

LEGISLATIVE COUNCIL

Wednesday, 9 March 1994

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

The President offered the Prayers.

PETITIONS

Steel-jawed Leg Hold Traps

Petition praying that the House legislate to ban totally the manufacture, sale and use of steel-jawed leg hold traps in all areas of the State as they cause great suffering to all animals and birds, both target and non-target, caught in them, received from the **Hon. R. S. L. Jones**.

Abortion

Petition praying that because of community support for the continued availability of abortions and a woman's right to choose abortion and the continued availability of counselling services for abortion clinics, the House not support any restriction of existing abortion services, received from the **Hon. Ann Symonds**.

INDEPENDENT COMMISSION AGAINST CORRUPTION INQUIRY INTO PROTECTION OF PAEDOPHILES

The Hon. J. P. HANNAFORD (Attorney General, Minister for Justice, and Vice President of the Executive Council) [2.36]: I move:

That this House requests the Independent Commission Against Corruption to investigate:

- (a) allegations that some members of the Police Service of New South Wales have by act or omission protected paedophiles from criminal investigation or prosecution, and in particular the adequacy of major investigations undertaken by the police in relation to paedophiles since 1983;
- (b) whether the procedures of or the relationships between the Police Service of New South Wales and other public authorities adversely affected police investigations and the prosecution, attempted or failed prosecution of paedophiles; and
- (c) the conduct of public officials related to the above matters.

The investigation is to be conducted with a view to determining the matters referred to in section 13(2) of the Independent Commission Against Corruption Act 1988.

At the conclusion of the investigation a report is to be prepared, information passed to other authorities as appropriate and the Commission is to monitor responses to the report's recommendations.

Honourable members will recall that on 18 November 1993 in the other place a motion was passed calling for a judicial inquiry into police paedophile protection rackets. In an endeavour to resolve the question of which form of judicial inquiry would be most appropriate to examine the important issues raised by the earlier motion, I have consulted with many of the interested parties, including my ministerial colleagues; Mr Temby, the Commissioner of the Independent Commission Against Corruption; members of the Opposition; and other members of Parliament.

I have no doubt that an ordinary judicial inquiry conducted by a retired judge or a senior legal practitioner would not - I emphasise would not - be the most appropriate form of inquiry to deal with the issue of paedophile protection rackets. Such an inquiry would have no coercive powers and, without such powers, it would not be able to ensure the co-operation of unwilling parties. Unlike other examples of this type of judicial inquiry in recent years - the Purnell inquiry and the Nader inquiry - it could not be expected that an inquiry into the activities of paedophiles would be able to receive a level of co-operation which would enable it to carry out its task in a full and thorough manner.

Given that this form of judicial inquiry would not be appropriate in the circumstances of this matter, I have formed the view that an Independent Commission Against Corruption inquiry, with the extensive powers available to it to compel both the answers to questions and the production of documents, is the most appropriate form of inquiry to deal with these very important and serious matters. An ICAC inquiry will be able to get to the truth of many of the allegations that have been made both in Parliament and elsewhere concerning paedophile networks.

When considering the form of the inquiry, it is important to note that if any of these allegations are substantiated, I and all other members of the Government will want to ensure that action is taken to prosecute corrupt persons and to change the practices and procedures which have allowed these persons to operate. The ICAC is perfectly placed and fully equipped with the necessary powers to ensure that evidence is obtained to secure criminal prosecutions.

It is difficult to understand what motivates the honourable member for Heffron in another place to so oppose the conduct of an inquiry the format of which is the most likely to disclose the truth about paedophile networks and the most likely to expose corruption. The ICAC has been established by this Parliament for the exact purpose of exposing corruption and bringing corrupt persons before the courts. Why, therefore, is the honourable member for Heffron opposed to an ICAC inquiry that will have coercive powers to subpoena documents, to call witnesses, and to force the co-operation of those whose vested interests will dictate to them not to co-operate in a normal inquiry? Why is the honourable member, who has been using the media ad nauseam to call for an inquiry into paedophile networks, now baulking at the opportunity for an effective and meaningful investigation into allegations she has

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made? Is the honourable member for Heffron stringing the matter out to create a political exposé to maximise benefits to herself?

