survive by competing in the private sector. AWTT will operate as a commercial business in much the same way as some aspects of the Public Works Department now operate. I believe that is entirely appropriate and I would have to say that, based on what I can understand of what I have heard from the Opposition, it would be supported by the Opposition.

**The Hon. Virginia Chadwick:** Today.

**The Hon. R. J. WEBSTER:** Today, anyway.

**The Hon. Ann Symonds:** Who did you speak to?

**The Hon. R. J. WEBSTER:** The Hon. Ann Symonds asked who I spoke to. Opposition members should have a copy of the speech that the Leader of the Opposition uses when he goes to boardrooms and the Institute of Directors and so on and a copy of the speech that he uses when he addresses the Labor Party conference. If they were to compare the two of them they would see that they do not marry up. One would think, from some of the things the Leader of the Opposition says when he goes to the Institute of Directors, that it was Charles Copeland speaking. When he troops down to the Labor Council or to the Labor Party conference he engages in the old Labor rhetoric once again. The Leader of the Opposition has zero credibility with members of the New South Wales business community because they do not know what he stands for. To return to the honourable member's question, AWTT is a commercial arm of the Water Board which sells non-core services, such as the expertise that the Water Board might possess in dam construction, environmental works and so on. The company operates separately from the core services of the Water Board. The Government has no plans to privatise that company or transfer its employees to private sector companies, or any of the other things that were alluded to by the honourable member in his question.

### **ABORIGINAL EDUCATION AND TRAINING INITIATIVES**

**The Hon. PATRICIA FORSYTHE:** My question without notice is directed to the Minister for Education and Youth Affairs and Minister for Employment and Training. In this the International Year of Indigenous People will the Minister inform the House about education and training initiatives available for the Aboriginal people of New South Wales?

**The Hon. VIRGINIA CHADWICK:** I thank the Hon. Patricia Forsythe for her most important question. The honourable member is a most diligent and hard-working member of the ministerial advisory committee on education and last year travelled extensively throughout New South Wales, particularly rural New South Wales. Her interest in Aboriginal

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education initiatives is most relevant, particularly in this the International Year of Indigenous People. The New South Wales Government's efforts in this area include the \$9.2 million Aboriginal education program, and approximately \$6 million is to be spent in TAFE specifically on Aboriginal programs. Whether in the area of school education or TAFE, the Government's capacity to make further inroads in this most important area is largely dependent upon funds being made available from Canberra. For many years the Commonwealth Government has allocated funds to States and Territories for a range of initiatives in Aboriginal affairs, including education. In 1989 it released a national Aboriginal and Torres Strait Islander education policy. The guidelines for that policy, which have been developed by the Commonwealth, are in the view of New South Wales far from equitable. Unfortunately, I have to inform honourable members that the Aboriginal people of New South Wales are most concerned that their education and training have been severely disadvantaged by the inequitable distribution of Federal funds.

Put simply, the non-equitable distribution of funds has resulted in a number of missed opportunities for Aboriginal and Torres Strait Islander people. If I can use but one simple statistic, although approximately 27 per cent of people who identify as being either Aboriginal or Torres Strait Islander reside in this State, New South Wales received a meagre 18.3 per cent of Commonwealth funds. It is hard to imagine how any Aborigine or Torres Strait Islander could think that fair. Figures available for 1993 indicate that this year funds will be of the order of those allocated in 1992. Those funds will fall far short of the amount required to carry out the Government's plans in the area of Aboriginal education. They are not plans I dreamt up or my Anglo-Saxon bureaucrats dreamt up; they are Aboriginal education plans developed by the AECG, the Aboriginal education group. With my support, those plans were forwarded to Canberra as the New South Wales Government's plans. The Government does not have the money to carry out its objectives in the area of Aboriginal education and training. That is an amazing state of affairs in this the International Year of Indigenous People, particularly when New South Wales is to host the national conference to mark the event.

**The Hon. Ann Symonds:** When is that conference to be held?

**The Hon. VIRGINIA CHADWICK:** In late July, in Wollongong. I will ensure that the honourable member receives an invitation. In 1993 the total national funds available under the Commonwealth Aboriginal plan are to increase 18 per cent from those made available in 1992, yet the funds allocated to New South Wales are to decrease. New South Wales was already disadvantaged and last year when I noted that the Commonwealth Budget included an 18 per cent increase in those funds I thought New South Wales would have an opportunity to redress the imbalance. Not only did New South Wales not receive an increase to enable the Government to redress the imbalance; our level of funds actually decreased as a proportion of the total amount.

**The Hon. Judith Walker:** Because the population is in the other States.

**The Hon. VIRGINIA CHADWICK:** No, that is not correct. I have an enormous respect for the Hon. Judith Walker, for her dedication and hard work, but I remind her that New South Wales has 27 per cent of the overall Australian population of Aborigines or Torres Strait Islanders. Although, traditionally, New South Wales has received 18 per cent of Commonwealth funds - already an inequity - in the 1993 Budget this State will receive only 11 per cent of the funds. If that is fair, I would like somebody to explain to me why it is. The other matter of enormous concern is technical and further education. In New South Wales TAFE does extraordinarily well. Of all Aborigines and Torres Strait Islanders who attend TAFE colleges anywhere in Australia, 37.5 per cent attend TAFE colleges in New South Wales. That huge effort involves more than 10 per cent of the Aboriginal population.

New South Wales leads Australia in Aboriginal participation in TAFE. More than 6,000 TAFE students identify as Aboriginal, yet again there is a shortfall in the funds. New South Wales has a vast commitment to education and training of Aborigines, as has been identified not only in my portfolio but in a number of other areas. The Government's capacity to continue to deliver the services required by the Aboriginal community cannot be maintained when the State is hit both ways - it loses out in the general tax cut through the unfair fiscal equalisation programs and cannot get the money pro rata on its population for programs specifically targeted for Aborigines. Regardless of political complexion any fair-minded person would not regard that as fair, especially an Aborigine in need.

#### **AIDS PATIENTS AUTOPSIES**

**The Hon. ELISABETH KIRKBY:** My question without notice is directed to the Leader of the Government in this House, representing the Minister for Health. Will the Minister confirm whether 82 per cent of autopsies performed on AIDS patients at the City Morgue have revealed unsuspected illnesses which therefore were not treated? Is it a fact that funding, which provides \$2,000 per autopsy, will cease this month? Will further funding for autopsies to be carried out at the City Morgue be forthcoming? If not, why not?

**The Hon. J. P. HANNAFORD:** The honourable member will understand that though she has asked an important question, I do not have the details concerning the number of autopsies or the question of continued funding to hand. I will obtain that information for the honourable member and provide it to her as soon as possible.

#### **FEDERAL OPPOSITION SUPERANNUATION**

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#### **POLICY**

**The Hon. J. F. RYAN:** My question without notice is directed to the Attorney General, Minister for Industrial Relations and Vice-President of the Executive Council. Is the Minister aware of the Federal coalition's commitment to freeze employer superannuation contributions at 5 per cent? How will the Federal coalition's policy affect members of First State Super?

**The Hon. J. P. HANNAFORD:** I thank the honourable member for his important question. I note with interest that he, and not members of the Opposition, has pursued this issue. I am aware that the Federal coalition has announced that it will make it negotiable -

**The Hon. M. R. Egan:** We read the legislation.

**The Hon. J. P. HANNAFORD:** I welcome the interjection of the Leader of the Opposition. He has hit the issue on the head. He has noted the legislation passed in New South Wales. The law in New South Wales is that employees of the New South Wales Government have the benefit of the 5 per cent to 9 per cent increase in employer contributions to superannuation. That is and will remain the law in New South Wales. I am pleased that the New South Wales Opposition acknowledges that government employees in New South Wales will not be affected by the coalition's proposal. New South Wales introduced the legislation because of the considerable burden that the Federal Government's superannuation guarantee levy would have on the superannuation liabilities of the New South Wales Government as an employer. The Federal coalition's policy is not to force the 5 per cent to 9 per cent guarantee levy on employers but to freeze it at its current level so that any increases can be the subject of negotiation between employees and employers. That is totally consistent with the approach taken in New South Wales.

Though the Government has accepted the 5 per cent to 9 per cent guarantee levy agreement between employers and employees, it has also put in place a program which will allow employees and employers to negotiate additional superannuation entitlements, for which it is to be commended. The Government recognises the burden that superannuation has on employers, and therefore its impact on employment levels. The fact that the Federal coalition intends to recognise this burden and alleviate the burden in the general employment sector must be recognised in the current climate. The Federal coalition's policy programs of Fightback and Jobsback acknowledge the need of the community to generate employment and alleviate the add-on cost of employment so that employment can be increased in New South Wales and Australia. The coalition's policy is to be commended. It is totally consistent with the direction taken by the New South Wales Government. I applaud the approach taken by the Leader of the Opposition in this place to support the Government in this regard.

## **DISADVANTAGED AND HOMELESS YOUTH ASSISTANCE**

**The Hon. R. D. DYER:** I ask the Minister for Education and Youth Affairs and Minister for Employment and Training, representing the Minister for Community Services and Assistant Minister for Health, a question without notice. Will the Minister advise the House of the reasons for the failure of the Department of Community Services to assist numerous disadvantaged and homeless young people, as disclosed by the Office of Juvenile Justice? Will the Government take action to better co-ordinate the roles of the Office of Juvenile Justice and the Department of Community Services?

**The Hon. VIRGINIA CHADWICK:** I too read the media reports this morning of complaints of concern from the Office of Juvenile Justice about this matter. I noted also that this morning the Director-General of the Department of Community Services, Mr Des Semple, was reported as saying that he too was concerned and wished to ensure that there was appropriate co-ordination. Most members would acknowledge that I read the article with particular interest, given my history and interest in that area. I make the simple observation that it does not necessarily make for a perfect world to try to co-ordinate two arms of one organisations, let alone two arms of different organisations.

However, my concern is shared by my colleague the Minister for Community Services. He has informed me that he has spoken with Mr Semple and has asked him to identify those cases named in the document, with a view to resolving immediately any outstanding casework issues. I am sure that all well-meaning people would welcome that. Apparently the document in question was not provided to the Director-General of the Department of Community Services by the Office of Juvenile Justice. Therefore, it is interesting to speculate

how the media obtained the document before it was brought to the attention of the Director-General of the Department of Community Services. He will meet with the Director of the Office of Juvenile Justice to ensure that a protocol is put in place that reinforces that young people who have been in the juvenile justice system have their needs met.

Today the Director-General of the Department of Community Services and the Director of the Office of Juvenile Justice have apparently made firm commitments to producing a clear understanding of the roles of and protocols between the two departments. The Director of the Office of Juvenile Justice has confirmed that the office has responsibility for supporting and assisting children who come to the attention of criminal authorities. Mr Graham has said quite clearly that his officers are, where appropriate, working closely together to ensure placement of young people. He has pointed out that in late 1991 when the Office of Juvenile Justice came into being 465 young people were incarcerated in juvenile justice centres; as of Sunday night that figure had, thankfully, reduced to 360.

Those simple statistics quite clearly indicate that  
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the Office of Juvenile Justice is working with the Department of Community Services in the placement of young people, otherwise it is hard to imagine how it has successfully reduced those figures. I understand that the Minister for Community Services and Assistant Minister for Health has spoken to the Minister for Justice and Minister for Emergency Services this morning regarding this matter, which he takes seriously. Both Ministers are of the view that the issue of co-ordination of the welfare of children who require a bridge between the satisfaction of their justice and welfare needs will emerge from the Government's recently released green paper on juvenile justice. If the Hon. R. D. Dyer has not had an opportunity to acquire a copy of it -

**The Hon. R. D. Dyer:** I have a copy.

**The Hon. VIRGINIA CHADWICK:** Having read the document and thought about its recommendations, the honourable member will agree that it will go a long way to addressing a number of the needs that are implicit in his question and his genuine concern.

#### **CIVIL LITIGATION LEGAL AID**

**The Hon. R. S. L. JONES:** My question is directed to the Attorney General, Minister for Industrial Relations and Vice-President of the Executive Council. Is he aware that the denial of legal aid for civil cases is causing extreme hardship to many people as well as denying individuals in communities the opportunity to challenge environmentally destructive developments? Is it the Government's intention to starve the Legal Aid Commission of sufficient funds in order that civil cases, for example, against the Forestry Commission, can no longer go ahead? Is the Government prepared to sacrifice the well-being of hundreds of disadvantaged people, including quadriplegics and paraplegics, in the name of economic rationalism?

**The PRESIDENT:** Order! I cannot hear the honourable member.

**The Hon. R. S. L. JONES:** Will the Minister immediately reconsider his decision not to grant extra funding to the Legal Aid Commission to allow civil cases to be funded?

**The Hon. J. P. HANNAFORD:** I am pleased that the Hon. R. S. L. Jones has raised this question and shown an interest in the issue of legal aid. The honourable member has drawn his bow in relation to environmental and civil matters. I indicate to the House, importantly, that the Legal Aid Commission Act - which, if my recollection is correct, was supported by all sides of this House - was structured so as to ensure that there cannot be any political influence on or political oversight of Legal Aid Commission decisions. That was done particularly to make certain that the organisation could operate independently to assess legal aid needs in this State and set priorities for it and that the politicians could not step in and make politically biased decisions in relation to legal aid. If the Hon. R. S. L. Jones is suggesting that that should be changed, I think every other

member in this House would oppose him. The issue, therefore, is the way in which the Legal Aid Commission should operate.

The commission operates independently and sets its priorities in relation to legal aid. The honourable member should be aware also that the High Court recently handed down a decision which indicated that if legal aid is effectively not made available to people facing criminal charges the charges should not proceed. Honourable members might recall that in a Victorian case, a matter of some significance involving the drug trade, the charge was dismissed by the High Court because legal aid was not appropriately provided. The community's first priority is to ensure that criminal legal aid is available. That is certainly the priority of the Legal Aid Commission, a priority that should be maintained.

**The Hon. R. S. L. Jones:** What about the quadriplegics?

**The Hon. J. P. HANNAFORD:** I will come to quadriplegics in a moment. Until December last year New South Wales was the only State in Australia that provided legal aid in civil matters. It was cut out first in the Labor States. Last December the Legal Aid Commission decided to suspend legal aid in certain - I emphasise certain - civil matters for six months to enable it to get on top of the legal problems it was facing. I will address the issue of the financial problems. The Legal Aid Commission was granted total State and Commonwealth funding in the budgets for this financial year of \$81 million, the largest legal aid application of funds in Australia. That was in accordance with requests made for legal aid.

When the budgets were reviewed the question was raised as to whether the State had not in fact provided sufficient moneys to accord with the State and Federal agreement. I ordered a complete review. The Robson report identified a shortfall in funding, which was made up. On top of that, the Legal Aid Commission and the former Premier negotiated the provision of supplemental funds of \$1.8 million to meet the demands on legal aid as a result of the Government's court reduction program. Those moneys were also made available. As a consequence, the moneys available to legal aid this year are in excess of \$86 million.

Within about 24 hours of the Legal Aid Commission being advised of these additional moneys it came back and said, "We now need an additional \$2.7 million". I have indicated to the commission that I want it to develop a strategy that identifies the extent of the indebtedness of legal aid. From the top of my head, I think something like 50,000-odd grants of legal aid have been made to the private profession. The commission cannot tell me how much money it might owe in legal aid. It believes that it is somewhere between \$12 million and \$20 million, but it is not certain. I have told the Legal Aid Commission that it has to develop strategies that identify the extent of its indebtedness, how that amount will be paid and then meet ongoing legal aid within a budget. Every agency of government must

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operate within a budget, but within that budget it must develop a framework to meet increases in demand as it is generated by a recession.

Honourable members must recognise that Keating's induced recession has generated an increasing demand for legal aid services. I therefore expect the commission to develop those strategies. Once they are in place the Government can look at meeting funding demands. I am pleased that the commission is now moving in that direction. There is a meeting of the Legal Aid Commission next week at which I expect a number of these things will be addressed. Notwithstanding the fact that the Government gave the commission State and Federal funds of \$81 million and additional funds, I have recognised that the commission says it wants more money. Until now the Legal Aid Commission has been liable for payroll tax because it is an independent corporate organisation under the statute. I understand that that is the position throughout the country.

As a result of an approach made to the Minister for Finance, the Government has now exempted, for the first time, the Legal Aid Commission from the payment of payroll tax, so that the commission will have available to it additional funding of about \$1.2 million to \$1.4 million. The commission has also resolved to review its decision on civil legal aid and has established a subcommittee to address that issue. I expect that matter will be further considered by the commission at its meeting next week. The honourable member raised

the issue of legal assistance for quadriplegics and others who might make civil claims. The vast majority of solicitors in fact are willing to do third party litigation on a contingency basis.

However, notwithstanding that, the Government is looking at the introduction of contingency fees for the legal profession in New South Wales, and I expect honourable members will hear from the Government in relation to that matter in the next few weeks. The Legal Aid Commission is looking at a number of other strategies in order to be able to provide assistance in these areas. The bottom line is that these agencies have budgets. The Legal Aid Commission in this State is developing and has had priorities in place for a long time to ensure that those most in need in the community get legal aid. The commission is functioning quite well in that regard.

### **FEDERAL TERTIARY EDUCATION FUNDING**

**The Hon. D. F. MOPPETT:** My question without notice is directed to the Minister for Education and Youth Affairs and Minister for Employment and Training. I have been gravely concerned about the disappointment experienced by a vast number of students who have been unable to obtain placement at the State's universities earlier this year. Are universities in New South Wales receiving a fair share of Commonwealth funding? How do current funding arrangements affect the numbers of students offered placements at universities this year?

**The Hon. VIRGINIA CHADWICK:** I note that the honourable member's particular interest in educational opportunities, especially for children from rural New South Wales, has led him to ask this important question. People in all walks of life have been stunned to realise that so many students in New South Wales, having done so well in achieving the highly competitive and internationally recognised higher school certificate, with results that last year would easily have given them entrance to faculties in most universities in this State, this year have had their hopes and those of their parents shattered by the difficulty of gaining placement. Some young people - or their parents - may have had unrealistic expectations about their chances of getting into a university. However, some students who have done exceptionally well - and who fared far better than most honourable members could have hoped had they sat for last year's higher school certificate - suffered the tragedy of finding they have not been successful in their first, second, third or last choices of university courses. In the long term, their tragedy is a loss for the community. But that loss is particularly acute in New South Wales.