I ask those questions out of genuine curiosity, because it is abundantly clear that the most effective way of dealing with the allegations is by way of an ICAC inquiry. It is abundantly clear to all who are qualified to determine these things, including the Independent Commission Against Corruption, that this is the way to go. A concern has been expressed by the honourable member for Heffron that there is no guarantee that an ICAC inquiry will hold public hearings. My answer to this is that no doubt the assistant commissioner who is appointed to conduct such an inquiry will very carefully consider the public interest in determining whether all or part of the inquiry should be held in public or in private. Given the very sensitive nature of the evidence that is likely to be given before such an inquiry, it may well be appropriate for some of the evidence to be taken in private. I consider that this matter is best left to the good sense of the person conducting the inquiry.

Let us not forget that at the very core of the investigations are a number of innocent and very young children whose interests we should not callously neglect in this pursuit of justice. Anybody with any sensitivity and concern for the welfare of these children would know innately that some things are better said in private.

We also want to ensure that paedophile networks are closed down and people are convicted of criminal offences. To get the necessary evidence to do this the best way may be in part to undertake closed hearings. That is a matter for the good sense of the commissioner of the ICAC. This proposed inquiry is not about creating a circus; it is about trying to close down some of the most insidious activities in our community. Whether some or all of the evidence is or is not taken in public, what must be remembered is that there must be a report to Parliament on the results of the inquiry. The report will be available to the Parliament and will deal with the evidence given at the inquiry. As I have said, I am prepared to leave that in the capable hands of whoever conducts the inquiry to be dealt with in the public interest and having regard to all the circumstances.

The proposed terms of reference are very wide indeed. The commission is to investigate whether some members of the Police Service of this State have, by act or omission, protected paedophiles from criminal investigation or prosecution. That is contained in the first part of paragraph (a) of the terms of reference. In addition to conducting that general inquiry the commission is also to investigate the adequacy of major investigations undertaken by police in relation to paedophiles since 1983. That is an additional part of the general reference contained in paragraph (a). The year 1983 was originally suggested by the honourable member for Heffron as it is understood that it is since that date that many of the high-profile paedophile investigations -

The Hon. M. R. Egan: That is simply not true.

The Hon. J. P. HANNAFORD: It came out of my discussions with her.

The Hon. M. R. Egan: That is not true.

The Hon. J. P. HANNAFORD: That is my understanding.

The Hon. M. R. Egan: Have a look at the resolution of the lower House.

The Hon. J. P. HANNAFORD: I will have a look at that, but it did come out of my discussions with her.

The Hon. M. R. Egan: No, she opposed the 1987 cut-off.

The Hon. J. P. HANNAFORD: I am sorry, but I was party -

The Hon. M. R. Egan: She did not specify a 1983 cut-off.

The Hon. J. P. HANNAFORD: I am sorry -

The PRESIDENT: Order! The Minister will direct his remarks through the Chair.

The Hon. J. P. HANNAFORD: I was party to the negotiations with her on this reference and 1983 was originally suggested by her. It is understood that it is since that date that many of the high-profile paedophile investigations about which there has been public comment were commenced. There is no good reason to alter that date. The commission is also obliged to investigate whether the procedures and or the relationships between the Police Service and any other public authorities in this State adversely affected police investigations and the prosecution, attempted prosecution or failed prosecution of paedophiles. The conduct of any public official related to these matters will be thoroughly investigated by the ICAC. An Independent member of another place suggested to me that perhaps interstate police should be used to investigate some of the allegations, having regard to the sensitivity of the issues involved and the direct implications the allegations have on some members of the New South Wales Police Service. I concede that this may be a valid point. However, it is a matter for the discretion of the commissioner who, no doubt, will act accordingly having regard to his knowledge of these comments.

Sadly, there can be little doubt that paedophiles exist. There may also be little doubt that they have networks or associations that help them achieve their criminal and cowardly aims. This Parliament must know whether these persons are in any way protected by police or other public officials; whether the investigation into paedophiles has been adequately and properly handled; if not, why; and what can be done to correct that situation. Commissioner Temby said that the proposed terms of reference will provide the commission with the power to investigate all Government agencies involved, such as the Director of Public Prosecutions, concerning relationships with the Police Service or proceedings in relation to the investigation and prosecution of paedophiles. That is precisely what the people and the Parliament of New South Wales need to know.

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Is the conduct of paedophiles being investigated properly and efficiently? Can procedures be improved in this regard? It is my strong belief that these terms of reference, which were drafted in consultation with Mr Temby so that the commission can undertake the widest of inquiries, are not only an adequate but entirely appropriate means by which the activities of paedophiles and any networks that exist to foster their criminal conduct may be thoroughly examined and exposed. Since the Government gave notice of this reference, the Opposition has given me notice of certain amendments. I do not agree to the first amendment relating to the date of major investigations, for the reasons to which I earlier adverted. I do not have any difficulty with the proposal for an interim report to the Parliament, nor does the ICAC, and I am prepared to accept that amendment. I commend the motion to the House.

The Hon. M. R. EGAN (Leader of the Opposition) [2.46]: I move:

That the question be amended by:

1. Paragraph (a). Omit "since 1983"; and
2. After the second paragraph insert "An interim report is to be prepared and submitted to both Houses of Parliament by 1 October 1994.

I thank the Minister for indicating his acceptance to the second part of the amendment. For that reason I shall seek to have the two amendments put to separate votes when that stage is reached. Honourable members will be aware that for a long time the Opposition has sought a judicial inquiry or, preferably, a royal commission into paedophile networks, police corruption involving or protecting paedophile activities and the effectiveness of public authorities in dealing with these problems. The honourable member for Heffron in the other place, the Hon. Deirdre Grusovin, has worked persistently towards this end. It is unworthy of the Minister today to call her motives into question.

Her motive has always been simply to protect children in this State, to blow open any paedophile networks that exist, and to blow wide open any police corruption involving those activities. As a result of her efforts the lower House towards the end of last year passed the resolution to which the Minister has referred. Make no mistake, but for the activities of the Hon. Deirdre Grusovin and the resolution of the lower House late last year there would be no inquiry at all. For the Minister to attack the motives of Mrs Grusovin, the honourable member for Heffron, really is -

The Hon. B. H. Vaughan: Snivelling.

The Hon. M. R. EGAN: - snivelling, as my colleague the Deputy Leader of the Opposition interjects. The inquiry that we are about to get from the Independent Commission Against Corruption really is the culmination of the work that Mrs Grusovin has done over quite a number of years. Of course, her efforts were buttressed by remarks made in this House late last year by the Hon. E. P. Pickering. Following those remarks, the lower House carried a resolution which I will read to explain why, though the Opposition will support a reference to the ICAC, it is still not our preferred form of inquiry. The resolution which the lower House passed last year provided:

(1) That this House calls upon the Government to immediately establish a judicial inquiry into paedophilia networks in this State.

(2) That the inquiry should also report inter alia on all the circumstances surrounding:

(a) the Seabeach case;

(b) police paedophile protection rackets;

(c) the effectiveness or otherwise of all relevant New South Wales Government Departments in dealing with matters concerning paedophile activity.

(3) That the judicial inquiry have due regard to matters before the courts.

The Hon. Franca Arena: When was that?

The Hon. M. R. EGAN: That was towards the end of last year, I think in November. It is that last term of reference which will not be covered by the ICAC inquiry because the ICAC is constrained by its legislation and, essentially, it deals with matters of corrupt conduct. While many of the matters the Opposition wants investigated involve corrupt conduct, it also believes it is appropriate that any inquiry be able to investigate the effectiveness of what government departments and authorities are doing in dealing with matters concerning paedophile activity. As I mentioned, the Opposition will support this reference, although it does not believe that an ICAC inquiry is the most appropriate form of inquiry.

From the correspondence that I have seen between the ICAC commissioner, Mr Temby, and the Opposition - and, indeed, copies of his correspondence with the Government - it would seem to me that that is also Mr Temby's view. Of course, Mr Temby could always have initiated an inquiry into potential matters of corruption involving paedophile activities. On 29 December Mr Temby wrote to the Attorney General and Minister for Justice - the Minister who sits opposite - concerning draft terms of reference which had been provided to him. In relation to those terms of reference he had, among other things, this to say:

The Commission is not the appropriate body, and does not have the necessary expertise, to look at the effectiveness or otherwise of all relevant New South Wales government departments in dealing with matters concerning paedophile activity. An investigation in those terms would not concern corrupt conduct in public officials, and terms of reference in those terms would invite legal challenge which might well succeed.