**The Hon. Dr B. P. V. Pezzutti:** Mr Baldwin did not give this State the right amount of money.

**The Hon. VIRGINIA CHADWICK:** Precisely. As the Hon. Dr B. P. V. Pezzutti said, New South Wales has about one-third of Australia's population yet it receives only 30.9 per cent of total Commonwealth university funding. New South Wales has the greatest number of students at university nationally, with about 160,000 people attending the State's higher education institutions, but receives less in funding to those institutions, in proportion to its population, than many smaller States. In comparison, Victoria has 25.6 per cent of the national population and receives close to 27 per cent of Commonwealth funds. What is fair about that? South Australia, with 8.3 per cent of the population, receives close enough to 8.5 per cent of the funds. One cannot help but think that the distribution of funds to assist our young people to attend tertiary institutions has been somewhat partisan and unfair. I have lost track of the number of times I have raised this matter.

**The Hon. Dr B. P. V. Pezzutti:** Mr Baldwin lives at Redfern, close to three big universities.

**The Hon. VIRGINIA CHADWICK:** Precisely, and used to be a member of this Chamber. I was a member of this House when Mr Baldwin was a member, and I recall the bad time he received from many of his own colleagues in different factions and groupings. Perhaps that experience led him to have something of a dislike for New South Wales. However, I should have thought that Mr Baldwin, the Federal Minister, would be fair to his own State or would express the least degree of favouritism towards it. But something nasty must have happened to Mr Baldwin in New South Wales, because he now treats it so unfairly and with such inequity. I cannot help but think that Mr Baldwin, some time in his past, must have suffered an unhappy experience that has led him to pay back this State, even though in the Federal Parliament he represents New South Wales as

well as the Commonwealth.

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### **WATER BOARD PRIVATISATION**

**The Hon. FRANCA ARENA:** I direct my question without notice to the Minister for Planning and Minister for Housing. Will the Minister publicly release the three consultants' reports commissioned by the Water Board into privatisation, referred to in the board's last annual report? Are these reports further confirmation that the Minister sees the board as being a candidate for privatisation?

**The Hon. R. J. WEBSTER:** I am amazed that members opposite are so predictable. However, I am delighted to receive a question from my dear friend the Hon. Franca Arena. A considerable amount of work has been done on the public's attitude to the Water Board, which has done a number of surveys. But the reports referred to by the honourable member are part of the Water Board's reform process, which I am undertaking, as Minister responsible for the Water Board. That is being done under the auspices of the government trading enterprises committee within the Cabinet Office. So far as I am aware, those reports, if they are the reports I think they are - and I would have to check on the actual reports that the honourable member has referred to - are considered to be Cabinet documents and part of that internal government reform.

**The Hon. M. R. Egan:** That is a tired excuse.

**The Hon. R. J. WEBSTER:** The Leader of the Opposition in this House says it is a tired excuse. I am sure if he examined Cabinet minutes of the period when his party was last in office he would find that a number of in-house working documents were prepared that provided information and became part of the Cabinet process, as have these documents.

### **HOMOSEXUAL ATTACKS**

**The Hon. ELAINE NILE:** I direct my question without notice to the Attorney General and Minister for Industrial Relations, representing the Minister for Police. How many attacks on homosexuals were reported in 1992? What increase has there been in attacks on homosexuals in the weeks or months following the annual homosexual and lesbian mardi gras? Is there any evidence or have studies been done that indicate that the homosexual and lesbian mardi gras could provoke brutal attacks from violent skinheads and the like?

**The Hon. J. P. HANNAFORD:** I do not have available to me information concerning the matters to which the honourable member has adverted. I will obtain the information. One would have thought that if an increase in attacks was a result of the mardi gras, it would have been most likely on the night of the mardi gras. The press reported no such incidents. One young lady was shot near Taylor Square on Saturday night but that was identified as being totally unrelated to the mardi gras. There were about 500,000 people in and around Taylor Square, Oxford Street and Flinders Street, and, as I understand, the crowd was well behaved and orderly. I will obtain the detailed information sought by the honourable member.

### **ALEXANDRA CANAL**

**The Hon. JAN BURNSWOODS:** My question is directed to the Minister for Planning and Minister for Housing. Has the Sydney Water Board made an assessment of the cost to ratepayers to clean up the Alexandra Canal? What economic benefit could the board receive from ownership of the canal?

**The Hon. R. J. WEBSTER:** As the honourable member would know, but I state for the information of honourable members, Alexandra Canal is one of a number of assets which were transferred from various

government departments and authorities to the Water Board in recent weeks. All these assets are part of the Water Board's plan to improve the quality of Sydney's waterways and general environment. Judging by the photographs of the Alexandra Canal that I saw, it is a darned good thing that it has been transferred to the Water Board. Along with the board's work, which honourable members would support on many other waterways, canals, drains, wetlands, swamps and marshes within the Sydney Water Board catchment area, I am sure the Water Board will do a fine job in ensuring that that extremely important asset is cleaned up and turned into yet another pristine example of what the Water Board can do. It is a vital part of the Water Board's clean waterways program.

**The Hon. J. P. HANNAFORD:** In view of the time, I suggest that honourable members who have further questions place them on notice.

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## GOVERNOR'S SPEECH: ADDRESS IN REPLY

### First Day's Debate

#### Debate resumed from an earlier hour.

**The Hon. L. D. W. COLEMAN** [5.3]: Communities along the main western railway line increasingly have been voicing concerns about the future of their line, and so they should. The Federal Government seems intent on ensuring the line's demise. Unfortunately, the only obvious reason seems to be to buy votes in Victoria. The announcement of the One Nation package and the Commonwealth funding of the standardisation of the Melbourne to Adelaide line has dealt the western line a savage and potentially mortal blow. The National Rail Corporation has had a long-term intention to consider standardising the Melbourne to Adelaide line. Routing Adelaide, Perth and Alice Spring traffic this way will allow a major increase in traffic volumes and will allow economies of scale to be achieved. However, costing at least \$150 million, this was a very low priority when driven purely by commercial considerations.

National Rail recognised that its first priority was to invest in high-return projects that improved the existing infrastructure. Then, out of the blue, the Commonwealth took a non-commercial decision to

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throw millions of dollars in grant funding at the standardisation project. It is disgraceful for a Federal Government to take jobs from New South Wales - in particular the New South Wales western region and the western line - and give them to Victoria. The Federal Labor Government takes \$120 million in fuel taxes each year from rail but gives rail in electorates such as Calare, Parkes and those through the Blue Mountains nothing in return. If the Federal Government was genuinely concerned about the western line, why did it not give funding from the One Nation package? The Federal Labor Government can promise \$450 million for rail when it suits it politically but it cannot spend a single dollar on the western line. In fact it is much worse: the Federal Labor Government allocated more than \$115 million to standardise the Melbourne to Adelaide line, which in rail terms is not considered an urgent priority. This is straight out politics at its worst.

To make matters even worse, if possible, the Melbourne to Adelaide line is to be given the highest priority in funding, getting 50 per cent of funding from stage one whilst the Sydney to Melbourne and Sydney to Brisbane lines receive 10 per cent funding from stage one. The present Federal Labor Government obviously wants its freight and passengers to go via Melbourne to Adelaide rather than to use the western line, without so much as a whimper from the New South Wales Labor Party. The New South Wales Labor Party should be using its so-called influence to reverse this policy before it is too late and Broken Hill has no rail service and the western line is closed. The Labor Government is more interested in winning votes in Victoria than in an efficient State rail system, as my friends on the opposite benches would be well aware.

What is the Labor Party going to do about retaining the *Indian Pacific* on the western line? It is no coincidence that the Federal Government is spending \$12 million on a facelift of the *Indian Pacific* to be

completed at the same time as the completion of the Adelaide to Melbourne standardised line. I also note that it still costs New South Wales \$2 million a year to subsidise the *Indian Pacific* in spite of its being run by the Commonwealth. The New South Wales Government has no plans to close the line but a de facto closure will be forced upon us simply because there are no longer any trains. Even the line between Lithgow and Parkes would be reduced to a low volume line. Clearly, though this line would remain viable and I can give an absolute assurance that the New South Wales Government will keep it open and provide a quality service to the communities of this important rural region, National Rail cannot be forced to use the Parkes to Broken Hill line.

However, the New South Wales Government remains committed to the line and will explore all options to keep it open despite the Commonwealth's apparent determination to ensure its demise. It would also be helpful to the electorate of Bathurst if its member stopped using rail for his political ambitions and started to help save the western line, which involves a thousand jobs in the region. He and the Federal member for Calare are making no constructive efforts to revamp rail. When the Commonwealth Treasurer announced changes to the One Nation package on 13th November last year he sought to pass off the delays in spending rail funds as the fault of the States. This was a cowardly attempt to deflect attention from the inadequate consultative process used to put One Nation together. It is little wonder then that the One Nation projections have so completely missed the mark.

The Commonwealth seemed to think that the rail authorities would have a secret drawer full of detailed engineering designs for infrastructure improvements on the off-chance that after years of neglect the Commonwealth would one day turn around and decide to provide infrastructure investment funds. The fact is that the State Rail Authority has focused on what has been achievable, not pie in the sky projects. And given the State's financial position, the Government would not have tolerated scarce funds being spent on speculative design work. Given the approach taken by the Commonwealth Government in preparing the One Nation program, it is little wonder that spending has not lived up to the promises, and the Commonwealth should hardly be surprised that this has been the case. It is time the Commonwealth admitted that it was at fault by not consulting adequately on One Nation and gave due recognition to the highly co-operative approach taken by New South Wales to ensure that the funds are spent not just quickly but also efficiently. Instead, the Commonwealth Government has decided to spend a further \$30 million on the non-commercial Melbourne to Adelaide standardisation project with a deal with the new Victorian Government, which would not be in the original sham.

New South Wales has written to the Commonwealth seeking an assurance that New South Wales will not lose any of its funding as a result, but no assurance has been forthcoming. It must be assumed then that this \$30 million will be found by diverting further funding from commercial projects in New South Wales with its high rates of return. In other words, New South Wales will lose the Parkes to Broken Hill line and miss out on \$30 million of urgent upgrading works on the Brisbane-Sydney-Albury lines - all for vote buying by the Federal Labor Party. Again, let us not forget that every year New South Wales State Rail pays the Commonwealth \$40 million in fuel taxes and gets virtually nothing in return. I repeat, the Commonwealth gets \$40 million out of New South Wales rail. In real terms and allowing for the fuel tax paid by the railways to the Commonwealth, the Hawke-Keating Government has taken more out of rail than it has put back, whilst the Fraser Government averaged an input of \$50 million.

The Federal coalition would contribute of the order of five times that contributed by the Fraser Government - a far cry from the present system and situation. The Federal Labor Government has refused to continue the urban public transport program beyond June 1993. This decision means a Federal Labor government will no longer provide any specifically targeted funds for the development or maintenance of

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public transport infrastructure in the outer urban areas of New South Wales. Since 1990, under this program \$60 million has been directed by the New South Wales Government to provide essential public transport infrastructure to encourage greater use of public transport by improving safety, accessibility and comfort. Now, despite requests from the New South Wales Government, the Federal Labor Government has decided to withdraw this funding for public transport in this State.

**The Hon. J. R. Johnson:** You have never used public transport in your life.

**The Hon. L. D. W. COLEMAN:** I regularly travel by public transport. At long last the Hon. J. R. Johnson has woken up from his little sleep. He has been dreaming about the wheat that was ruined and the cherries that he has had, and he is now calling for Aeroplane Jelly. I am only too well aware of the state of the major tracks in New South Wales because I travel on them - usually in the cab of a locomotive.

**The Hon. J. R. Johnson:** That is against the regulations.

**The Hon. L. D. W. COLEMAN:** It is not against the regulations. With permission one may do so. The honourable member would not know that; his *Gregory's* does not show him where the rail network runs. Under the Department of Transport's administration a wide range of transport facilities, bus and rail interchanges, bus shelters, improved transport information and car parking facilities, have been completed or are under construction in metropolitan and rural New South Wales. These include: Springwood commuter car park; the Gladesville bus-ferry interchange, which again I have been on; the RiverCats; the Riverstone to Richmond rail electrification; and the rail electrification of Wollongong to Dapto. The decision to stop the funding of this project when Australia is in the midst of a recession, which is a direct by-product of 10 years of Federal Labor mismanagement, is abominable. The program has been instrumental in providing many jobs and a substantial cash flow to a building industry severely affected by the Federal Labor Government's mismanagement of the economy. I shall not dwell on that subject.

**The Hon. J. R. Johnson:** I have been listening to this National Party and Country Party rubbish all of my adult life.

**The Hon. L. D. W. COLEMAN:** I am pleased that the Hon. J. R. Johnson has actually woken up. I am pleased also that four members of the Opposition have come to hear my contribution. When I commenced there was only one Opposition member present. There has been much interest in State Rail and, in particular, CountryLink. Soon the exciting Xplorer trains will be introduced to the northwest, Armidale and Canberra. There will be two new XPTs and new sleeper carriages on the Brisbane to Melbourne and Melbourne to Sydney line. The development of the Endeavour trains is also exciting, especially for CountryLink. These new trains will provide many additional rail services to the country and will see an end to the old, worn-out and obsolete carriages inherited by this Government from the Unsworth Government.

**The Hon. J. R. Johnson:** Where did we get them from?

**The Hon. L. D. W. COLEMAN:** No money was spent on maintaining the carriages that we inherited from the Wran Government. I have it straight from those who worked in the railways under Labor that the carriages had three years' life in them when we took them over. With regard to sporting activities the Minister for Transport and Minister for Tourism and the Government are to be congratulated on their efforts in putting together the bid for the Sydney 2000 Olympics. Of course the Government appreciates the Federal Government's cash donation and other assistance, and I acknowledge that the New South Wales Labor Party has been a model of co-operation in this regard. I am directly involved with the setting up of the Holsworthy shooting complex, which will be a great long-term asset to New South Wales, especially the southwestern suburbs of Sydney. I hope that the Commonwealth Government hurries up and finalises arrangements for the transfer of the required land for the international shooting complex so that detailed planning may proceed. I am sure some members of the Labor Party would be extremely disappointed if I did not mention shooting and the Shooters Party in particular. First I shall speak about some of our successes with the Cudgegong Shooters Association.

**The Hon. Franca Arena:** What is your relationship with the Shooters Party?

**The Hon. L. D. W. COLEMAN:** None, and I emphasise, none. The association was established because local shooting clubs in the Mudgee district have had a long-term problem with land tenure, noise and isolation. By a joint co-operative venture between Government members, politicians, government departments,

shooting clubs and organisations, and the support of councils in the districts, ways are being found to set up a regional shooting complex that will overcome the problems caused at present to the environment and the community generally, while supplying a site that will provide local shooters with a venue in the foreseeable future of which they can be proud and which will be a big boost to tourism as a side benefit. This project will be the first of many regional complexes that will be set up. It will compliment the only other one of its kind which is situated in the city of Canberra. It is experimental and working very well.

Honourable members should remember also that this facility, provided as a result of the Sydney 2000 Olympic bid, will provide a venue where our young, the future New South Wales and Australian champions, can practice. Our young will be able to achieve, to be somebody. For others it will provide a sport, a relaxation, and there will be no need for them to shoot in national parks and forests, which of course is illegal. The Cudgegong shooting complex, which hopefully will be the first of a number of

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regional complexes, will help to provide a long-term solution for genuine sporting shooters. Why, only a few days ago the Hon. Ann Symonds was asking after my ancient weapon. I was most honoured and pleased that the honourable member took such an interest. There is no doubt that the present firearms laws are working, but as with all major changes, fine-tuning is probably required.

The committee set up by the Hon. Ted Pickering and carried through by the present Minister for Police is continuing to monitor the effects of the new laws that were introduced in April last year. The committee is seeking input from all sectors of the shooting and collecting fraternity as to the effects of legislation both from a positive point of view as well as from the point of view of problems that they may have. It is universally accepted that the incidence of domestic violence involving firearms has decreased dramatically. I was interested to hear the Hon. Marlene Goldsmith say that the problem of domestic violence is being addressed. As a member of this committee two of the most interesting, fruitful and informative meetings I have attended have been with groups that are at completely opposite ends of the shooting spectrum - a member of the so-called anti-shooting group on one hand and a leading member of the National Rifle Association of America on the other. The conversation with the American comprised five minutes discussing NRA policies and politics, and the remainder of the time covering subjects such as the Olympic Games, international competitions, the development of environmentally friendly shot and cartridges, teaching methods, shooting, and the rehabilitation of handicapped and accident victims.

In case anyone from either side of the House thinks that the review committee or the Government are in the pockets of any faction group or individual, we look at facts and only facts - forget the rhetoric and emotion. I did not appreciate the efforts of the individuals who tried to set me up at Coffs Harbour at the Safari Club weekend. Like everyone else, they should have gone through the proper channels. No shortcuts are possible, and under no circumstances will we bend to pressure, influence or money. We represent genuinely concerned citizens, whether they are shooters, anti-shooters or somewhere in between. For many reasons Saturday, 13th March, will be an interesting day. One interesting result will be the basic success or otherwise of the Shooters Party. It is not supported by any major recognised shooting body or association. Indeed, some of those bodies and associations have shown outright hostility to the party. The vast majority of its votes will come from grassroots shooters who have no idea about politics but perceive that in some way shooting is under threat.

I now turn to the likely effect of the Fightback package on the economy of New South Wales. I suggest that anyone interested takes a trip to New Zealand. If one ever had any doubt about the reforms of Roger Douglas, the goods and services tax and individual charges in particular, he or she should go to New Zealand and have a look at the turnaround in the economy of our neighbours in the land of the long white cloud. As I have close family connections in New Zealand, I have taken a particular interest in the shaky islands. I have met no one who wants to go back to the old systems of taxation, industrial relations or subsidies. They are all slimmer, leaner and meaner; New Zealand products are replacing imports everywhere.

I saw and felt a noticeable improvement in the New Zealand economy since I was there 12 months previously. If honourable members think the State Rail Authority has implemented tough rail reforms, I can inform them that New Zealand Rail had 20,000 employees and now has 5,000. That reduction in employee

numbers was achieved by a Labor government because the railways had become an employment agency which ran trains as a social service instead of a transport service. The New Zealand economy could no longer afford to pay; the taxpayers said, "Enough is enough". New South Wales is in danger of losing tourists to New Zealand because of New Zealand's revamped economy. Most comparative services in New Zealand are noticeably cheaper than in Australia.