Again, on 11 January, in a letter to the honourable member for Heffron, Mr Temby said:

If the Commission is to investigate, this must be done pursuant to terms of reference which do not take the Commission beyond its legitimate functions as laid down by statute. If the Commission attempted to go further, I have no doubt that court action would ensue.

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On 10 February, in a letter to the Leader of the Opposition, Mr Temby said:

The Commission is concerned with corrupt conduct by public officials. It cannot consider actions which do not fit within the statutory framework. You will note our proposed terms of reference (b) would provide the Commission with the powers to investigate the Attorney General's Department, the Director of Public Prosecutions and any other government department concerning their relationship with the New South Wales Police Service or their procedures in relation to investigation and prosecution of paedophiles.

No doubt that relates to the effectiveness of policies for the investigation and prosecution of paedophiles. Mr

Temby went on to say:

Of course if the Parliament directs the Commission to investigate a matter it will do so. However, for the reasons set out in this and previous correspondence, I am reluctant to investigate, of the Commission's own motion, the matters contained in Mrs Grusovin's draft terms of reference.

It seems there is a certain reluctance on the part of the Independent Commission Against Corruption to investigate these matters unless it is required to do so by a reference from Parliament. I do not in any way want it to be suggested that I am being critical of Mr Temby; I am not. In fact, from what I can gather from the correspondence that has gone backwards and forwards between the various parties, Mr Temby has done his utmost to arrive at terms of reference that satisfy all parties. He has made it quite clear that he would want a reference from Parliament to investigate these matters. I believe Mr Temby is aware of the limitations which the ICAC has in investigating these matters. The Opposition would be concerned that in investigating this matter the ICAC could be diverted from investigating other serious matters, simply because of the level of resources and the commitment of time necessary to carry out this investigation.

The Hon. Patricia Forsythe: That is the most spurious argument I have ever heard.

The Hon. M. R. EGAN: If the honourable member had been listening for a moment she would have heard what Mr Temby himself said; she would have been aware that Mr Temby indicated a reluctance to undertake the investigation. It is no good the honourable member looking embarrassed now that she has finally woken up. She should listen to what people say before making inane interjections. The Opposition wants to make it quite clear that it supports this reference to the ICAC, simply because it is either the ICAC inquiry or nothing.

If Parliament does not make this reference, it is quite clear that the Government will not institute any other form of judicial inquiry, and certainly not a royal commission. I also want to make it clear that as this investigation proceeds the Opposition will again pursue its call for a royal commission, if that appears to be warranted. The Opposition will be looking forward to the interim report of the commission, which will be submitted to both Houses of Parliament by October if my amendment is successful. At that point the Opposition will consider whether a royal commission is necessary to fully and properly investigate this matter.

The Hon. E. P. PICKERING [2.57]: I want to speak briefly in support of the motion. I do so by first of all acknowledging that, because of my own negligence, I was not aware that this matter would come before the House today and, as a result, many of the papers that I would have drawn upon during this debate are at my office at home. Much of what I will have to say will be without the benefit of precise dates and, in some cases, precise recollection. It is important for the House to have some understanding of the background of the events that led up to today's motion. It could be said that this began while I was Minister for Police, at a time early in my ministry when I was being constantly advised from a variety of independent sources that police from within the Kings Cross police station were responsible for the wholesale distribution of drugs.

I use the word wholesale in a direct and purposeful sense. On many occasions I raised these concerns with the then head of the police internal affairs branch, Assistant Commissioner Lauer, who consistently assured me that there was no reason for concern. On numerous occasions I was advised that the reason I was being told this type of thing as Minister was that the people who were selling drugs would want us all to be concerned that police were selling drugs and this would deter us from telling police about that type of activity. For reasons which I do not intend to make available to the Parliament but which I have in detail made available to the Independent Commission Against Corruption, that came to a head when I gave a direct instruction to Mr Lauer to institute an undercover operation directed against police at Kings Cross on the basis of information that had been provided to me. It is interesting to note that Mr Lauer's memory of that is now somewhat different, but I assure the House that I stand solidly behind my understanding of it.

Indeed, Mr Lauer came to me a month after being given that instruction and said, "Minister, you would not believe how bad it is". It was bad enough for that operation to be compromised massively by police, and as a

result ultimately only a handful of operators were charged successfully for the drug operation. What is more important with regard to today's activities, however, is that during that operation, which, from memory, was called Operation Hawkesbury, police became aware of a paedophile protection racket being operated in this State by New South Wales police. It is fair to say that at the time I was advised of this Mr Avery, who was the commissioner at the time, was genuinely horrified by what we had unearthed, and he and I immediately set in place a specific operation directed -

The Hon. J. R. Johnson: Was is not Commissioner Lauer who set it up?

The Hon. E. P. PICKERING: No. Mr Avery was the commissioner. Mr Lauer's operation, which I had directed, unearthed the paedophile protection racket. Mr Avery was horrified and a specific operation was directed at this paedophile protection racket. In police circles it was known as Operation Speedo. I shall not go into the detail of these matters, some of which are still before the courts.

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The Hon. Franca Arena: How many officers were charged?

The Hon. E. P. PICKERING: Evidence was provided to police by civilians about the nature of the racket and a substantial investigation was undertaken. In relation to that investigation I was satisfied, as the Minister responsible, that Commissioner Avery would leave no stone unturned. I had absolutely no doubt that Commissioner Avery was horrified by what we learned and that he would take every step possible to bring this matter to a successful conclusion. It is of only passing interest that at about the same time the Hon. Deirdre Grusovin brought to the notice of the Police Service a whole range of extremely serious allegations - which might be described as allegations about child abuse in the community. The allegations were taken seriously by the department and further operation was commenced to deal with those matters. I have forgotten the name of that operation but there was a very extensive operation mounted by police in response to an extraordinary range of allegations placed before the department in a proper way by the Hon. Deirdre Grusovin.

It is fair to say that little came of those investigations, but I am satisfied that all matters were rigorously pursued. I remember on one harrowing day waiting for the results of diggings at a site where it was thought five children, suspected of being murdered by members of a cult, had been buried. Though nothing was found, the matter was pursued to the end. The allegations made in relation to that matter were extraordinarily horrifying, but nothing that I can recall was ever substantiated. Interestingly, similar allegations of satanic cults and the murder of children are made around the world. They are investigated ad infinitum by police. Such matters are for ever being raised. I do not know whether any of these cases are ever proved but such stories are certainly out there in the community and have been for a long time.

It is fair to say also that down the track, as Operation Speedo proceeded, as the police Minister I became aware of disturbing links - perhaps they could be more aptly described as alleged links - between matters involved in Operation Speedo and the filed Seabeach case. That was a matter of such grave concern to me that I took what I guess was the unprecedented step of taking the whole matter to the Independent Commission Against Corruption. To satisfy my mind that no stone would be left unturned, and knowing that I could draw upon an independent organisation with some professional skills that could assure me that an investigation conducted by police essentially into police was as efficacious as possible, I formally requested the ICAC to supervise the police investigation. I am sure that no member in this place, particularly any member with a knowledge of policing, would suggest that there was anything else I could have done beyond what I did.

At the end of the day, at the conclusion of Operation Speedo, as the Minister I received a lengthy report from the department. I do not intend to canvass the detail of it again. My recollection is that action was recommended to be taken by the Director of Public Prosecutions against a number of officers. The decision as to whether any action would be taken based upon the material provided to the DPP by police rested with the DPP. My memory is that, subsequently, many of those recommendations were not proceeded with. I think that on one occasion the reason given was that some person could not be located. I must say that from my

experience of policing that raises all sorts of questions in my mind. I am well aware of the fact that if police do not want to find someone, they will not find that person - as I found in relation to the matters that were dealt with by the select committee that I was called to appear before. We could not find a person despite the fact that he was working for the department as a consultant and was in the telephone book. So, I do have reservations in that regard.

My recollection is further that one or two officers committed suicide during the investigation. To say the least, it was a horrific document to read. The conclusion arrived at by the department in that document, which I provided to the select committee on police administration, was that in its view it had smashed a paedophile protection racket - and as I found later, that is essentially correct. I would say, however, that if any members in this House felt that that put an end to the potential of paedophile protection by police in New South Wales, they would be naive. It is a simple fact that paedophiles are so exposed to police in the sense that their going to gaol would be almost a death sentence that the capacity for them to open their bank accounts and pay police for protection from prosecution is obviously all compelling.