I should like to conclude by noting that the motion I have seconded relates to a speech given by the Governor, who came to prominence, after a successful career in the services, because of his excellent work in relation to the Nyngan flood disaster. Floods are quick and decisive, and their damage is obvious and readily assessable. Today after suffering drought, the destruction of livestock because of their worthlessness and the effects of low commodity prices, high interest rates and inflation, Nyngan, like most other rural communities, is slowly dying. Its people are desperate to survive; its young people have to move out of the district. No money is available for wages, so farmers and their families have to make do with their own labour. This includes traditional tasks like shearing, crutching, lamb marking and tractor driving, which are normally done by local town labour. In turn, this causes great hardship in the towns. That is evident from the lack of available jobs.

Although the recovery of grass - for the benefit of those on the Opposition benches who may be a little confused, I refer to the eating kind - has been remarkable in those areas that have received rain, the effects of the present economic situation on country areas have been disastrous. In the past few months, wheat worth more than \$180 a tonne has been ruined by unseasonable rain and has dropped in price to \$80 and less a tonne. Since the Canberra Outlook conference held in January, which showed that woolgrowers were losing money, the price of wool has dropped a further 20 per cent. The hardship for women is extreme. They now must fill the jobs of station hands, educators, negotiators with the banks and family stabilisers as well as perform their normal duties. With all due respect to the Prime Minister's wife, her recent appearance in *Vogue* is a classic example of how far the real working and income-producing world of Australia and the rarefied atmosphere of The Lodge have become separated.

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**The Hon. M. R. EGAN** (Leader of the Opposition) [5.27]: It is clear from the Governor's Speech that the autumn session of Parliament will have one of the lightest legislative loads in the history of this Parliament. If the Government has much planned for this session, it is a pity it did not tell the Governor. The only conclusion one can draw from the Governor's Speech is that the Government has virtually no program. Anyone who combs through the guff that the Governor was required to read last Wednesday will be able to count no more than 16 pieces of proposed legislation for this session - 16 pieces of legislation only, and most of that consists either of minor tinkering with existing legislation or legislation that was put into the too-hard basket in the dying stages of the last session. It is a program of a government that has lost its key players: Metherell, Dowd, Greiner, Moore, Yabsley and Pickering. In other words, the B team has already retired or been sent off and the C team is now on the field. It is a program of a directionless government led by a slow-witted, lethargic, almost invisible Premier. It is a government which is completely adrift.

That is shown starkly, of course, by the collapse of this year's public works program. Honourable members were told by the Governor that the program was broadly on target. So we now have a new definition of broadly on target. When Premier John Fahey says "broadly on target", what he means is 33 per cent behind schedule. In fact, in the first seven months of this financial year - in other words, 58.3 per cent of the financial year - only 39 per cent of the year's public works allocation has been spent. At this time last year \$1,516 million had been spent. So far this year, only \$1,058 million has been spent. In other words, despite all the promises and the boasts at the time of the last Budget, which were repeated in the Governor's Speech last Wednesday, public works spending is running almost \$500 million behind last year's level.

In the last financial year, of course, approximately 300 million of that year's capital works budget remained unspent. In the calendar year 1992, this Government has underspent the capital works allocation appropriated by this Parliament by a massive \$800 million. Whether that is due to incompetence or is a deliberate callous device to artificially inflate the unemployment figures prior to the Federal election cannot be determined.

Whatever the cause, the result is the same - 20,000 people without jobs, people who could have had jobs and should have had jobs if the Fahey Government had spent the money this Parliament appropriated to it.

Given this collapse of leadership, this incapacity to get anything done, it is little wonder that the Opposition is filling the void, not just fulfilling its proper constitutional role of scrutinising government proposals, as few and as poor as they are, but also proposing solutions, formulating a positive legislative parliamentary and administrative agenda. First and foremost, the Opposition proposes to stimulate jobs in New South Wales. His Excellency's Speech skated over the fundamental problems facing New South Wales, the rapid and recent decline in the State's economic performance and offered nothing to assist New South Wales to climb out of recession. Unemployment was mentioned only once, and no new policies or approaches were offered.

No mention was made that Access Economics, the Federal Liberal Party's economic consultants, have pointed to a double dip recession in New South Wales. No mention was made of the fact that since John Fahey became Premier New South Wales has had by far the largest increase in trend unemployment of any of the States - almost three times the national increase. No mention was made of the fact that the number of jobs in New South Wales slumped by over 55,000 in trend terms over that period, while more than 21,000 jobs were created in Australia as a whole. No mention was made of the fact that the New South Wales economic slump threatens the national economic recovery. The *Age* reported on 11th February, 1993:

A sharp downturn in New South Wales has slammed the brakes on Australia's economic recovery, and it is threatening to send it into a "double dip" recession . . . The Bureau of Statistics reported that retail sales slumped unexpectedly by 3.5 per cent in December . . . New South Wales has accounted for all of the slump and more . . . Other figures show NSW is lagging the recovery in a wide range of areas. It is now decisively overtaking Victoria in bankruptcies and has recorded little of the growth in housing approvals seen in Victoria, Queensland and Western Australia.

Nor was any mention made in the Governor's Speech of the fact that the most recent Australian Bureau of Statistics figures show that New South Wales had the largest fall in private investment of any State for the year to September 1992. In New South Wales investment fell by over 23 per cent. Perhaps most telling of all, no mention was made of how concerned the Premier's Federal colleagues are about the poor performance of the New South Wales Government and the New South Wales economy. John Howard, the Federal Opposition spokesman on industrial relations, let the cat out of the bag in an interview on "P.M." on Thursday, 11th February when he said:

. . . the alarming thing to me about some of the data in recent weeks is that New South Wales, hitherto holding out against the economic slide, is in fact now falling further into recession than it was six or 12 months ago - in other words, the largest State.

They are the words not of a member of the Labor Party but of John Howard. Despite the broad range of adverse opinion about the decline in the New South Wales economy, the Premier offers precisely nothing in response, except persistent denial and second-rate political stunts with his Federal counterparts over the issue of payroll tax abolition. On 10th February, 1993, the Premier and the other State and Federal conservative leaders signed a so-called communique on jobs. It was, in reality, nothing more than an endorsement of the GST and approval from the State leaders for Dr Hewson to continue to run one of the most wilfully dishonest taxation arguments ever heard in Australian politics.

Apart from the fact that according to the New South Wales Treasury analysis of Fightback the abolition of payroll tax will cost New South Wales up to \$150 million in the first year alone - and that is just the abolition of payroll tax without the cut in financial

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assistance grants - swapping payroll tax for the GST will not create any jobs. In fact, it will destroy them. Premier John Fahey knows that to be the case. In August 1988 the New South Wales tax task force report on the New South Wales taxation system - which was adopted by Premier Fahey's predecessor and well-known to the Treasury department - noted that a "Federal indirect tax [like the GST] would be virtually indistinguishable from payroll tax in terms of its economic effects" and the switch would be pointless. This is conceded in

Fightback itself which states:

... ultimately much of the burden of payroll tax falls on consumers in terms of higher prices. To the degree to which this conclusion is correct, it seems reasonable to regard payroll tax as having some of the characteristics of a consumption tax.

Both the New South Wales tax task force report and Fightback are saying that a given rate and incidence of payroll tax will have the same economic and employment impact as the equivalent rate of consumption tax. But we must compare like with like. The fact is that only 15 per cent of businesses pay payroll tax - and payroll tax, as honourable members will be aware, ranges from zero per cent to approximately 7 per cent. The other 85 per cent of businesses pay no payroll tax because their payroll is below the threshold, which in New South Wales is \$500,000 a year. In other words, virtually no small business pays payroll tax and that gives those businesses a very substantial price advantage over larger businesses. Under Fightback payroll tax will be abolished but will be replaced by a 15 per cent tax on almost all employers, big and small, for most goods and services produced and sold. In other words, the 85 per cent of businesses that do not pay payroll tax will all have to pay the GST. If payroll tax is bad for employment, the GST will quite simply be a disaster, and that is clear from Dr Hewson's own calculations.

**The Hon. R. J. Webster:** You are telling porkies.

**The Hon. M. R. EGAN:** Telling porkies? This is the man who tells us that there was no deal for the Water Board swindle. However, the Opposition had a copy of the former Premier's letter to the predecessor of the Minister for Planning and Minister for Housing, and that letter made it quite clear that the deal had been done. This is the man who accuses others of telling porkies; this is the man who, when given an opportunity twice this afternoon, could not tell honourable members whether he had given instructions to the Water Board to doctor its accounts or whether it had come from the Auditor-General. The fact of the matter is that I have a copy of the letter which shows that the instruction came from the Minister. He is the one that cannot tell the truth. He is the one who, all through this Water Board fiasco, has lied and dissembled; and he has the audacity to question the integrity of the Opposition.

**The Hon. R. J. Webster:** Tell the truth about the GST.

**The Hon. M. R. EGAN:** I will tell the Minister all about the GST. If payroll tax is bad for employment - bear in mind that the tax applies to 15 per cent of businesses - the GST, which will apply to 100 per cent of businesses, will be a disaster. That is clear from Dr Hewson's own calculations. If the abolition of a maximum 7 per cent payroll tax on 15 per cent of businesses would create 200,000 jobs, as Dr Hewson would have us believe, how many jobs would be abolished by the imposition of a 15 per cent goods and services tax on 100 per cent of businesses? This massive new tax and administrative burden upon small employers in particular would be catastrophic, given that the bulk of future employment growth is expected to be generated in the small business sector. This trend is already clear in both the international and Australian experience.

**The Hon. R. J. Webster:** What about 19c a litre off the cost of fuel?

**The Hon. M. R. EGAN:** Yes, 19c a litre off the cost of fuel, but the Minister knows that contained in the Treasury document which the Premier was forced to release the other day is the news that Treasury is now considering taking the opportunity to put up petrol taxes because the Government's Federal colleagues are proposing to lower them. In other words, what Dr Hewson gives us back, which is supposed to be some form of compensation for the GST, the New South Wales Government, which fleeces the taxpayers who reside in the area covered by the Sydney Water Board of \$100 million each year, proposes to take away again by putting up the price of petrol. This is the Minister who fleeces \$100 million from Water Board consumers every year. Just imagine what he will do if he has the opportunity to bump up the price of petrol. The Government will jump at it within the first week of the change being made. The trend is already clear in both the -

**The Hon. Dr B. V. P. Pezzutti:** There will be no rise in taxes and charges.

**The Hon. M. R. EGAN:** I thought the Hon. Dr B. V. P. Pezzutti might have improved. He is a very intelligent man who gives the lie to his intelligence by his inane interjections. Opposition members thought they would see an improvement in him. Obviously -

**The Hon. Dr B. V. P. Pezzutti:** How much will the State save in fuel taxes alone?

**The Hon. M. R. EGAN:** Treasury has told us that it will cost a net \$314 million a year, of which \$190 million is straight off the financial assistance grants; and Government members have the hide to tell us that somehow this re-build Australia program will make up for that. How much of that will compensate for the financial assistance grants which pay for our schools, hospitals, police services and all of the other services run by State governments? The fact of the matter is there is no proposal to compensate the Government for the \$190 million. That is what the coalition is all about - cutting expenditure. The Federal coalition will not compensate the Government because that contradicts the very purpose of cutting expenditure. That is what it is on about - forcing people whose kids go to State schools to send them to private schools, or forcing people who use public

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hospitals to attend private hospitals. The Federal coalition wants to force the people of New South Wales to pay doctors - it does not want any bulk billing. The Hon. Dr B. P. V. Pezzutti is prepared to reform the legal profession, but when it comes to the medical profession he just wants to put out his hand and take more and more.

**The Hon. Dr B. V. P. Pezzutti:** I ask that the honourable member withdraw that highly offensive statement.

**The Hon. M. R. EGAN:** Of course, I would not want to upset the honourable member. I withdraw. In America during the decade of the 1980s, the 500 largest companies cut 3.5 million jobs while small business created more than 20 million jobs. Now that trend is also being evidenced in the Australian labour market. More people are working for smaller employers, fewer for larger firms. If employment generation is to be the main game, as it should be, there is absolutely no logic at all in targeting major employment generators with an onerous new tax on employment, such as the GST. Dr Hewson has assured the Premier that the State will be given full compensation for the loss of payroll tax revenue through a share of the proceeds of the GST.

However, there are a number of problems with the proposed compensation formula which will have the effect of the States losing out. As I said, State Treasury predicts up to \$150 million being lost to the State Budget in the first year alone. That is just from payroll tax changes, and does not include the financial assistance grants or the numerous other cuts proposed under Fightback. Under Fightback it is proposed to average the last three years' payroll tax collection and pay this amount back to the States as grants indexed to the GST. However, the payroll tax base would be unusually low as a result of the low employment and income growth over the past three years. The States will not reap the financial benefits from a recovery in the labour market, putting further long-term stress on State budgets.

There is also potential for a massive consumer binge, particularly on big ticket items, immediately prior to the introduction of GST, as people avoid the huge price hikes. This could result in a lower level of growth in GST revenues in subsequent years, further limiting grants to the States. Far from creating 200,000 new jobs, the payroll tax-GST trade-off proposal agreement between the Premier and Dr Hewson will lead to the destruction of thousands of jobs. With Fightback imposing multibillion dollar cuts in funding to the States, the likely result will be increased pressure on State governments for harsh hikes on existing taxes and charges, new taxes, such as State income taxes, higher petrol excise and massive job cuts. Achieving sustainable falls in unemployment is the great challenge of the 1990s. The disastrous budgetary and employment effects of this populist tax switch confirm that neither Dr Hewson nor Premier Fahey have anything to contribute in overcoming this great challenge. The Government might be asleep but the Opposition certainly is not. As I said earlier, we will introduce in this current session of Parliament an extensive package of private legislation.

It is significant that there was nothing in the Governor's Speech last week to remove the anachronistic oath

of allegiance to the Monarch. One would have thought that in this day and age and in light of all the revelations that we read in the daily media and see on television - even as late as last night - that finally the Government would catch up with what is happening in the world. The Opposition will introduce the Oaths and Crown References Bill 1993. This bill will seek to abolish the oath of allegiance to the Queen and, where practicable, reference to royalty in titles of statutory bodies, public officials and in legislation.

The Opposition will also act to redress the Government's failure to reverse the Water Board tax rip-off and introduce the Government Authorities (Special Dividends) Bill 1993. This bill will establish a formula upon which the payment of government trading enterprise dividends will be based. It will specify the formula for calculating normal dividends. If governments want to draw additional funds from government trading enterprises through special dividends they will need parliamentary approval for special taxing legislation. The Opposition is determined to make sure that government trading enterprises such the Water Board are not used as de facto tax collectors for the Government. If governments want to raise extra taxes they should seek the specific approval of the Parliament.

There is nothing in the Governor's Address to indicate that the Government will do anything to alleviate the hardship being suffered by the many thousands of HomeFund borrowers who have been hoodwinked by this Government. For that reason the Opposition will introduce the HomeFund Mortgage Relief Bill 1993, which will enable the Commercial Tribunal to exercise the powers of the Supreme Court under the Contracts Review Act in relation to HomeFund mortgages. Labor believes that it is absolutely absurd to require disadvantaged families to seek redress through the courts individually. The introduction of relatively minor legislation will allow the Commercial Tribunal to quickly and inexpensively deal with the various legal issues and make orders where appropriate. The Government intends to do nothing about protecting licensed clubs from the proposed 1,500 gaming machines that it intends to license in the new casino. It intends to do nothing to protect the potential 2,000 residential unit capacity at Pymont, so the Opposition will introduce the Casino Control (Amendment) Bill 1993. This legislation will limit the area in which a casino may be located to non-residential areas within 500 metres of the Darling Harbour development area. The Opposition will also require that the Casino Control Authority -

**The Hon. Dr B. V. P. Pezzutti:** Why did not the Opposition give notice of all these bills today?

**The Hon. M. R. EGAN:** As the Government has no program, we are letting it know what ours is. We have a much more comprehensive package of  
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legislative measures than the Government has been able to come up with.

**The Hon. Dr B. P. V. Pezzutti:** Where are your notices of motions?

**The Hon. M. R. EGAN:** As I have already pointed out, some have been given in the lower House and some will be given in the upper House. We will also be requiring the Casino Control Authority to conduct a feasibility study to find appropriate sites for a casino within the permissible area. The legislation will also provide for a qualified limit of 500 slot machines at the casino. We will be introducing legislation to limit the interest rate on all loan contracts in New South Wales to the 48 per cent which applies in Victoria. Both the Fahey and Greiner governments have procrastinated since 1988 over the implementation of two major reports which recommended that a maximum rate be set similar to that in Victoria.

We will be doing something to promote equal access to the law. The Governor's Speech indicates that the Government intends to do nothing about restoring legal aid assistance in New South Wales. We will be introducing the Legal Aid Commission (Amendment) Bill 1993. That bill will restore the pre-1993 status of those areas affected by legal aid cuts and put in place a mechanism for review of legal aid policy. We will also introduce legislation which will increase the penalty for the sale of cigarettes to minors. We will be introducing legislation to include certain categories of cats and foxes in the list of noxious animals under the Rural Lands Protection Act.

We will introduce legislation to deregister veterinary chemicals used to increase the weight of livestock. We will even introduce legislation to require the Roads and Traffic Authority to carry out works to reopen the Pacific Highway at Cheero Point and to complete the project within a specified time frame. We will be attempting to disallow the number of regulations which the Government has tried to sneak in over the past few months and which would have a deleterious impact on the citizens of New South Wales. We will take action to prevent the destruction of some 80,000 trees in western Sydney by the Prospect County Council. We will introduce legislation which will regulate flood mitigation works relating to Warragamba Dam to minimise their impact on the environment and, in particular, national parks and proposed wilderness areas. This legislation is in response to concerns about dam safety issues and, in particular, the Government's refusal to upgrade Warragamba Dam to prevent dam failure. They are just some of the legislative measures that the Opposition will introduce both in this House and the other House to fill the gap left by a government which is virtually on holidays, led by a Premier who has become invisible. If the people of New South Wales can no longer count on the Fahey Government to provide active, compassionate, caring and competent government at least they can be assured that they can count on the Australian Labor Party.

**The Hon. R. D. DYER** [5.53]: Mr Deputy-President -

**The Hon. Dr B. P. V. Pezzutti**: Are you going to be a bit more honest, Ron?

**The Hon. R. D. DYER**: I will indeed be honest. I am happy to give that assurance to the Hon. Dr B. P. V. Pezzutti. I hope that in return for my honesty the honourable member will manage to restrain himself from excessive interjection.

**The Hon. Dr B. P. V. Pezzutti**: Only if you are honest.

**The Hon. R. D. DYER**: I have already given the honourable member an assurance that I will be honest, and by way of reciprocity I expect the Hon. Dr B. P. V. Pezzutti to remain calm and endeavour not to unduly interject, as on many occasions is his wont. I commence my remarks by saying something about the form of the Governor's Speech. In doing so, I do not want the House to think that I am being critical of the Governor in any respect. We all know that the Speech is constructed for and drafted by the Government for the Governor. The Governor, in effect, formally reads the Speech at the opening of a new session of Parliament. We are aware that the purpose of the Speech is to outline the Government's program for the forthcoming session. By and large, there was nothing untoward about the style of the Speech delivered on this occasion but there were some unusually political and, indeed, polemical statements in the Governor's Speech. I take the view that that is unusual not only in the history of the previous Labor Government but in the history of the present non-Labor Government as well. I refer to a political and even polemical statement in the Governor's Speech. He said:

My Government puts people first in health care. It is seeking not only to improve people's choice between public and private health services, but also to encourage pride in what is already recognised as a world class health system.

I direct the attention of the House to the statement, "My Government puts people first in health care". In my view, that is out of keeping with an utterance of the vice-regal representative opening a new session of Parliament and could well have been expressed in a much calmer way.

**The Hon. Dr B. P. V. Pezzutti**: Give us an example.

**The Hon. R. D. DYER**: If the Hon. Dr B. P. V. Pezzutti can possess himself of patience, I will give him a precise example of how that statement could have been expressed in a far more dignified fashion. It could have read, "My Government is endeavouring to promote a standard of excellence in health care by seeking not only to improve people's choice between public and private health services but also to encourage pride in what is recognised already as a world class health system". That statement is very similar but it excises from it the contentious statement, "My Government puts people first in health care", which is clearly the belief of the Government but is equally a political statement.

**The Hon. Dr B. P. V. Pezzutti:** It is a motherhood statement.

**The Hon. R. D. DYER:** It was not motherhood; the fact that it was not motherhood was evidenced by the fact that there was a loud intake of breath by Labor members in this Chamber when the Governor made that remark.

**The Hon. Dr B. P. V. Pezzutti:** They were just holding their breath.

**The Hon. R. D. DYER:** I remind the Hon. Dr B. P. V. Pezzutti that he said that provided I told the truth he would not interject.

**The Hon. Dr B. P. V. Pezzutti:** You are not telling the truth.

**The Hon. R. D. DYER:** I am expressing an opinion and could not be said to be telling an untruth. I expect the Hon. Dr B. P. V. Pezzutti will return the compliment and be reasonably calm while I deliver my remarks. I turn now to the funding crisis affecting legal aid. I note that it is a matter which the Attorney General and Minister for Industrial Relations referred to in response to a question during question time this afternoon. The Governor in his Speech said in regard to legal aid, "The Government will streamline the Legal Aid Commission and make it more efficient and accountable and ensure that it operates within its means". It seems to me that the financial problems affecting the Legal Aid Commission are not so much a case of the commission living beyond its means but rather a case of the commission not having been given the necessary and appropriate financial resources by the New South Wales Government in the first place. To illustrate my point, I refer to the report prepared for the Legal Aid Commission by Mr Steve O'Connor and Mr Ken Robson, the latter of whom is the immediate past Auditor-General of this State. Mr O'Connor and Mr Robson state in the report:

Expenditure is determined by the level of income. However, for the current year the cash budget shows a deficiency of \$3.838m, with an anticipated operating deficiency of \$4.872m. This shortfall, to a large extent, has been brought about by an underfunding from the State in terms of the Commonwealth/State Agreement of \$3.211m. This figure has been verified during the review process and we understand it has also been agreed to by Treasury officers.

The projected operating deficiency for this year would make the LAC technically insolvent and there is no doubt it is currently living beyond its means.

I note with some concern the reference by Mr O'Connor and Mr Robson to the fact that the shortfall of \$3.211 million arose due to an underfunding from this State under the Commonwealth-State agreement on legal aid. I note also that the authors of that report recommend that the shortfall in State funding of \$3.211 million be resolved as soon as possible and retrospective adjustments be made to this financial year's quarterly payment. Though I have not yet had the benefit of reading in *Hansard* the Attorney General's answer to the question he was asked concerning legal aid, I understand that he said to the House that the Government had decided to make that payment of \$3.211 million.

I understand further that he said it had already been paid, though I am not certain when that payment was made. However, it is apparent that New South Wales has been a large contributor to the financial problems that have been besetting the Legal Aid Commission. It is clear that to some degree at least the drastic decision taken by the Legal Aid Commission to discontinue legal aid for civil matters was influenced by the underfunding of in excess of \$3 million by New South Wales. The Opposition is most concerned that there has been, at least temporarily, a discontinuance of legal aid in civil matters - matters that often are of great importance. For example, people will no longer be eligible for legal aid in land and environment, employment law, coronial, consumer protection, victims compensation, personal injury, estate and probate matters, public interest litigation, and arbitration in insurance and building matters.

**The Hon. E. P. Pickering:** That is so in every other State of the Commonwealth.

**The Hon. R. D. DYER:** The Hon. E. P. Pickering should be aware that I am making a comparison between what has been the position in this State under both the present Government and the former Labor Government and what is now to be the case in this State. I also draw the honourable member's attention to the fact that this Parliament legislates for the benefit of the people of New South Wales and not for any other part of Australia. So, clearly I am addressing the position that affects the electors, citizens and residents of New South Wales and not the residents of Victoria, Queensland or any other jurisdiction in New South Wales. I feel quite entitled to draw a comparison between what has been the case hitherto and what will now be the case regarding the funding of legal aid matters. I am somewhat comforted that at long last the Government has rectified the underfunding - if I understood correctly what the Attorney General said during question time today - by making this payment. But I trust that the Government will continue to direct its attention to the finances of the Legal Aid Commission so that, if at all possible, legal aid can be restored in civil matters. I turn to the green paper on juvenile justice, entitled "Future Directions for Juvenile Justice in New South Wales", of the Juvenile Justice Advisory Council of New South Wales. The Governor said in his speech:

The Government will be responding to community consultation on the Green Paper on Juvenile Justice. The Government agrees that it is critical that young people especially should be given the opportunity of rehabilitation, and will be expanding the young offender program.

The green paper contains a great deal of material that, in the Opposition's view, is most worthy of support. The Opposition hopes that the Government will act on the recommendations made by the authors of the green paper. My reservations are not so much about the substantive content of the green paper as the length of the process leading to reform of the juvenile justice system in this State. After all, during the past

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few years honourable members have seen the report of the Royal Commission into Aboriginal Deaths in Custody, the "Kids in Justice" report of the Youth Justice Coalition, the report on juvenile justice of the Standing Committee on Social Issues - which was brought down in May last year and debated at length in this House - and now this voluminous and very well argued green paper, which adds further to the supply of material pointing to reform in the area of juvenile justice.

**The Hon. Dr B. P. V. Pezzutti:** Who produced the green paper?

**The Hon. R. D. DYER:** The honourable member would know, if he had been listening a short while ago, for I have repeated it twice, that the green paper was issued by the Juvenile Justice Advisory Council. It is an excellent document. I hope that these layers of reports, issued one after the other over a period of years, will lead to a measure of reform in juvenile justice. The green paper is a consultative document, and the period between now and 31st May has been allowed by the Government for community comment on it. That fact in itself should not be open to criticism, but the Opposition is concerned that, though there are layers of reports dealing with the same subject, at this point no actual reform has been put into place.

My other principal concern is that the Minister for Justice and Minister for Emergency Services, at his press conference on the day the green paper was released to the public, spoke in very cautious terms about what the Government might find possible to implement. The Minister had quite a lot to say. The Hon. E. P. Pickering gestured in my direction, indicating that the Minister might have had in mind the question of financial resources. I concede that that is not an unimportant matter for any government. However, though money has to be put in at the front end to reform the juvenile justice system, to the extent that investment is made, police and court time should be saved. If I am correct in that view, that saving should be offset against the cost that the Government will invest in setting up a new system.

I very much welcome the recommendation in the green paper for a crime prevention foundation with an allocation of \$5 million per annum. Crime prevention has been a neglected area under all governments until now. Investment of funds in that area may discourage young people from committing crime, with the obvious costs to them and to society. I also welcome the recommendation that the Office of Juvenile Justice should

establish what the green paper terms a local offender program. A key aspect is a reparation or restitution arrangement as part of the police cautioning process. Without dealing with the matter at any length, that has proved to be very successful in the upgraded police cautioning scheme operating to date in the Wagga Wagga police patrol, the patrol commander of which is Chief Superintendent Kevin Wales. With appropriate encouragement and support that sort of model can be transposed to other areas. I would add a word of caution: Wagga Wagga is not necessarily typical of all areas in the State.

**The Hon. Dr B. P. V. Pezzutti:** That is true.

**The Hon. R. D. DYER:** If the statement is true, the Hon. Dr B. P. V. Pezzutti should not be interjecting. The reason I say that Wagga Wagga is not necessarily typical is that that city has a major tertiary education presence, which to a degree alters the character of the local community. There are people in Wagga who are highly motivated to make sure that the police community consultative committee works and that the upgraded cautioning program works. If I could draw a parallel between that and some towns in the western part of New South Wales, such as Brewarrina, Bourke, Walgett and Moree, which are not necessarily analogous to Wagga Wagga, I am not saying that the system cannot work in western New South Wales.

I know that the Hon. D. F. Moppett, to his credit, has addressed meetings in western New South Wales and told the citizens in those towns - he may correct me if I am wrong - that the local community has to be responsible for law enforcement in its own area and has to be responsible for how young people behave. I believe the honourable member has encouraged citizens in those towns to become active and to assist the police in reforming the juvenile justice system. I believe I am correct in saying that in a nutshell that is what the Hon. D. F. Moppett believes and what he has very responsibly told citizens in towns such as that.

**The Hon. E. P. Pickering:** Wagga Wagga police are not representative of the whole, though.

**The Hon. R. D. DYER:** Yes, Wagga Wagga police might not necessarily be representative of the Police Service across the State.

**The Hon. Dr B. P. V. Pezzutti:** In what way?

**The Hon. R. D. DYER:** There is a bipartisan agreement between the Hon. E. P. Pickering and me concerning that matter.

**The Hon. Dr B. P. V. Pezzutti:** But in what way are you saying that they are different?

**The Hon. E. P. Pickering:** They are highly motivated to produce that program.

**The Hon. R. D. DYER:** The patrol commander in Wagga Wagga is highly motivated, and I believe Senior Sergeant Terry O'Connell is highly motivated in that regard. I am not saying that police elsewhere are not intelligent; all I am saying is that they do not necessarily have the same motivation as the police in Wagga Wagga police patrol. In concluding my remarks on this matter of an upgraded police cautioning process I merely draw attention to the importance of involving the police in any reform that comes into force. Without that involvement any reform will be jeopardised and unlikely to succeed. In New Zealand there has been a youth aid section of the police for many years, and the history is somewhat different. I believe the New South Wales Police Service has to be brought along and educated slowly regarding the new system in order to make sure that it has the maximum chance of succeeding.

I also agree with what the green paper said about

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the court attendance notice rather than arrest being the preferred method of bringing offenders before the court and that bail hostels or safe houses ought to be established. Without that sort of facility underprivileged people - Aboriginal people are overrepresented in this regard - can find themselves inappropriately, and in my view unnecessarily, in police custody. On behalf of the Opposition I also welcome the recommendation in the green

paper that there be in police stations a custody officer responsible for juveniles in police custody or control. About two years ago when I accompanied other members of this House overseas at the behest of the Hon. E. P. Pickering investigating police promotion systems the select committee visited Stoke Newington police station in London - a fairly tough area of London. One of the features pointed out during that visit was that the London Metropolitan Police had a custody officer at the police station responsible for the care and custody of prisoners in the police lockup at that police station.

**The Hon. E. P. Pickering:** That applies right through.

**The Hon. R. D. DYER:** Yes, that system is replicated in police forces across the United Kingdom. Subject to budgetary considerations, the initiative of having a custody officer might be adopted by the New South Wales Government. I am curious why the green paper, rather than adopt the children's panels recommended by the Standing Committee on Social Issues, has opted for community aid panels, which are bodies that presently exist. I suspect that there might be some underlying political motive for following this course but I do not want to make it a major issue on behalf of the Opposition. I believe that no matter what nomenclature might be given to such a body - whether it is a children's panel or community aid panel - if the essentials are preserved of dealing with children wherever appropriate outside the criminal justice system and the concept of an apology to the victim, the presence of the victim and reparation or restitution to the victim are built into the system, the particular model recommended in the green paper is worthy of support. It is far more important to put a reform in place than to argue unnecessarily and unprofitably about the precise form of the model.

**The Hon. E. P. Pickering:** The community aid panels are in place quite extensively.

**The Hon. R. D. DYER:** Yes, as the Hon. E. P. Pickering indicates the community aid panels are in place. However, a criticism that was made in the standing committee's report was that those community aid panels had operated without a legislative base.

**The Hon. D. F. Moppett:** Consequential upon a court appearance at some stage, where they are referred to the community aid panel. The children's panel is designed to intervene before that.

**The Hon. R. D. DYER:** Yes, I agree with the Hon. D. F. Moppett in that regard. However, it does seem important to say, as the green paper does, that community aid panels in their new form, as recommended within the green paper, should be given what they have lacked until now - and that is a legislative base. If that is done and the various representatives referred to in the green paper are on the community aid panel, the system is worthy of a good trial. I express some reservations on behalf of the Opposition as to why the juvenile justice consultative council, in the face of a unanimous recommendation - an all-party, multiparty recommendation - of the standing committee, might have opted for a community aid panel model rather than a children's panel model. I do not want to make a big song and dance about the matter; it is more important to put the basic reform in place. I merely express some reservation and surprise at the change of direction to some extent in that regard.

Having dealt with the green paper on juvenile justice, I refer briefly to a matter I raised with the Minister for Education and Youth Affairs and Minister for Employment and Training in question time this afternoon. I want to reiterate my concern on the basis of the briefing note prepared by the Office of Juvenile Justice that the Department of Community Services has not dealt fairly or appropriately with the young persons referred to in the 32 cases instanced in this document. When the former Greiner Government decided to create the Office of Juvenile Justice, to make it responsible to the Minister for Justice and to hive it off from the Department of Community Services, which of course is responsible to the Minister for Community Services, I expressed opposition on behalf of the Labor Party on the basis of my apprehension that the Office of Juvenile Justice would become - or at least have the potential to be - contaminated by the adult correctional system. I am now happy to say that in practice that appears not to have been the case.

I am always happy to concede a point even if it contradicts something I have said on a previous occasion.

Contrary to my expectation, the Office of Juvenile Justice has performed very well and in my view in a superior fashion to the Department of Community Services. That is a matter of surprise to me. I am disappointed that the Department of Community Services has in my view, and in the view of the Office of Juvenile Justice, been guilty of, at the very least, the 32 cases of neglect referred to in the briefing paper that I commented on to the media only yesterday, which was reported in this morning's *Sydney Morning Herald*.

If I could give three examples of the sort of neglect to which I am referring, a young person identified as D, aged 11, spent 11 weeks in custody awaiting a Department of Community Services placement, which was the condition of that person having been granted conditional bail. In other words the department failed to arrange placement for this young person. I find that absolutely disgraceful, and so does the Office of Juvenile Justice. In the second example the Department of Community Services in Albury refused to provide a young homeless person, identified as C, aged 13, who was on bail, with any placement or financial support. The Office of Juvenile Justice found that young person a placement with a family and supported that arrangement until a young homeless allowance was arranged. In other words, the onus, again, was shifted from where it should rest, with the Department of Community Services, to the Office of Juvenile Justice. The third and final example I give is of a young State ward, identified as W, of Bondi, who had medical problems which were said to be terminal and that young person was sent to Nowra with a one-way bus ticket and no follow-up whatever by the Department of Community Services.

They are three of 32 examples that I find absolutely reprehensible. I am heartened to a considerable extent by the response I received this afternoon from the Minister for Education and Youth Affairs, representing the Minister for Community Services in another place. The Minister indicated, during question time in this House, that at least this material emanating from the Office of Juvenile Justice has jogged the Department of Community Services into some activity and that a working party or consultative mechanism will be set up in an endeavour to overcome the type of difficulty that has occurred in the relationship between the Office of Juvenile Justice and the Department of Community Services.

The Opposition, under its ministerial arrangements in government, would place both of those functions under the one Minister. I believe that would assist in maintaining liaison between the two functions - the welfare function and the custodial function. To some extent, even though as I have said the Office of Juvenile Justice has been doing an excellent job - contrary to my previous expectations - the lack of liaison between the Office of Juvenile Justice and the Department of Community Services has, to a large extent, arisen because these two agencies report to two different Ministers, even though they are dealing with two sides of the one problem affecting disadvantaged young people.

**The Hon. E. P. Pickering:** The problem is they are still getting over the effect of Frank Walker.

**The Hon. R. D. DYER:** I am endeavouring to deal with this matter fairly, and I am not anxious to go back into history. I am dealing with the history over the last few years.

*[The Deputy-President (The Hon. D. J. Gay) left the chair at 6.28 p.m. The House resumed at 8.15 p.m.]*

**The Hon. R. D. DYER** [8.15]: Earlier I was addressing the House in relation to the funding crisis facing the New South Wales Legal Aid Commission. I also spoke at some length about juvenile justice, and I took the opportunity, as the House will recall, to refer to the recently issued green paper on juvenile justice, which was prepared by the Juvenile Justice Advisory Council. As I had completed my remarks on juvenile justice, I now want to deal with one or two other topics relevant to my shadow portfolio responsibilities. Those matters relate to the subject of disability and to developmental disability in particular. The Hon. Virginia Chadwick, the Minister for Education and Youth Affairs, will recall that in the latter part of last year I asked her a number of questions without notice regarding what I perceived to be the pressing problem of substantial numbers of developmentally disabled school-leavers who had virtually no continuing programs to look forward to.

*[Interruption]*

The Minister should not assume that I was about to say something critical of her. If she had that apprehension, she was quite wrong because I was about to say that the Minister, if I may say so, answered those questions with great sincerity and I appreciated the way she approached the matters I raised. I well realise that in many ways the Minister no longer has direct responsibility for this matter because that responsibility now belongs to the Minister for Community Services, the Hon. Jim Longley. However, the matters that I put to the Minister late last year related to the rather bleak future that many of the parents and carers of these developmentally disabled children faced, and perhaps the even more bleak future that many of the children themselves faced in the absence of continuing programs once they had left school. In saying that, I realise, as the Minister said when she responded to my questions, that it is not realistic to suppose that children can remain at school indefinitely until an advanced age. That would be absurd. The problem is, however, that unless these children have access to some form of continuing employment, whether in a sheltered workshop or elsewhere, or to suitable day programs, they have no future to look forward to, and their families are faced with a great problem indeed.