Any member in this House who feels that that sort of corrupt activity cannot happen in our society simply does not understand the real world. Therefore, if any members believe that in some way through an ICAC investigation we can rid the New South Wales Police Service or indeed any police service of this particular corrupt activity, they are having themselves on. Having provided that background I would make the following comment with regard to the amendments. The first amendment of the Opposition is unnecessary, I give members my assurance on that. Under this particular reference, if any investigation of these matters relating to paedophile activity requires the commission to go back beyond 1983 in pursuance of that matter, then the commission will have every right to do that - that is undoubted. But it would be ridiculous to suggest that the commission should look back beyond 1983 with regard to paedophile protection. The investigation would be never ending, and that would be silly.

The matters that have crystallised before the Parliament are indeed the matters that I have just briefly alluded to. There is no doubt that the link I spoke about between this paedophile protection racket and Seabeach is a perfectly proper stimulus for the Parliament for action and one which I would hope the

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ICAC will pursue with some vigour. Apart from those matters, it is absurd to suggest that the commission's investigation should extend back further than 1983. In that sense the Government is correct in opposing the amendment. I hope the ICAC is successful in pursuing this matter further. However, bearing in mind what I have said to the House, I hope Parliament is mindful of the fact that it is asking the ICAC to examine an issue it has already examined.

The Hon. ELISABETH KIRKBY [3.9]: On behalf of the Australian Democrats I support the motion that this House requests the Independent Commission Against Corruption to investigate allegations that some members of the Police Service have protected paedophiles from either criminal investigation or prosecution, and to investigate also the adequacy of major investigations undertaken by the police in relation to paedophiles since 1983. I support also the second amendment that has been moved by the Opposition. That amendment will now have the unanimous support of the House because the Government has intimated that it will also support it. I am puzzled as to why the Opposition believes it is necessary to omit the last two words of subparagraph (a), "since 1983".

I note the remarks of the Hon. E. P. Pickering, and I wonder how far the Opposition intends the ICAC investigation to go. If evidence is brought before the commission of events that possibly occurred before 1983 and continued after that date, the events prior to 1983 would then become part of the commission's investigation. If the commissioner informed the Government that the commission believed strong evidence was available to suggest appalling behaviour had taken place, for example, between 1980 and 1983 and the commission was constrained by that particular year being placed in the terms of reference, surely at that time a request could be made for an extension of the terms of reference. However, I do not believe it would be possible to have terms of reference that stretched back into infinity without some time frame or parameters being laid down.

I am not yet convinced by the arguments I have heard from the Leader of the Opposition that those words should be omitted. However, I should like to place it clearly on the record that I believe that the commissioner, or whoever is appointed by the commissioner to conduct this extremely important inquiry, should, if necessary, be able to investigate earlier matters, even if that meant returning to the House for an extension of the terms of reference. The behaviour of paedophiles has been of concern not only to the Opposition, but to the honourable member for Heffron and to the Hon. E. P. Pickering during the time he was Minister for Police. That behaviour is now a matter of concern for the Federal Government.

It has been suggested that paedophiles who travel overseas, particularly to Asia - to Manila or Bangkok - and commit acts which would be crimes if they were committed in New South Wales should be guilty of a criminal offence. At present they are able to escape the consequences of their criminal acts. I am unaware whether legislation in relation to those activities will be introduced as a matter of urgency. I am unaware also of how such legislation would be policed even if it was passed by the Federal Parliament and mirror legislation was passed by this Parliament. But there is no doubt that there is universal concern, both at Federal and State levels, about paedophile activity and that minors, young children - be they Australians or citizens of either Manila or Bangkok - are being abused and treated with contempt.

There has been a great deal of discussion, much of which has been reported in the media, about whether an investigation by the ICAC of this issue was appropriate. Indeed, for several days I understood that the Opposition intended to move to have this whole problem referred to a royal commission. I found some of the arguments puzzling, but it could well be that the honourable member for Heffron has been misreported in the media and that in fact she did not make some of the statements attributed to her. After all, as honourable members are aware from recent reports in the *Daily Telegraph Mirror* about this Chamber, there is wild misreporting in some newspapers, to the extent that people have been named as members of parties to which they do not belong. The accuracy of that particular newspaper leaves a great deal to be desired.