The Council for Intellectual Disability, which is a peak body within the field of intellectual disability, as its name implies, has recently found, as a result of a study it has done concerning developmentally disabled school-leavers who left school at the end of last year, that more than 60 per cent of them with moderate to severe intellectual disabilities have absolutely no access to either employment or day programs. The consequence of that is that their families are forced to become full-time carers; they have absolutely no alternative. When that happens, it is commonly the case that one of the two parents of each of those children is forced to leave his or her job to care full-time for that child. That circumstance can place great stress, financial and otherwise, on that particular family. Another cause of stress, of course, is that the parent who becomes a full-time carer has very little relief from the continuing care of that child, apart from some respite care, as the Hon. Helen Sham-Ho would know.

**The Hon. Helen Sham-Ho:** Who cares for the carer?

**The Hon. R. D. DYER:** Indeed. Carers are to be very much admired. If only it was realised exactly what their lives are like, governments would be more forthcoming in the provision of aid than is presently the case.

**The Hon. Franca Arena:** How much money do they save the Government?

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**The Hon. R. D. DYER:** They save the Government a great deal. In the last Federal budget, by way of recognition of the role that carers play, some provision was made for payment. But that, of course, being a form of social security, is a Federal responsibility. I am referring to a State responsibility, that is, the facilitating of access for developmentally disabled school-leavers to employment or day programs so that these moderately and, in some cases, severely affected people with intellectual disabilities have some continuing activity which will not only help them to progress to some extent but will help the families to which they belong. So far as the actual statistics are concerned, at the end of 1992 about 220 young people left school with absolutely nothing to go to in terms of continuing employment or day programs to which I am referring. That figure of 220 young people is anticipated by the Council for Intellectual Disability to increase to more than 250 young people a year in the next five years. I must emphasise that that means 250 people a year for each of those five years.

The Council for Intellectual Disability has asked for the immediate establishment of a range of what they describe as meaningful day programs for people with severe or moderate intellectual disability. Governments must face up to that request. In saying that, I am not seeking to make a party political point. Over the years services for developmentally disabled people have developed under governments of my persuasion and of the persuasion of the present Government, but the problem to which I am adverting exists here and now. It is becoming increasingly apparent, and the Council for Intellectual Disability is making sure that it becomes increasingly apparent by their running of what they term the missing services campaign. In other words, the

peak body that represents developmentally disabled people is seeking to draw attention to a gap in the services available at present for people affected by developmental disability.

As I said a moment ago, it is a matter that has a particular impact where the child in question is reaching school-leaving age with nothing to progress to. That casts a major burden on the family. Some of those children can be very difficult to manage. They can be hyperactive and physically aggressive. They have various needs. They might not be able to feed themselves. The parents desperately need some continuing vision in the form of access to employment or to day programs. Various groups of parents have come to see me, quite independently of the Council for Intellectual Disability. For example, parents of children at the Karonga House Special School at Carlingford and from the Sir Eric Woodward special school at St Ives have come to see me in some desperation, pointing out that they really do rely on the government of the day to think in terms of what can be done to help them, because somewhere down the line some of these families can and sometimes do crack under the stress. The strains on a marriage, for example, can be quite intolerable. It is something to be avoided, if at all possible, by the provision of the type of relief and continuing programs to which I have referred.

On an apolitical and bipartisan basis I make a sincere plea to the Minister for Community Services and Assistant Minister for Health, Mr Longley, to consider what I am saying and to do whatever the Government can do within its means to institute programs so that those people can have this very necessary relief. I know that the Minister and his advisers read what I say because they write me letters after the event, commenting on what I have said. They are not rude letters, either; they take into account what I have said and often give me some hope that there will be some advance regarding the matters I am raising. On this occasion I make a plea to the Minister to pay particular regard to the missing services campaign for the Council for Intellectual Disability because the need the council is seeking to illustrate is very real and it needs addressing by the Fahey Government, and, for that matter, will need addressing by future governments of whatever political persuasion.

A matter of further concern to me and to organisations representing the developmentally disabled - including the Council for Intellectual Disability - is the impending closure of the Riverglade Centre at Gladesville. The concern that I and the council have in that regard is that at the moment a process is occurring which will culminate in the closure of the Riverglade Centre in June of this year. There has been a progressive program of closure and relocation of the residents in alternative accommodation. The Government announced first in June 1990 its intention to close the Riverglade Centre and to relocate the then 126 residents in alternative accommodation. At that time the Department of Community Services said that it intended that the operating budget for the centre would be used to establish new places and work options for the residents in the community and a further nine residential places for people in the community.

The Council for Intellectual Disability - and for that matter, the Government body, the Disability Council of New South Wales, and other major disability advocacy groups - indicated that there should be an opportunity for independent monitoring of the closure for the benefit of Riverglade residents. Since then, various advocacy groups have sought to intervene on behalf of those residents, and to monitor what was happening so far as the closure of the Riverglade Centre was concerned and the alternative arrangements made for those developmentally disabled people in the community.

The Council for Intellectual Disability has informed me that, regrettably, despite the rhetoric, no community programs are in place for people being moved out of the centre. The council is asking me where the money has gone. It claims that the proceeds from the closing down of this institution do not appear to be put into replacement community programs. Mr John Jacobsen, Chairman of the Council for Intellectual Disability, with whom recently I had a detailed discussion, told me that the whole

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exercise has been poorly planned and executed. He said that no transition team is in place, which clearly is regrettable because there ought to be some transition team overseeing the centre's closure and the alternative arrangements being made for developmentally disabled people.

The council informed me further - and I find this most surprising and most distressing - that of the

residents who have been displaced from the Riverglade Centre, only one has received a day program. The position is becoming increasingly urgent because the Department of Health has advised the Department of Community Services to vacate the Riverglade site by 30th June. I am told that at present 72 developmentally disabled people are residing at the centre awaiting relocation. If the facts as recounted to me by the Council for Intellectual Disability are correct - and I certainly have no reason to doubt the accuracy or the authenticity of what I am told because this is, after all, a responsible peak body representing developmentally disabled people - they are disturbing indeed. I bring these matters to the attention of the Minister for Community Services because the position is becoming increasingly urgent.

If it is true that the Department of Health requires the site to be vacated by 30th June, clearly arrangements need to be made expeditiously for the 72 clients yet to be moved out, in addition to those who have been moved out already apparently without appropriate arrangements being put in place. I sincerely ask the Minister to take into account what I have said because these people are extremely vulnerable. They have limited intellectual capacity. They are not viable in the way that honourable members and most members of the community are. They need support and assistance in terms of accommodation, supported types of employment, and other benefits. Without such understanding and assistance, these people are really in a difficult position - their carers are perhaps in an even more difficult position.

I would not want honourable members to think that I resile from the Richmond report, which was brought down during the latter years of the former Labor Government. I know Mr Richmond personally. I served with him more than 13 years ago when I was a member of the personal staff of the Hon. Ron Mulock, a former Minister and Deputy Premier of this State. At that time Mr Richmond was a senior officer of the Department of Housing. He later became a member of the Public Service Board from where he was seconded to conduct the Richmond inquiry.

I know from my eight years of experience on the Hornsby Ku-ring-gai Area Health Board, during the administration of the former Labor Government, that a great deal can be done for developmentally disabled people who move out into the community and live in group homes. In fact one such group home is located diagonally opposite where I live at Wahroonga. Those who live there are very happy. There are a number of other group homes in my suburb and surrounding suburbs. These people shop together at the supermarket at Hornsby, budget and look after themselves, with some staffing assistance from a house parent. I am absolutely certain from my experience on the area health board and from subsequent experience that these people are much happier in their present situation than they would be if they were locked up in ward X, which might contain 30 or 40 people, where they would not live a satisfying or happy life and where they are not treated as individuals - they live in a strictly controlled and institutionalised environment. I am quite certain that taken from such an environment they can live a much better life; they can perform various types of employment and be of some use to themselves and to the community.

I do not condemn the Richmond scheme. However, I do condemn the fact that institutions are being closed down peremptorily without alternative arrangements being made to relocate the former residents in the community. That would be a serious matter if that were to happen. In the context of the impending closure of the Riverglade Centre at Gladesville, I plead with the Minister for Community Services to make quite urgent appropriate arrangements for these people to be located suitably in the community so that they can live happy and productive lives and not left virtually to their own devices. I am afraid that there are more developmentally disabled people in the prison system than would be justifiably the case, having regard to the proportion that such people bear to the general population. Over the years I have made it my duty to visit prisons often. During those visits the presence of developmentally disabled and mentally ill people in the prison system is quite apparent. There are also substantial numbers of such people in public housing.

Prior to receiving my present responsibility, and prior to the last State election, I was Opposition housing spokesman. I could not attend a meeting of public tenants anywhere in the State, and particularly in the inner city of Sydney, Newcastle and Wollongong, without being told that former psychiatric patients were living in public housing - in bedsitters, often separated by a flimsy partition - perhaps making animal noises in the early hours of the morning, disturbing elderly women who, to take an example, might live on the other side of such

partitions. The concern I have is not that the people are placed in the community but more often than not, regrettably, they seem to be placed in the community without adequate community support. I am talking of crisis mental health teams, suitable social services via home and community care services and the like so that these people have some support and do not become a major problem to the other public tenants in the complexes to which I am referring.

**The Hon. Dr Marlene Goldsmith:** And to themselves.

**The Hon. R. D. DYER:** And to themselves, as the Hon. Dr Marlene Goldsmith said. I remember attending a meeting of public tenants in the high-rise public housing at Waterloo. People were complaining

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bitterly about the number of such people - not the fact that they were there as such, but that they were there without the sort of support to which I am referring. I know that the local member for that area, Ms Clover Moore, the honourable member for Bligh in another place, is aware of that situation. Unfortunately, if those supports are not in place the situation can sometimes boil over. Honourable members may remember that some years ago there was a fatal multiple shooting in the south Sydney area which was precipitated by a mentally ill public tenant. That is the tragic consequence that can ensue; I am certainly not contemplating that it will happen again - I certainly hope not. Leaving that extreme consequence aside, it certainly can be the case - and is the case - that major nuisance is occasioned to other public tenants if these people do not have the appropriate support to which I am referring.

They are the matters to which I wished to refer regarding developmental disability, which is an important area of my responsibility on behalf of the Opposition and also a very important part of the Government's responsibility. After all some 60 per cent of the revenue and expenditure of the Department of Community Services goes in the disability area in one way or another. I emphasise to the Government and the Minister the importance of expending all available funds to ensure that these people with a developmental disability - whether they are being moved out of the Riverglade Centre or whether they are already in the community - are provided with suitable employment and supportive accommodation programs by the Government so that they can live a happy and productive life and so that their carers are not driven beyond endurance by the continuing obligation to care for them on a full-time basis.

**The Hon. HELEN SHAM-HO [8.43]:** In supporting the motion for the adoption of the Address in Reply, I wish to put on record the marvellous job that His Excellency the Governor and Mrs Sinclair have done since assuming that high office. I congratulate them on the very fine job that they are doing for the people of New South Wales. I particularly want to inform the House about the kindness that they extended to the Chinese community last November. His Excellency and Mrs Sinclair hosted a garden party at Government House for the Australian-Chinese Charity Foundation. Over 2,500 people of all nationalities attended this special day of Chinese traditional and modern cultural performances organised for a very good cause; that is, to raise money for the charity foundation. I believe that almost \$30,000 was raised on that one afternoon. The money raised is to be distributed to Chinese as well as mainstream welfare organisations. The party was the largest function of its kind to be held at Government House - there were 16 lion dances, a unicorn and dragon dance and many musical performances with participants of different ethnic background. Everyone enjoyed that day. I would like to commend the organisers, the Chinese community leaders such as Dr Peter Wong - who is in the President's gallery - Hudson Chen and Robert Ho, for giving of their time and effort. On behalf of the Chinese community, I would also like to put on record our gratitude and appreciation to the Governor and Mrs Sinclair.

In supporting the Government's legislative program for the coming year, as set out in the Governor's Speech, I would like to start with issues specifically relating to Aborigines and Aboriginal affairs. As honourable members would know, I am currently a member of the Council for Aboriginal Reconciliation. Partnership between indigenous and non-indigenous Australians is an objective of the reconciliation. I am sure all members of this House are well aware of the discrimination, unfair treatment and racism experienced by the Aboriginal people. This racism has largely been as a result of government policies which dislocated families and disrupted cultural practices.

When the Federal Government first asked me to serve on the council I was naturally honoured, but I was unsure of what - as a Chinese Australian - I could contribute to the process. I wondered whether I was perhaps the token ethnic. I know now that everyone can participate and contribute. I am more than the token ethnic; I can do a lot. My background in social work has been vital to understanding the inadequate services provided for Aborigines. In addition, I am well aware of the vicious consequences of racism. We all need to recognise these acts of discrimination and exclusion. We need to recognise that Aborigines occupy a position in our society where inequality, injustice and racism are part of their everyday experiences.

The Hawke and Keating governments have been full of promises and half-hearted schemes to improve the lot of Aborigines over the past 10 years, but they have dragged their feet and achieved little. In New South Wales we are not isolated from the responsibilities with respect to Aborigines. I am pleased that the New South Wales Government has been one of the first to take positive steps in implementing programs for Aborigines. It has overwhelmingly supported the recommendations of the Royal Commission into Aboriginal Deaths in Custody. Of the 339 recommendations made, the Government has supported 300. Each Minister, department or agency has amended its corporate and strategic plans to include specific recommendations as targets. As the Governor stated in his address, this year the Government will continue to implement the remaining recommendations. I am sure honourable members will agree that this is a positive step.

The New South Wales Government is not shrinking from its responsibilities or many of the strong criticisms presented by the royal commission. I would like to give some specific examples of the State Government's programs for Aborigines. I am sure that these will continue to be ably implemented by the new Director of the Department of Aboriginal Affairs, Mike Stewart, who was appointed just last week following the resignation of Keith Kocken. I would like to put on record my appreciation for all the hard work carried out by Mr Kocken during his time as director.

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The Premier, Mr Fahey, has been very clear on his Government's commitment to Aborigines and also in implementing the objectives of the United Nations International Year of Indigenous People. Only a fortnight ago Premier Fahey announced the allocation of \$200,000 to Aboriginal community groups to help them organisation activities for the year. These activities will reflect the United Nations' theme for the year: "Indigenous People - A New Partnership". I am sure honourable members will agree that this allocation is an important first step in providing funds and support for the Aboriginal community to have its rightful place in the year's celebrations. The New South Wales Government will honour its commitments under the national commitment to improve outcomes for Aboriginal people and Torres Strait Islanders which recognises the need to address the fundamental causes of inequality and disadvantage.

I am also pleased that the Government will implement its promise to establish an Aboriginal justice advisory committee and a police advisory committee. In the area of education, considerable work is still to be done to lower the levels of Aboriginal illiteracy. Today in question time the Minister for Education and Youth Affairs stated the Government's commitment to service Aborigines and Torres Strait Islanders. The 1986 census showed that Aborigines formed 1.29 per cent of the State's youth population. Tragically, their unemployment rate was 59 per cent compared with the equally unacceptable rate of 21.38 per cent for non-Aborigines. Unemployment rates for all Australians have risen but those of Aborigines are at much higher levels than those for the general population, increasing the disadvantages for Aboriginal people.

The reason for this high unemployment rate was the low retention rate for Aborigines in high schools. In 1981 - 12 years ago - only 7.8 per cent of young Aborigines stayed on to finish their higher school certificate. However, by 1991 - two years ago - this figure had increased to 23.1 per cent - a threefold increase. There has also been a 100 per cent increase in the number of Aborigines enrolled in TAFE courses since 1987. Again today the Minister informed the House during question time that the State Government's initiative in education and training programs for Aborigines and Torres Strait Islanders includes \$9.2 million in Aboriginal education programs and about \$6 million spent on technical and further education.

In addition to programs to integrate Aboriginal studies in the school curriculum and TAFE, the New South Wales Government has devoted more than \$2 million to increase the employment of Aborigines within the education department. However, the State's further efforts are dependent on Canberra, which provides the majority of funds in Aboriginal affairs. I am as disappointed as the Minister in the amount allocated to New South Wales and in the relative share of total program funds which have been received by this State and provided by the Commonwealth. This non-equitable distribution of funds to New South Wales from Canberra is unfair. As the Minister said, New South Wales has a larger Aboriginal and Torres Strait Islander population than any other State or Territory - about 27 per cent of the national population - yet in 1992 New South Wales received only 18.3 per cent of Commonwealth funds.

The amount to be received in 1993 will be similar to that in 1992, as advised by the Minister today. This amount falls short of the amount required to carry out the Minister's plans - plans which were endorsed by New South Wales Aboriginal communities as vital for increasing participation and improving the educational outcome for Aboriginal people, and thus improving their life chances. This shortfall is particularly inappropriate in 1993 - the International Year of Indigenous People. New South Wales will continue to develop innovative programs for Aborigines and Torres Strait Islanders across the State, as the Minister promised today, despite the attitude taken by the Keating Government. It is pleasing to note that, in the area of community services, the Department of Community Services has allocated almost \$3.9 million for projects specifically servicing Aborigines. These are in the areas of family and individual support projects, assistance to the disabled, community development, community care services, home and community care, supported accommodation and assistance and youth services.

I turn now to the Department of State Development and in particular the importance to our State of maintaining our excellent relations with countries on the Asia-Pacific rim. The Keating Government has only recently realised the importance of developing trade with our Asian neighbours. But, in New South Wales, the Department of State Development initiated programs about five years ago when the coalition parties came to office. Many have been extremely successful in positioning New South Wales as a premier trading partner. The principal focus of the department is towards Asia. Currently New South Wales sends 62 per cent of its exports to Asia - far more than any other State - and 40 per cent of our imports are bought in Asia. Asia is where seven of our top 10 trading partners are located. In the past five years Australia's trade with Asia has grown three times as fast as our trade with Europe, and twice as fast as our trade with North America. I commend the Premier's aims, as outlined in the Governor's Speech, to strengthen Sydney's position this year as a key finance, business, service and telecommunications centre in the Asia-Pacific region.