However, I understand that the honourable member for Heffron stated that she wanted this inquiry to be conducted in public. She claimed that if it went to the ICAC it would not be held in public and therefore matters that she thought ought to be brought into the public arena would be hushed up. I do not quite understand the difference between the matter being investigated by the ICAC and the matter being investigated by a royal commission. The ICAC commissioner who is appointed to head this inquiry will be able to hear evidence in camera. If a royal commissioner was appointed, he or she would also have the power to hear evidence in camera. I cannot understand why there would be any greater public accountability or public exposure of those who have been indulging in paedophilic activities if the matter was investigated by a royal commission.

Since the royal commission into the building industry, which was presided over by Commissioner Gyles, I have been particularly concerned about problems surrounding royal commissions. That royal commission cost the taxpayers of this State an inordinate amount of money. In my view that royal commission did not solve anything. It did not achieve what we hoped it would achieve. If that was the result of the expenditure of \$25 million, or perhaps more, why is it suddenly believed that a royal commission into the activities of paedophiles in the State of New South Wales and the allegations of a cover-up by members of the New South Wales Police Service will be any more successful? I am, therefore, concerned about this insistence on a royal commission. After reading the report of the ICAC

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into the activities of police in relation to the use of informants and the more recent detailed report of Commissioner Temby into the relationship between police and criminals, and bearing in mind the number of police involved in those reports, I believe that the ICAC will have the investigative power to do what will be necessary so far as this investigation is concerned.

I acknowledge the argument that New South Wales police officers will be requested by the Independent Commission Against Corruption to investigate matters that will involve their colleagues. That is a very reasonable concern on the part of the Opposition. I was glad, therefore, when I heard the Leader of the

Government say that an Independent member had suggested that, if necessary, investigators from police services of other States could assist in the ICAC investigation. He has not ruled out, and perhaps he will confirm this in his reply, that as a perfectly proper procedure, and there would be absolutely no barrier to the ICAC bringing in outside people who did not feel, either because of mateship or because of the ethos within the Police Service, that they were not able to investigate as fully as we and the public of New South Wales would like. That would not be an impossibility; it would be a wise course to follow.

Having read the detailed report, which has just been completed by Commissioner Temby, I believe the investigation into the Police Service was carried out with great diligence. I believe also that police officers who were seconded to the ICAC for that particular inquiry should be congratulated on the way in which they carried out their work. For those reasons I am happy to support the second amendment. I certainly support the matter being referred to the ICAC. I am interested also in a remark made by the Hon. E. P. Pickering at the conclusion of his contribution when I understood him to say - I believe these were his words, but he was speaking from brief notes, just as I am speaking from brief notes, so perhaps I have not understood fully what he said - that to omit "since 1983" would be quite unnecessary. Because of his knowledge in this matter and because of his personal determination - which led eventually to his no longer holding the portfolio of Minister for Police - to root out any form of corruption or cover-up by the New South Wales Police Service, if he says that it is unnecessary to delete those words, I am happy at this time to be advised by him. However, it must be placed on the record that if the commissioner believes it is necessary to go back further than 1983, reference to that particular date should not impede that happening.

This matter could be solved easily. Members are unanimously agreed that an interim report will be prepared and submitted to both Houses of Parliament by 1 October 1994. If that interim report reveals that matters are not being investigated, honourable members will have the opportunity, during debate at that time, to extend the terms of reference. The commissioner will have every opportunity in that interim report to make it clear to the Parliament whether his or her investigators are being impeded because the date has been retained. I am happy to support the second amendment. It is important that it be accepted. I am sure that none of us would like the ICAC to continue investigating this matter in an open-ended manner, month after month and possibly year after year, before any report was submitted to the Parliament and before we, as members of the Parliament, had any opportunity to debate the status of the inquiry. I support the motion and I support the second amendment.