Further taxation incentives, designed to attract the establishment of multinational regional headquarters, will mean more moves such as the recent decision by Cathay Pacific Airways to relocate its booking head office in Sydney. There is no doubt that these incentives, such as the exemption introduced in 1992 of off-shore banking units from State financial duties, will put New South Wales back on the road to economic recovery. As I am sure all honourable members are aware, New South Wales has a sister State relationship with the Guangdong province in the south of China. Although only roughly the size of  
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Victoria, Guangdong has a population of more than 62 million. This alone presents an immense market for our business ventures. The province encompasses the special economic zones of Shenzhen, Zhuhai and Shantou. They are designed to attract foreign investment and encourage rapid industrial development. In fact, Guangdong attracts over half of all foreign investment in China.

A major study on southern China, released last year, showed that Australia has the opportunity to plug into a market that is forecast to be worth \$795 billion by the year 2000. New South Wales has already taken the initiative to forge strong and productive relations with the highest levels of government and business in China. In October last year I had the privilege of accompanying the Deputy Premier, the Hon. Wal Murray, and the Director-General of the Department of State Development, Dr John Saunders, who led a business delegation to China. A large part of our trip was devoted to maintaining our strong business links with the Guangdong province and helping establish new initiatives and possible joint ventures for the organisations represented in the

delegation. It was agreed that finance and civil aviation are two areas that the Department of State Development is targeting.

The focus on civil aviation, the finance sector and financial services reflects the global growth of service and high-tech industries that are the emerging economic strengths of New South Wales. Also, the areas of transport, telecommunications, power and mining - fields in which New South Wales is traditionally competitive - are all high priority areas in China. Overall the trip was very fruitful and productive, and the excellence of the business delegation maintained the focus of the meetings. I found it especially exciting to see the prospects for business advancement in a country hungry for economic development.

Additionally, there are numerous Asian businesses investing directly in New South Wales, and this increases the chances of competing for lucrative investment opportunities. As an example, the Department of State Development, in conjunction with Taiwan's central investment agency, the China External Trade Development Council, will be matching 10 major New South Wales and Taiwanese companies in joint ventures. Only last week I was invited to speak at an Australian Chamber of Manufactures business forum in Sydney for Taiwanese business migrants. The enthusiasm to invest here and to export goods manufactured in New South Wales back to Taiwan is very encouraging. The Minister for State Development, the Hon. Peter Collins, and the department are to be commended for the initiative in facilitating opportunities. I am privileged to be one of the members of the Government advisory committee in that department and am pleased to be able to make use of my bilingual skill and background to promote Australian-Chinese bilateral trading relationships.

Because of my keen interest in this area of State development I also have been recently instrumental in compiling a proposal to establish a China trade advisory board of New South Wales. This board will be the single co-ordinating advisory board to facilitate trade between Australia and China. At present no such organisation exists. I am awaiting the approval of the Minister to go ahead with this initiative. I know that it is vitally important to utilise the resources of the Australia Chinese community to assist in opening and developing trade opportunities. Therefore, I am pleased to be able to use my knowledge and contacts to initiate the setting up of a co-ordinating advisory body such as the China trade board. I congratulate the Minister and the Department of State Development on their endeavours to implement strategies and programs which mean more jobs, more long-term investment and overall benefits for the State economy. This means we will help lead the recovery out of the recession that the Keating Labor Government has inflicted on the country.

All honourable members would have to agree that the more investment that business can generate the more readily we will get rid of the economic problems dumped upon us by Keating. The success of State policies and their implementation are intricately related to the directions of the Federal Government. Therefore, I turn now to the Federal coalition parties' strong chance of being the next Federal Government in Australia. It can be seen from recent State elections that all States except South Australia and Queensland have come over to the Liberals' ideas - and it will not be long before South Australia will too at the coming State election. The real measure of the coalition Fightback program is that it is our only real chance of fixing up the present mess so that we can pass on a better Australia for our children and our grandchildren. We have clearly demonstrated in New South Wales that such policies really do work for the betterment of everyone.

The Fightback program shows how such policies will work for the nation as a whole. It is designed to provide a dramatic boost for productivity and economic growth, to halve unemployment by creating two million jobs, to reduce our horrific foreign debt, to restore incentive to work and save, to lessen the need for dependence on government, to replace seven hidden discriminatory and destructive taxes with a fair, open and honest goods and services tax, to cut personal income tax, to slash government spending, to provide the young with better education and training and the elderly with more equitable support and protection and to provide more equitable child care support. With programs such as these it surely will be a simple task to boot the Labor Government out of Canberra.

As I explained before, the New South Wales coalition Government was the vanguard for the necessary economic reforms that must take place in Australia. This has been disparagingly called microreform by our opposition. What has the current Federal Government done? It has cut the New South Wales State Budget by

more than \$2 billion and done nothing to cut its own. As the Minister for Education and Youth Affairs and Minister for Employment and Training asked earlier today: why do we need a Commonwealth department of education? Why do we

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need a Commonwealth department of local government? Why do we need a Commonwealth department of health?

I was advised only yesterday by the Department of Community Services that the home and community care program funded by the Federal Government wastes an estimated \$11 million in administrative expenses because of duplication between the Commonwealth and the State. It is ridiculous for Federal-State relations that the Federal Government regulates and controls State departments when it has given funding. If the Government gives the State department money, it should let the department get on with the job of spending it where it is needed most. Why do we need all the people who are employed in these Federal departments for no good and productive purpose? All they do is dispense money. Yet the Federal Government, while decrying efforts by the State to move out of the public sector, sells off 30 per cent of the Commonwealth Bank to bail out its mates who have mismanaged the State Bank of Victoria. Another \$600 million went to more of its mates who have wrecked the State Bank of South Australia.

In New South Wales the State Bank is "what you see is what you get". There is no debt incurred by State government management. In 1987-88 New South Wales taxes were, on average, 9.4 per cent higher than those of the other States. Through our concentrating on the reduction of debt - and we had more than \$40 billion worth when we came to office in 1988 - New South Wales taxes have been reduced to the extent that this State and Queensland have the lowest State tax regimes in Australia. The centralised wage system, accords one to seven, cobbled by the power brokers of the Australian Council of Trade Unions and the Federal Labor Cabinet, have, we are told, given us wage stability. That means more than a million unemployed, the worst unemployment Australia has seen since the Great Depression of the 1930s.

Real living standards and wages have gone down. There have got to be answers to the great industrial fraud perpetrated on the working man of New South Wales. Nick Greiner and John Fahey knew this. They introduced enterprise bargaining and cut down the waste and inefficiencies of government enterprises. Following the example set by Shepparton Preserving Company in Victoria, for the first time workers can see that by sitting with the employer, ignoring the restrictive work practices inherent in so many awards, they can work out a more productive system in the workplace. They can make the company more profitable in the face of fierce competition and increase their earning power by simply making more money for themselves. Honourable members will agree when I say that New South Wales leads the way in releasing employers and employees from the rigidities of the industrial award system. Now, enterprise bargaining is gaining spectacular acceptance by the ordinary working man and woman, not only in the manufacturing sector but also in the service sector. Teachers in the private arena are adopting workplace change that promotes productivity.

The New South Wales Government Printing Office has been sold and the employees placed in private industries. GIO Australia has been very successfully sold and the proceeds used to pay off the State debt inherited from the previous Labor Government. I heard only this morning that the GIO's share price has just gone up. The overbloated State Rail Authority has been trimmed to save a million dollars a day. The Federal Labor Government, instead of introducing workplace reforms, has driven a massive amount of small business overseas. We are now importing so much that we have thousands of small business bankruptcies and a foreign debt equalling \$12,000 for every Australian. Walk into any supermarket and see where the products on the shelves come from. Do not blame the housewife for buying cheaper imported goods. Ask yourself: who is responsible?

Labor for the last 10 years has driven our national debt from \$20 billion to \$200 billion. Which State has the highest credit rating in Australia? Of course, New South Wales with its top level triple-A rating. The triple-A rating from the two international credit rating agencies, Moody's and Standard and Poor's, does not come at all lightly. We earn it for our prudent and conservative financial management and leadership in public sector reforms. No other State is rated so highly. In closing I express my sincere hope that the coalition will

win the election on 13th March. It would be by far the best Government to run our country. New South Wales has shown Australia that its policies and programs - especially in the economic arena - are the ones that do work. Premier Fahey is carrying on from the groundwork laid by Nick Greiner, and with him we will keep showing the other States how to break themselves out of the recession. I congratulate the Government for its success in managing the State of New South Wales.

**The Hon. J. W. SHAW** [9.10]: I desire to deal with two topics in responding to the Governor's Speech of 24th February: the legal profession and its reform and legal aid in New South Wales. The Governor in his Speech to the assembled members of Parliament said something very briefly, perhaps tersely, about the reform of the legal profession. His Excellency said:

The Government will reform the legal profession to eliminate restrictive practices, promote greater competition and accountability within the profession and greater choice for consumers. The setting of legal fees will be reviewed in consultation with the community.

That bald declaration can cloak two quite different possibilities. First, there is the prospect of a crude non-consultative change for change's sake in response to vested interests, perhaps large firms of solicitors or business interests, with possible damage to the important democratic institutions associated with the judicial system. Second, and alternatively, there could be reasonable incremental reform of the legal profession involving full discussion and consultation. But here are some reasons for thinking that an unsatisfactory and counter-productive approach to the reform of the legal profession may be taken by the present Fahey Government in New South Wales.

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One's experience in this House is that in relation to a number of policy areas where one has some familiarity with the topic, one can see incompetence clearly in evidence. The industrial relations reform is a clear example of a package produced by the Government and passed by the Parliament that virtually everyone who knows anything about it thinks is a hopeless mess. There was the knee jerk response at the end of last year when the Cabinet went out into the country and, obviously desperate to be seen to be doing something, came out with a couple of populist gimmicks. The Government announced that there would be a Family Week - quite harmless in itself but pretty trivial in the scheme of things and not really a great contribution to policy development in New South Wales. The Cabinet followed that with the proposition that there would be no more Queen's Counsel appointed in New South Wales - again a peripheral and trivial policy.

The real reason why the Government has come out with these crude and populist policies is disclosed by a former member of the Legislative Assembly who has a real insight into this Government, and indeed into the political process generally, Mr John Dowd, Q.C. Mr Dowd said in the *Sydney Morning Herald* of 17th February in relation to the proposed reform of the legal profession, "This is a political exercise, a government wanting to appear to be doing something". Mr Dowd is obviously an authoritative commentator on these matters, and he knows that the Government - which is basically a government without any particular policy direction - needs to be seen to be doing something, needs to appear to be making reforms and has picked an easy target, as it simplistically sees it, in saying there shall be no more Queen's Counsel appointed in New South Wales. I have no major sentimental attachment to the title, but I would argue that that Cabinet decision was fundamentally flawed in a number of ways.

If honourable members listen to my brief points they will agree that the abolition of Queen's Counsel was a silly decision. First, it is a single State decision in relation to what is plainly a national matter. Sydney barristers can be appointed as Queen's Counsel in other States, such as Victoria. It is really self-defeating for the New South Wales Government alone and not in co-ordination with the other States to say it will not appoint any further Queen's Counsel. Second, the effect of the Government's decision is to remove the influence of the Government over appointments to the position, whereas I should have thought that the role of government could be quite beneficial, for example, in ensuring there was a sufficient number of Queen's Counsel to have proper competition.

Most honourable members will know that the role of the learned colleges in the medical profession is often said to be one of restricting access to the specialties. The Government has no say in that process. It cannot intervene, at least in the current structure, to ensure that there are sufficient specialists to have proper competition. In relation to senior counsel, traditionally the Government could do that. If the Bar Association were too restrictive in such appointments the Government could play a role in ensuring that proper labour market policies were adopted. Third, the result of the Government's decision is to allow the profession to regulate its own appointments for the rank of senior counsel. So this illustrates that that achieves nothing. We still have the same hierarchy, as it were, but not what might be the beneficial influence of the Government in the process. The so-called reform is one of playing around the irrelevant edges of the real and pressing issues of equity and fair access to the justice system. It is really a mockery of true reform of the justice system. Finally, the effect of the Government's decision is to preserve a lifetime monopoly on the title and status for existing appointees. Those who have been appointed in past years and those appointed at the end of 1992 have a permanent monopoly on that particular position.

**The Hon. Dr Marlene Goldsmith:** Queen's Counsel are a closed shop. I oppose the principle.

**The Hon. J. W. SHAW:** The honourable member's interjection is obviously illogical because the Government has preserved that closed shop. Friends of mine, younger than I am, have been appointed Queen's Counsel, and they will have that title for the rest of their working lives. Their position is preserved and monopolised and they will not be faced with the yearly influx of competitors. Existing appointees will be benefited, and I think that illustrates the absurdity of the quite peripheral change effected by the Government.

**The Hon. R. B. Rowland Smith:** Is the honourable member a republican?

**The Hon. J. W. SHAW:** In response to the interjection I think Australia will inevitably move toward a republican status, and I support that movement. We have all taken the oath of allegiance to Her Majesty, and the interjection really does not strike at the heart of any serious policy issue. This opportunistic and populist move by the Government at the end of last year was a joke. It does not in any way benefit the idea of fairness in the legal system or improve access to the judicial system; it is just a showpiece around the periphery. Frankly, if honourable members do not see that, they have not seriously considered the idea of reform of the legal profession. This abolition of Queen's Counsel was totally unaccompanied by any consultation with the profession or other interested groups. There are many critics of the bar, the group of advocates in society, and many people have made valid points about their role.

In this House, if one speaks out in favour of a profession that one is a member of, one tends to be accused of self-interest, or worse, in putting forward that point of view. That line of argument, apart from being illogical, tends to discourage contributions from people who really do know something about the particular topic. I am not uncritical of the legal profession. I regard myself as being in favour of a

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number of substantial reforms. I can see the blemishes that exist. I am not, for example, prepared to go to the barricades to defend wigs and gowns, which in my own working life I have regarded as a nuisance and something of no real utility, except on ceremonial occasions.

At the risk of being accused of being a conservative, I think the idea of an independent advocacy bar is worth defending. It means that citizens can have a fearless defence in our courts, the poor, the heretical or even the despised have access to skilled representation in the courts and the unconventional person, or even the crusader, can practise law as an independent practitioner without the fetters that work in a major firm involves. The Sydney bar comprises a talented group of advocates. If honourable members want to hear skilled advocacy, they should attend the hearing of applications for special leave to appeal to the High Court, which take place on Friday mornings in Sydney. If they did so, they would see and hear very able presentation indeed.

Within the Sydney bar, competition is fierce for briefs, in relation to fees and between practitioners espousing different skills. The fact is that in Sydney good barristers work hard, beyond the expectations of

most members of the public. None of my remarks should be taken to mean that I believe reform is inappropriate. They merely mean that reform must be careful to ensure that it is not embarking on some ideological crusade, that it is effected by people who know what they are doing and that it does not damage what is good in an existing institution. Obviously the judicial structure is close to the core democratic values of our free society. The legal profession, and in particular the bar, is taking steps of its own to initiate reform.

Recently the two-counsel rule was clarified to provide that Queen's Counsel are not required to appear with a junior and to make it clear that in appropriate cases one counsel alone can appear. The so-called cab rank rule, which is an important rule of ethics ensuring that no barrister competent in a particular discipline can refuse a brief for a particular client, has also been revised. Honourable members will understand the importance of that. It means that a person accused of the most heinous crimes can nevertheless obtain legal representation without that legal representative being accused of doing something untoward by appearing for that person. In summary, I agree that there should be reform, but let us exercise caution; let us consult the people who really know, including members of the profession and other interested groups; and let us have proper debate in the community about the changes rather than some bolt from the blue emerging from a rural meeting of Cabinet without the necessary prior consultation.

I want to deal secondly, and indeed finally, with legal aid. In His Excellency's Speech to this Parliament, he said, "The Government will streamline the Legal Aid Commission and make it more efficient and accountable and ensure that it operates within its means". It is reasonable to say that under this Government the administration and funding of legal aid has been a real problem. Of course the crisis has now become manifest or tangible with the Legal Aid Commission having to cut off all legal aid for every civil claim. That is a concrete illustration of the crisis that faces legal aid under the Fahey Government's administration. As my colleague the Hon. R. D. Dyer has mentioned, a report about the New South Wales Legal Aid Commission was presented recently. That report might be referred to as the Robson report. It gives cause for concern on two bases: first, funding and, secondly, the proposal for structural change. In relation to funding, it emerges clearly from the Robson report that during the past two years the State Government had not complied with the Commonwealth-State agreement in relation to funding for legal aid. I understand it is right to say that the State Government has now complied with that agreement, but at the time the Robson report was presented the New South Wales Government had clearly breached that arrangement. That, of course, is very much part of the reason for the Legal Aid Commission's funding crisis.

I am concerned also about proposals in the Robson report for a new structure for the Legal Aid Commission. The particular areas of concern I should like to mention are, first, the recommendation that the Legal Aid Commission should be replaced by a five-member board of management with quite a different composition than is presently the case; second, the proposals to absorb the public defenders into the Legal Aid Commission; and, third, the proposal to allow the director of the Legal Aid Commission to be a person who is not legally qualified. I am aware that this Parliament has already dealt with a bill to open up that position to non-legally qualified people, but that proposal seems to be part of a package of proposals emanating from the Robson report that contains a certain threat to the independence or autonomy of the Legal Aid Commission. The Legal Aid Commission plays an important role in the administration of justice in New South Wales. It dispenses legal aid in civil and criminal matters. It has to decide whether citizen X is to get legal aid, very often in a case against the Government. So it is important that the Legal Aid Commission be in truth and in substance, and be seen to be, separate and apart from the Government.

If the Legal Aid Commission is regarded merely as a government agency, the administration of our legal aid system will experience grave difficulties because people may apprehend that legal aid is being denied to citizens merely because litigation is proposed against the Crown. In general terms, the recommendations of the Robson report need to be understood in the context of the recent history of the Legal Aid Commission and the circumstances in which the review team was chosen, its terms of reference settled and subsequent events.

A number of aspects of the report which highlight its fundamental inadequacies require specific comment. As I have indicated, the report correctly identifies the fact that the State Government had short funded the commission at the time of the report's

publication to the extent of \$3.211 million under the Commonwealth-State funding agreement. The former Premier, Mr Greiner, made a statement in June-July 1991 about the finances of the Legal Aid Commission, and that has led to considerable uncertainty as to the extent of funding for the commission. Delays on the part of the State Government in providing funding as required under the Commonwealth-State agreement have created significant uncertainty for the commission's budgetary purposes.

The report recommends that an additional \$2 million in funding be provided to overcome problems resulting from delays in the payment of legal accounts, but this recommendation has not been acted upon. The report has failed to identify that \$3.6 million in additional funding to the commission, which is said to have been promised by the State Government, has not materialised. A significant shortcoming in the report is that to assist the Government to understand the commission's financial position, the report has not sought to analyse the increase in demand on Legal Aid Commission resources principally arising from New South Wales Government policies that have adversely affected the budgetary position of the commission over an extended period of time. The court reduction delay program is a specific illustration of a policy that inevitably increases the demand upon legal aid.

The report also has not attempted in any way to particularise or outline the extent to which the commission has been required during the past three or four years to reduce services and the availability of legal aid because of its financial position. It is merely a photograph of the situation during the period of time under review. In short, there are concerns about funding of the Legal Aid Commission and proposals for its future restructuring. In recent times the Chairman of the Legal Aid Commission, Mr Brian Rayment, Q.C., has done an admirable job under difficult circumstances in standing up for the autonomy of the commission and in publicly drawing attention to the difficulties of funding that corporate body. I have endeavoured, first, to point out briefly some of the dangers of untoward and inappropriate changes to the legal profession that might be contemplated. Second, I hope I have highlighted the importance of legal aid to the judicial system and warned against some developments in the legal aid system that will inhibit access by citizens to the legal system.

**The Hon. DELCIA KITE [9.29]:** I listened carefully to the address given by His Excellency Rear Admiral Peter Ross Sinclair, Governor of New South Wales. I know that the people of this State will also be seriously considering the priorities and proposals for future directions put forward at this critical time. I know that their major concern will be employment - employment equally available to all sections of the community. They want jobs saved as well as jobs created. The jobs must be for the young and old, for men and women, and for Aboriginal people. Prime Minister Keating pointed out that, in this International Year of Indigenous People, it will be of great significance if we recognise the fact that, complex though our contemporary identity may be, it cannot be separated from Aboriginal Australia. The Wran Government recognised the need for urgent action and introduced Aboriginal land rights legislation in New South Wales. Honourable members cannot be proud of the delay in this initiative but can at least feel that they have made a basic response to a fundamental truth of more than 40,000 years of prior occupation of this State by many communities of Aboriginal people. However, other areas require immediate attention.

On a recent trip to Cape York and Cairns I was fortunate to have the experience of meeting the Aboriginal people who live in the Jardine River area. I was delighted to have the firsthand information that was conveyed to me, whilst travelling across the river by a punt run by the local Aboriginal community. At the Wilderness Lodge in Cape York the Bamaga people work, by agreement, in conjunction with the previous managers of the lodge to take over the responsibility of full management in a few years' time. The national park at Cape York is even more attractive to tourists. The park rangers are trained Aboriginal people who are able to satisfy the hunger of overseas visitors to understand and learn more of the oldest civilisation in the world. The visitors obviously enjoy direct contact with the people who can explain the spiritual significance of the land. The tours of the rainforest are organised by the Bamaga people, as is the shuttle bus to and from the airport and other airport services. Visitors go away satisfied that they have at last touched a little of the real culture of Australia.

There is no better time than now to embark upon a program to ensure that New South Wales tourism projects feature the importance and identification of our Aboriginal cultural heritage. It is what the overseas

visitor wants to experience in Australia and what the Australian domestic tourist market needs. Pilot projects training Aboriginal park rangers to work in New South Wales national parks were successful. There is now an opportunity to extend the same training models to other associated tourist enterprises in significant regions. There should be a presence of Aboriginal host workers in every facet of the New South Wales tourist industry, but particularly in those regions with significant Aboriginal sites. It would have been better to have taken a leaf from the tourism book of other countries where the arts and crafts of indigenous people are protected. New Zealand may have got it all wrong so far as the economy and industrial relations are concerned, but at least it is possible to travel the North Island with Maori tourist guides, visiting Maori cultural centres and participating in their wonderful performances.

Rather than embark on such a worthwhile program, the Government once again appointed a firm of consultants, which promoted a most un-Australian, glitzy, Americanised-type campaign called NSWOW. It is little wonder that it was such a huge flop, at a cost to the taxpayers of \$1.6 million. That amount of money could have funded an Aboriginal cultural centre on the foreshores of Sydney Harbour or Botany Bay, an Aboriginal tourist company, and extended the National Parks and Wildlife rangers training course. Instead, the Government has declared that it

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will concentrate its budget solely on Sydney in preparation for the Olympic Games. There is no thought for the country centres that survive only on tourism, no thought that overseas tourists are more interested in our Aboriginal heritage, outback lifestyle and natural environment. If asked, the international tourism associations would say that they want to experience all of those things. Why? Because they value Australia's history.

Prime Minister Keating called on Australians to grasp the reality, to imagine that the descendants of people whose genius and resilience maintained a culture here through 50,000 years or more, through cataclysmic changes to the climate and to the environment, and survived two centuries of dispossession and abuse, will be denied their place in the modern Australian nation. It cannot even be contemplated that any Government would deny that human right. That is why the Premier must reinstate the Ministry for Aboriginal Affairs. He must ensure that a Minister is appointed to administer the future direction of Aboriginal policies and programs, to take matters to Cabinet with equal status, as it was at the time of the Wran Government. It is not a job that can be fobbed off to a parliamentary secretary, who has to compete with the demands made by ethnic affairs and arts. It requires a high level of accountability to the Parliament and to the Aboriginal people; it requires a determined and committed Minister who will fight off the proposed policy changes of the Liberal Party-National Party and the disastrous effects that such changes will bring; it needs a Premier who will maintain direct control of co-ordinating Cabinet committees to ensure that programs are delivered.

I am relieved that the Governor indicated in his Speech that at last the Government will give effect to the recommendations of the Royal Commission into Aboriginal Deaths in Custody. As I walked into this Chamber for the opening of the third session of the Fiftieth Parliament of New South Wales I was full of expectation that the magnificent display of red and yellow native flora in their black vases was the setting scene for an announcement that in this 1993 International Year of Indigenous People the Premier would reinstate the Minister for Aboriginal Affairs in this State in which dispossession first occurred. It is an indictment that New South Wales has the second largest Aboriginal population of all States but is still the only State, with the exception of Tasmania, not to have appointed a Minister for Aboriginal Affairs. It is acknowledged that there have been some positive steps in Aboriginal education. On the other hand, honourable members witnessed the disappointment of the closure of the State's first experimental Aboriginal high school. It lacked the funding by the State which is afforded to other private schools.

It is vitally important that the Fahey-Murray Government dissociates itself from the policies of its Federal colleagues and publicly rejects the determined attack on Aboriginal rights by people such as Hugh Morgan of Western Mining Corporation. In an effort to undermine the rights of our indigenous people he has concocted a bitter message to parliamentarians that denies historic injustices and challenges the High Court Mabo decision. He assumes the right to make discriminative statements on behalf of the Australian community. He threatens, "If this rejection is not soon made then at some stage the full weight of an aroused public opinion will be brought to bear". It would be a sad day for Australia in the eyes of the world if the New South Wales

Government ever buckled under such threats. The Premier must speak publicly and act promptly and positively to remedy destruction of the spirit of reconciliation that this representative of business interests attempts to organise in this the International Year of Indigenous People.

I do not believe that Aboriginal affairs should ever be used as a political football. I make my points in the spirit of ensuring justice and equity. The formation of an Aboriginal justice advisory committee to provide a voice in the Aboriginal community in decision-making is a very commendable action. I hope that the Government will benefit from the expertise and commitment of Pat O'Shane, who has been applauded throughout Australia for her sound application of the principles of justice, despite the continuing attacks on her professional and legal judgment by those unable to objectively observe the real issues before the law. I return to the haunting issue of unemployment and the expectations of the people of New South Wales. It is most pleasing to hear that 18,000 jobs will be created. The Parliament urgently needs to know where those jobs will be created and over what period. It is imperative that that information be forthcoming, in light of the Governor's Speech, which indicated that there will be incentives for multinational companies and off-shore banking. This direction in economic development does not herald hope for the small businesses of New South Wales or for the people they employ.

The people of New South Wales will recall that Premier Fahey, in his executive bulletin of August 1992, said, "I believe it is now important that we have a period of at least one year when there are no new announcements about downsizing so that people can look to their futures with a degree of certainty". The Premier promised to develop a people-oriented and creative public sector; instead in just six months we have witnessed the expenditure of \$50 million on redundancy packages. The Government disposed of 750 public servant positions at an average payout of \$66,578. Instead of sacking public servants, the pledged creative direction should have been to use their skills and resources on customer services and job creation. In the six months to December 1992 the Government had spent only \$1,549 million of the \$4,033 million allocated this financial year. We were told that the Government would create 6,000 jobs through its capital works budget by July 1993, yet it has now been revealed that within the next two to three years 10,000 jobs will be lost in six key government authorities. This is not consistent with the promise of jobs in the Governor's Speech.

The revelation that from June to December 1992

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New South Wales lost 50,000 jobs in a period when Australia gained 27,000 new jobs was due largely to privatisation of the public sector. The coalition's obsessive path to privatisation continues to be revealed in the tenders called by the New South Wales Government, involving payment to the State Government in return for business immediate opportunity. The tenders awarded include those by three consortia for the proposed \$520 million drinking water treatment plant programs for the Sydney region. These foreign-based consortia will not only build the plants but will also own and control them. It must be asked how much of the profits will be expatriated overseas. This Government has opted out of providing the most basic of services to its people - clean water - and it has paid dearly in delegating its responsibility to the private sector.

The 1991-92 report of the Water Board clearly revealed that the board's financial outcome for the year consolidated its continued drive to commercialisation. Profitability levels remained sound and it was in a position to provide the necessary support to pursue programs under the board's business plan. There was no reliance on debt financing in 1991-92 to meet an expanded capital expenditure program directed towards satisfying customer demand and more stringent environmental standards. From the 1990-91 operating result an ordinary dividend of \$79.186 million was paid to the State Government. In addition, at the direction of the Minister, the board paid a special dividend of \$100 million. In the past three years, from 1989, a total of \$340 million in dividends has been paid by the Water Board to the Government. If the Minister were so worried about funding water treatment plants, why would he allow profits to go out of the country? The Government has been stripping from the Water Board money which, in three to four years, could have paid for its treatment works. It is noted that these overseas consortia will require Australian companies and engineers to operate the plants.

My colleague the Leader of the Opposition in this place correctly described the assets transferred from the

Water Board as a sham deal in which the Water Board is buying burdens not profits. The Water Board needed the \$200 million demanded from it by the Minister to allow it to operate commercially. The surplus in its income and expenditure account for 1991-92 was \$140 million. What other commercial enterprise would pay \$170 million to its shareholders when its profit was only \$140 million? It is curious that the special environment levy totals \$100 million. For the Government to collect this sum from the Water Board, and to cover up mismanagement by the Fahey Government, ratepayers have had to pay a levy. Little has been done to clean up the rivers and beaches around Sydney for which the levy was collected. Hawkesbury River and Cooks River still have algae. Suzanne Houweling of the *Sunday Telegraph* wrote:

Algae capable of producing poison 1,000 times more toxic than cyanide, and 50 times more poisonous than strychnine are threatening Australia's waterways. Rivers, streams, harbours and oceans are all under threat from the algae, which can turn toxic overnight. For humans, contact with the algal toxins could mean skin irritations, eye infections, pneumonia, gastroenteritis or even liver damage.

It is no wonder that councils have erected signs advising people not to drink the water or swim in these rivers, yet people living along the Hawkesbury River draw their water supply from it. Phosphorous, which enters the river systems through agricultural and urban runoff and sewage treatment plants, has been identified as one of the main culprits behind the dangerous algae. Despite all this, the Fahey Government is hellbent on further development along the Hawkesbury River. Will the runoff from the former Homebush cattle saleyards, which are to be transferred to the Windsor area, flow into the Hawkesbury River also? People in the area have said that enough is enough. Little has been done to clean up the Hawkesbury River, yet for two consecutive years the Government has taken a special dividend from the Water Board equivalent to the amount raised by the annual environmental levy of ratepayers for the purpose of cleaning up Sydney's waterways. As Bob Walker said:

The community have been left in the dark about how much needs to be spent on repairing our infrastructure, let alone upgrading that infrastructure, to meet new standards for water quality, and waste-water treatment. Without that information one suspects that even members of the Government are not sure of the rationale for using special dividends, to re-allocate resources from the Sydney Water Board to the budget sector - where funds are being spent on constructing sports facilities with excess capacity, in the hope that Sydney wins its Olympic bid. Many would prefer that our scarce resources were spent on infrastructure projects of more enduring value.

How much longer can the public continue to bear the costs of this privatisation folly? Do not the advisers to the Liberal Party-National Party coalition study the effects of this Thatcherism on the deterioration of services? Are they not aware of the 50 per cent increase in the price of water in England, where 900,000 people are facing court for non-payment of water accounts and where 21,000 premises have had their water supply cut off - a 177 per cent increase on disconnections for the previous year. Not only is this Government out of step with its own public servants, it is also out of step with the principles of business. In the *Business Review Weekly* of October 1992, Bob Walker, professor in accounting at the University of New South Wales, challenged the accounting practices of the Economic Planning and Advisory Commission and the Industry Commission on the conclusion that the profitability of government business enterprises was poor. Yet an analysis of audited financial reports of 10 agencies operating in the Australian water industry suggests the opposite. State-owned water boards are among the most profitable businesses in Australia, at least in terms of their core activities. Professor Bob Walker reported, "They have long-lived assets that generate strong cash flows and they are little affected by economic booms or recessions". Professor Walker said further:

In the private sector, managers, intent on producing a stronger balance sheet, happily write up assets, but they avoid re-valuing plant and machinery, and other depreciable assets. But in the public sector, governments face incentives to reduce reported profits of government business enterprises, in order to

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legitimise increases in prices.

This has been the case in New South Wales only since 1988 when the Liberal Party-National Party Government introduced accounting changes in which infrastructure assets are valued in government business enterprise balance-sheets as current written-down replacement values. The fact is that Australia's 10 main water

authorities compare more than favourably with private enterprises, returning an average of 15 per cent on shareholders' equity - 17 per cent in Sydney and 20 per cent in the Hunter Valley. Professor Walker's research reveals that the Industry Commission used unaudited estimates of the current economic values of the assets; however, it followed the industry's usual practice of not recording developers' contributions, customer levies and Commonwealth grants as revenue in the years in which they were received.

The commission has used this form of accounting to support its claims about the need to improve the productivity of water authorities by reductions in the work force. It is an unscrupulous strategy to bury the real fact that the Water Board has the capacity to finance major capital works out of its cash flows at existing levels of charges. The demand upon them to pay additional dividends, such as the \$100 million over and above the agreement, was made by the Minister for payment to the Treasury. This stripping of government enterprises deliberately places the public sector at a disadvantage. It is an incomprehensible economic action when, in terms of private sector accounting practices, the Water Board is returning a tidy profit on the equity originally contributed by the taxpayers of New South Wales, many of whom are to lose their jobs as a result of this madness.

It is a schizophrenic government which issues a brief to its boards to run New South Wales government business enterprises as commercial businesses, then demands dividends. Where is the return to the shareholder from Pacific Power, which paid a special dividend of \$400 million to the Greiner Government in 1990-91? What is planned to benefit the taxpayer from the projected payments this year of \$483 million in dividends? If the budget in 1990-91 was improved by \$800 million, why was it necessary to axe so many essential government services? This exploitation of taxpayer investment makes Westpac look like an amateur. There is no end to this insanity. The Industry Commission states that it recognises the value of privatising irrigation schemes.

The Executive Director of the New South Wales Irrigators Council, however, lost no time in stating that the costs of upgrading irrigation infrastructure could be taken into account by either the government making available the funds necessary to bring a particular scheme up to standard before privatisation or by making an appropriate adjustment in the valuation of the scheme before handover. At what cost to the New South Wales taxpayer will this next privatisation plan be implemented? The handover to the private sector of the most lucrative of transport services to Canberra and the airport is indicative of the irrational economic development plans of the Fahey Government. So much for tourism being the saviour of our public purse. I ask again, who profits and who pays? Overseas business profits: the taxpayers pay.

The philosophies of the Government have caused it to vacate its responsibility in the public realm in almost every area of its operation. The driving force of economic benefit is directed only on behalf of the private sector, much of which is to overseas companies, based on an argument that we do not possess technological skills in this country. The Government denies the skills, experience and worth of its public-minded experts. It has become the victim of efficiency consultants who, at great cost to the people, have given birth to an industry which can wield power to an extent never before experienced. This consultancy industry leeches on to public sector specialists to gain its information. Some of the biggest consultants, who were formerly accountancy firms, now claim expertise in everything from waste collection and the safety of nuclear reactors to how the Hewson Federal Opposition can raise the goods and services tax. The people of New South Wales pay the cost of these so-called experts, who are usually hired for the specific purpose of presenting arguments which will override public opinion. More than ever before the public now has access to information and media links with other countries. They have a clear understanding of the problems that privatisation has brought to other world communities. They do not want their natural resources owned by overseas interests or by companies motivated only by profit.

The survival of our cities, towns, waterways, schools, hospitals and transport systems is dependent on a government which will direct its resources to the public realm. They will not survive under a government which is so simplistic in its economic rationalisation that it is influenced by the Thatcher tradition that the only facilities worth promoting are those run by private enterprise. What would this city of Sydney look like if its heritage of public buildings and institutions had not been protected by the green bans of the 1960s and 1970s?

What would have been left? To adopt the narrow Thatcher principle is to deny the clever country image. The great medical, scientific, technological, academic and architectural geniuses who have developed their talents in the public sector have contributed to this State's great heritage.

The return to the New South Wales Government of \$202 million from lotteries should not be directed into the endless pit of funds for financing the private sector to take over our public facilities. Although New South Wales Lotteries was created as a commercial entity in 1991, its charter was to remain as a source of government revenue for community benefit. It is time that the public saw specific returns being invested in their public hospital system, the reason for which Jack Lang instituted the lottery in the first instance. Instead, we are witnessing a return to the private health care policies which are being

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expounded by the Federal Liberal policy in the form of changes to Medicare and the reintroduction of private health insurance - which the New South Wales Government wishes to promote - in order to fill private hospital beds.

American companies already own many of these so-called community hospitals. They are only too well aware of the profits which can be raised. I have been made aware of problems in these hospitals. Complaints have been made about second-rate treatment and neglect to refer to a large public hospital in a crisis. Honourable members have read in the newspapers of the plight of Australian citizens who were unfortunate enough to become ill in the United States. There are horror stories of people being referred long distances to attend casualty departments, of being charged \$1300 for 13 stitches, and of the refusal by an insurance company to pay up because "this was not the hospital of treatment".

Recently I received a letter from an Australian woman who lives in the United States. She related an incident in which she badly sprained her ankle. She did all she could before getting medical treatment because, as she puts it, "The medical system here is truly horrifying." She explained that people just do not go to a doctor when they should because it can cost up to \$200 for an office visit. She explained that there is a base cost of \$50 to \$75 for just attending and other charges are added. Fraud and overbilling are widespread. Every doctor maintains to be a specialist. The counterpart of our general practitioner is an internist. Other horror stories include the charge of \$50,000 for an emergency operation on an Australian tourist. Australians are secure with their public hospital system and they do not want a United States system which costs \$800 billion or 14 per cent of America's gross domestic product every year - a stark comparison with the 8 per cent in Australia.

We do not want a system similar to that which leaves 35 million Americans without health cover; we do not want the spiralling health costs which have reached almost \$2,000 more per family than is the position in Australia. In the United States the common response is, "If you have not got health cover and you do not have the money up-front, forget about going to your doctor." The erosion of our public hospital system is leading us into the private health care era, widening the gap between those who can afford medical and hospital treatment and those who cannot. The major specialised public hospitals have suffered further cuts. Following the transfer of Concord Repatriation General Hospital from the Commonwealth to the State in mid-December, the Minister for Health, to save \$35 million a year, announced the closure of hospitals at Balmain, Canterbury, Lidcombe, Eversleigh and Petersham. He later announced that when New South Wales took over Concord hospital in July only 2,400 staff would be needed - 150 more redundancies.

Our highly regarded Royal Prince Alfred Hospital is to lose 75 more beds, and in December last year it was announced that 200 staff would also go. The radiotherapy department has been told to reduce spending by \$250,000. Shortly after the Government took office in 1988 it closed the cancer unit at Sydney Hospital and amalgamated it with the nuclear medical unit at Royal Prince Alfred Hospital. The Chairman of the Visiting Medical Officers Association stated his concerns that, due to the freezing of staff levels, the hospital is not able to hire the extra technicians required for radiotherapy treatment to be administered - a tragic blow for cancer patients.

Royal Prince Alfred Hospital's vital radioactive scan machine, the PET scan, which helps doctors detect

heart malfunctions, cancer and brain disorders, is also cash-strapped. It is the only machine of its kind in this State but performs only six scans a week - nearly 70 per cent below its capacity. It may be expensive to run, but we are dealing with people's lives. Professor Morris, director of the nuclear medical unit at the hospital, is asking the State Government and the Federal Government for \$1 million to keep the machine in operation. Surely the Government can supply half that amount. The largest women's health service in New South Wales, the King George V Memorial Hospital, did not escape the cost cutting, which was described by the head of the hospital as lunacy. The proposed cuts would leave the hospital with only one emergency operating theatre, despite the 4,500 operations done last year in the King George V Memorial Hospital.

In the Illawarra region, the closure of Kiama hospital and the imminent closure of Port Kembla hospital's casualty section and Coledale and Bulli hospitals prompted a public outcry. In an area of coalmines and potential road and rail disasters, this is irresponsible planning. The Premier was reported as considering privatisation to reopen Kiama hospital following the public rally which was strongly supported by the community. Why would four public hospital facilities be replaced by a private hospital? Why would the Government be so discriminative in its provision of health care to an area already suffering severe unemployment?

Why would the Liberal Party-National Party coalition impose Christmas closures on the Hunter region, which has similar socioeconomic problems to those in the Illawarra? Accident and emergency patients were forced to wait on trolleys for up to two days until hospital beds were available in the Mater and Waratah hospitals, while Newcastle hospital had Christmas closures of 199 beds. It is a strange twist that at holiday time, when accidents are most likely to occur, 2,500 beds were closed to public patients. There are no areas which should be denied public hospital care, but when it is denied to the Illawarra and the Hunter regions, the inner city and western suburbs, it points to a crisis in health care, which must be overcome immediately.

I commend the actions taken for testing for leaching of the Castlereagh tip area, and must emphasise its urgency. There must be no delay in the public release of the test reports in order that any further threats to the Hawkesbury-Nepean catchment

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area can be prevented. It is pleasing to see the development of the trust to oversight such matters, which oversight should be instituted immediately. Any delay in this procedure will be tantamount to inaction. The basic needs of health care and clean water will not be met while ever the NSWOW mentality continues to get so excitedly aroused by racing cars at Eastern Creek, at a cost to the New South Wales taxpayers of \$5.4 million per year in interest payments. Neither will they be met while the Government's spending priorities are thrust towards the year 2000. The price the people of this State are paying for this Government's foolish bid to host the Olympic Games of the year 2000, which I might add is this Government's way of taking the publicity away from its incompetence and mismanagement, is the sale of the people's assets in this State, the drastic cuts and privatisation of our health care and hospitals, those same cuts in our education system, and the drastic cuts to and privatisation of our transport system, to say nothing of all the people who have lost their jobs and have very little chance of finding another.

Jeff Kennett has nothing on this Government. The price we are paying is the deterioration and death of our waterways and our polluted air, both of which greatly affect our people's health. However, these are all secondary to the Olympic bid, and all to cover up the inefficiency and maladministration of the Fahey-Murray Government. In Minister Baird's own words, it will be the largest amount of expenditure by any government at any time since Federation. The people of Canada are still paying off their debt for the Montreal Olympic Games of 1976 - 17 years after the event they still owe 150 million, and that does not include the new airport and roads they built for the Games. The people of Barcelona have had all their taxes and costs of public services drastically increased to pay the debt for having the Olympic Games there last year, and they say it will be another 15 years before they pay off their games. Atlanta has dropped its profit estimates by 90 per cent. They say there has been a great reduction in television and marketing rights since the mid 1980s boom time when they made their bid. The Fahey-Murray Government, in its desperate bid to host the Year 2000 Games, has generously offered to pay out of the television rights the costs of air travel for the athletes and their equipment. After Atlanta's experience that will mean that the taxpayers of New South Wales will be footing

the bill.

God help our children and grandchildren if the Government's bid for the year 2000 Olympic Games is successful. The cost of the Olympic Games, which they will have to pay for, will be like an albatross around their necks. What right has this Fahey-Murray Government to bankrupt future generations in order to cover up its maladministration? I am pleased that there will be a better complaints service for people who are suffering from the lack of community services, because I assure honourable members that there are many such complaints. Ask the severely disabled people who are waiting for the Department of Housing to implement the special housing program, which has been allocated funding from the Commonwealth Government, yet those funds remains unspent because a home has not been allocated. Ask the thousands of low income earners and their families who remain homeless while \$17 million allocated to provide housing remains unspent. Ask the people who are seeking legal aid and the overworked and underpaid lawyers who, like the late and great Fred Hollows, sought to practice in areas of the greatest need. Ask the nurses and doctors who have worked tirelessly in the public hospital system to ensure that health care is available on the basis of need and not the ability to pay. Time is up for the people of New South Wales unless the Government rejects pressure from its private enterprise colleagues, and the advice of private consultants, in favour of equity in health care, justice for committed public servants and security of jobs in New South Wales.

**Debate adjourned on motion by the Hon. D. F. Moppett.**

#### **ADJOURNMENT**

**The Hon. VIRGINIA CHADWICK** (Minister for Education and Youth Affairs, and Minister for Employment and Training) [10.8]: I move:

That this House do now adjourn.

#### **FEDERAL TERTIARY EDUCATION FUNDING**

**The Hon. BERYL EVANS** [10.10]: The people of New South Wales have reason to be proud of the quality of university education that is offered in this State. They also have every right to expect that New South Wales universities are funded on the same basis as those of other States. But I regret to say that the fair go principle has not been applied to the funding of New South Wales universities by the Commonwealth Government. It is therefore a great disappointment to the people of New South Wales that, despite the growing demands upon our universities for places, the Commonwealth Government has consistently ignored pleas for New South Wales funding to adequately reflect this State's share of the national population. New South Wales has consistently argued for having its share of Commonwealth funded student places increased to its proportional share of the 17 to 64-year-old age group. The State's target is 34 per cent. However, we only receive 30.9 per cent of total university funding. If the Federal Government addressed this imbalance, 1,500 additional places at New South Wales universities could be provided this year.

Make no mistake, in spite of the fact that it is well recognised by the Federal Government, it does nothing about it. It must be a matter of great concern to the communities of New South Wales that these continuing disparities across the States have resulted in unacceptable low rates of participation in higher education in this State, as universities cannot afford to provide extra places. In 1990, 41.7 per cent of higher

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school certificate candidates went on to higher education. That figure decreased to 35.8 per cent in 1992. The fact is that funding for New South Wales higher education has remained almost static for a decade and is well below an equitable population base target of 34 per cent of total Commonwealth funding of student learning. It is a disgrace that young people in New South Wales with the will and capacity to pursue higher education have been denied entry to New South Wales universities.

I turn now to technical and further education. More and more unemployed people are represented within the ranks of TAFE students; and the surge by the unemployed to acquire job skills has helped force a record 50,000 New South Wales people to miss out on a place in the State's TAFE colleges early this year. Last year a quarter of all students were from the unemployed and 11 per cent were unemployed youth. With unemployment likely to remain high under the Federal Government's policies, this trend is expected to continue throughout the 1990s. Added to that is the number of people competing for retraining as a result of industry restructuring and the resulting job losses for older workers, many of them with redundant skills. While interest in TAFE courses is booming, numbers for apprenticeship places are down 36 per cent since 1989. Thousands of vacancies for TAFE apprenticeship courses are likely to go unfilled this year because employers simply cannot afford to take on young people. The State's TAFE colleges have the capacity for about 9,000 more apprentices but these young people must first get an employer to take them on.

The downward trend in apprenticeship places has been taken up by increasing numbers of the unemployed receiving subsidised training, mostly through TAFE, to improve their job prospects. The tragedy is that on completion of the training they still cannot find work. Although it is recognised that training is a valid step between unemployment and a career, the only long-term solution is to ensure that there are jobs at the end of all that training; and we are all well aware of the Federal Government's dismal record on unemployment. The Keating Government has had 10 years to deliver jobs and we now have more than a million people out of work. Now the Federal Government is looking at establishing a national training authority which, it is claimed, will improve the relationship between industry and the TAFE system. But the fact is that the Federal Government has neglected the TAFE system for more than 10 years and it has been only in the dying days of the Keating Government that there has been a last-ditch attempt to solve its problems. Let us face it: the Commonwealth Government's inept leadership and mismanagement are depriving many young people and thousands of unemployed in New South Wales of the right to any future at all. I remind Mr Keating that the 45,000 young people in New South Wales who passed the higher school certificate last year and who are denied entry to universities and TAFE colleges are voters too. I wonder what he is going to do about them.

### **FEDERAL OPPOSITION ETHNIC POLICY**

**The Hon. FRANCA ARENA** [10.13]: Tonight I wish to bring to the attention of the ethnic communities of this State the clear choice they have between a Labor Keating government and a Hewson Liberal government. I will not speak about the iniquitous and regressive goods and services tax, which has already been a dramatic failure in Canada and New Zealand. Many Australians of non-English speaking background who came originally from Europe are very familiar with this tax, which has escalated the black market economy to new heights. People in Europe, Canada and the United States are prepared to pay cash under the counter in order not to pay the tax - and they do that regularly, despite inspectors. Only fools would dispute the fact that the GST encourages the black market and the black economy. But it is not my purpose to speak about the GST or the fact that the Labor reforms dear to Australians of non-English speaking background are in danger - such as Medicare, co-operative industrial relations and many of the initiatives to promote multiculturalism.

I point out that under a Hewson Liberal government there will be further cuts in immigration. Hewson has mentioned his upper limit will be 50,000 - a further cut of 30,000, but I am sure that even that figure will be reduced. The Office of Multicultural Affairs will be disbanded as Dr Hewson does not believe in multiculturalism. He said at a meeting of the Western Australian branch of the Liberal Party on 25th July, 1992, "Multiculturalism is a fundamental mistake". Immigrants will have to wait four years - I repeat four years - before they could apply for citizenship under a Liberal Party-National Party government; and these people who have already gone through -

**The Hon. Virginia Chadwick:** On a point of order. The honourable member is referring to naturalisation and citizenship procedures, which are clearly a Federal matter and outside the province of the New South Wales Legislature. Therefore, I should have thought she was quite out of order in raising this matter in the adjournment debate as a matter of importance.

**The PRESIDENT:** Order! Pursuant to sessional orders there is no limitation on the subject of debate. There is no substance to the point of order. The Hon. Franca Arena may proceed.

**The Hon. FRANCA ARENA:** The Ethnic Affairs Commission in Victoria has been practically disbanded under Kennett. There will be two years' wait for welfare benefits for new arrivals. People will have a two-year qualifying period before being eligible for unemployment benefits. If they cannot find work under Dr Hewson they will starve, or maybe eat cake. There will be cuts in migrant services in the workplace.

**The PRESIDENT:** Order! The honourable member is speaking so quickly that I cannot understand her.

**The Hon. FRANCA ARENA:** Dr Hewson will abolish the migrant worker participation scheme. There will be cuts, cuts and more cuts. Under Hewson, the Special Broadcasting Service, like the Australian Broadcasting Corporation, will receive a 10 per cent cut in funding. This will make it impossible for the SBS to operate properly, as it is already on a very tight budget. Under Labor, the SBS will receive an additional \$26.8 million over four years to establish a national radio network which will provide Adelaide, Perth, Brisbane, Darwin and Hobart with their first full SBS radio service, with a second SBS outlet to complement 2EA and 3EA. Under Labor, Australians of non-English speaking background will be treated as first-class citizens. This will change under a Hewson government. Finally, I would like also to bring to the attention of our ethnic media the how-to-vote ticket of the Call to Australia party of Reverend the Hon. F. J. Nile. He gives his first preference to the Liberals, his second preference to the ticket of -

**The Hon. Dr B. P. V. Pezzutti:** On a point of order. The honourable member is trying to mislead the House on matters of fact. Whilst it is not my habit to stop the Hon. Franca Arena, on this occasion she is talking absolute nonsense and I believe she should be asked to get back to the point and speak the truth.

**The PRESIDENT:** Order! No point of order is involved.

**The Hon. J. H. Jobling:** On a point of order. The point of order I would raise on the adjournment debate relates to the Hon. Franca Arena attributing to another member a view, a point, which is not able to be sustained. The honourable member is attributing a view to an absent member, which is not in accordance with the standing orders.

**The PRESIDENT:** Order! No point of order is involved. The Hon. Franca Arena may proceed.

**The Hon. FRANCA ARENA:** Reverend the Hon. F. J. Nile has given his first preference to the Liberal Party, his second preference to the ticket of actor Leonard Teale, and his third preference to the ticket of the group Australians Against Further Immigration. It is alarming and of great concern that on a Senate ticket, with 21 groupings plus the eight ungrouped candidates, Call to Australia has given its third preference to a group of racists who would draw around Australia a kangaroo curtain and not allow in any more immigrants - very strange bedfellows, chosen by a man and a party professing Christian charity and understanding.

#### **WAVERTON RAILWAY STATION DISABLED ACCESS**

**The Hon. ELISABETH KIRKBY [10.18]:** I wish to bring to the attention of the House the unwillingness of the Minister for Transport and Minister for Tourism to provide disabled access to Waverton station. The Government is planning to spend \$1.8 million to rebuild Waverton station as a replica of the original station built in 1893. However, the Government has constantly refused to provide disabled access in the form of a ramp, sideways access or a small lift at the new station. The Government's stated reason is that it has no money. In a letter dated 23rd December, 1992, to Mrs Grace Carey the Minister for Transport wrote: "As you will appreciate, in the current economic climate there is need to balance competing demands against scarce resources. In this regard CityRail has to carefully prioritise projects". I find the Minister's response unacceptable. There is money available; it is just that the Government does not believe that disabled access to

public transport is a high priority.

In the *Sydney Morning Herald* of 29th December, 1992, it was announced that \$10 million would be spent giving Circular Quay, Museum, and St James stations a facelift because they looked drab. To me this indicates an appalling sense of priorities. Money is being spent on cosmetic refurbishing while the genuine needs of public transport users are being ignored. CityRail has insisted that the cost of installing a lift at Waverton station would be \$500,000. However, Mrs Grace Carey has been given quotes for small lifts at an average cost of \$100,000. I ask the Minister to justify the cost of the quote given by CityRail against that obtained by Mrs Carey.

Apart from the question of cost, disabled people have the right to have the same opportunities as the majority of the population. That definitely includes the right to public transport. This right has been enshrined in the Commonwealth Disability Discrimination Act, which makes it unlawful to deny a disabled person access to transport. Furthermore, the Department of Transport's draft policy on accessible transport says that the department should "ensure that progressively all new facilities . . . are accessible to all groups within the community".

No person who has seen the steps at Waverton station could doubt that the need for disabled access is acute. The flight of stairs is steep. To date, the Government's response has been unsatisfactory. It is not good enough that its policy is to decide that only certain stations should be given disabled access. Disabled people are everywhere, and they have the same right to public transport as every other member of the community. It is unreasonable to expect people with disabilities, who may already have many problems with mobility, to get themselves to specially designated train stations rather than to the train station that is closest to them. This Government has often stated that it is committed to the rights of the disabled. Surely this is their opportunity to turn their principle into practice. Therefore, I call upon the Minister for Transport and the Minister for Community Services to work together to solve this most pressing problem.

#### **GOODS AND SERVICES TAX *EDUCATION* ARTICLE**

**The Hon. Dr B. P. V. PEZZUTTI** [10.21]: I am extremely concerned about this week's edition of the publication entitled *Education*, dated 1st March.

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It contains a reprint of an article that came from the Australian Council of Social Service. I spoke to the Director of ACOSS. The article may or may not have been reprinted with authority. *Education* contains a cartoon which is unauthorised by ACOSS, is misrepresentative, a lie and inconsistent with the rest of this wonderful journal. The article, on page 19 of the publication, does the Teachers Federation absolutely no good at all. I will bring this to the attention of the House further tomorrow. It is important that honourable members know that the Teachers Federation will stop at nothing to lie and cheat. Phil Cross, its president, did nothing but lie and cheat throughout his editorial, in which he asserted, "The Coalition does not believe in unions". It does. He said that all professional supplies and teaching requisites will increase by 15 per cent. [*Time expired.*]

**Motion agreed to.**

**House adjourned at 10.23 p.m.**

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