Reverend the Hon. F. J. NILE [3.24]: The Call to Australia group is pleased that the issue of paedophile networks is before the House. This motion will provide an opportunity to set up an inquiry by the Independent Commission Against Corruption into such networks. However, the Call to Australia group shares the concerns expressed by other members, particularly the honourable member for Heffron in the other place and the Leader of the Opposition in this House, that the approach has some major weaknesses. As a minimum the Call to Australia group supports the two amendments proposed by the Leader of the Opposition; that is, to omit the words, "since 1983" in paragraph (a) and to add the words "An interim report is to be prepared and submitted to both Houses of Parliament by 1 October 1994" after paragraph 2. Both amendments are important. I was hopeful that some other approach may have been taken, but I understand that the terms of reference for the ICAC make it difficult to do that. The matter has been referred to the ICAC principally because of the following motion, which was moved and agreed to in the other place on 18 November 1993:

- (1) That this House calls upon the government to immediately establish a judicial inquiry into the paedophile networks in this State.
- (2) That the inquiry shall also report inter alia on all the circumstances surrounding:
 - (a) the Seabeach case;
 - (b) police paedophile protection rackets;
 - (c) the effectiveness or otherwise of all relevant NSW Government Departments in dealing with matters concerning paedophile

activity.

(3) That the judicial inquiry have due regard to matters before the courts.

The Call to Australia group strongly supports those sentiments. The terms of reference, which members are being asked to support, mean that the ICAC will look at matters raised by the second part of the motion: police paedophile protection rackets. That is the main thrust of the ICAC inquiry, and that is understandable because it is within the terms of the ICAC's operation. The Independent Commission Against Corruption was set up to deal with corruption relating to any people involved with serving the public, whether they be politicians - as we have seen in previous inquiries - police officers, public servants or councillors. I am not opposed to the ICAC, but I have always said that people have had a false

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expectation of the ICAC: somehow it could do all things in all areas. But its terms of reference are strictly restricted.

I have even used the illustration of a spider-web on which some flies have been caught. Those flies could represent a police officer, someone working in the transport department who has been bribed in regard to licensing, or counsellors who have been bribed in regard to some local development project. In the centre of the spider-web is a large spider, the corrupt figure. That person - or persons - could continue to operate although others who have been bribed or influenced by him have been identified and are suffering the full weight of the law. And so they should. I was pleased, therefore, that under the leadership of the Hon. E. P. Pickering the drug commission became the New South Wales Crime Commission thus enabling it to broaden its investigations beyond drugs into other criminal activities. One could argue that the New South Wales Crime Commission should be involved in the investigation into paedophile networks. Paedophilia is a criminal activity, and perhaps those two commissions could work in together in the inquiry. That is another alternative. However, in an ideal world there would be a judicial inquiry or a royal commission.

Other members have raised issues such as the unknown costs, the terms of reference, the length of the inquiry, and the fact that it could get out of control and perhaps never come to a conclusion. In the past, royal commissions into organised crime in Sydney have not produced much in the way of positive fruit to justify the expenditure, in spite of the earnestness of the royal commissioners. That may be a criticism of the way governments respond to royal commission reports that have to be followed through by the government of the day, whether it is a coalition government or a Labor government. That has applied to various royal commissions in recent years. I support the amendments. Paragraph (a) of the draft terms of reference sent to the Commissioner of the Independent Commission Against Corruption, Mr Temby, states in part:

... undertaken by the police in relation to paedophiles since 1987. However, the Commission may investigate any matters he deems necessary and relevant which may have occurred prior to 1987.

That seems to be a satisfactory way of dealing with it, but it now appears that Mr Temby would like to restrict the investigation to the period 1983 to the present. Mr Temby's letter of 29 December 1993 to the Attorney General and Minister for Justice states:

I would propose to retain reference to "major investigations", take the date back to 1983, and delete the second sentence. A ten year period of investigation should suffice.

Until an inquiry had started I do not know how anyone could say that a 10-year period would suffice. For example, it may be that police and paedophiles were seriously involved in 1982. No one knows - Mr Temby certainly would not know at this stage - that 10 years is an inspired period that will bring to light any paedophile activity in this State. As I have said, there remains a major weakness because we do not have the original terms of reference. I understand that those terms of reference cannot be followed because the ICAC cannot do it. What we are doing today does not finalise the question. It is at least a step in the right direction, but it is not a final step - it does not close the door. I urge the Government to continue its discussions with the Leader of the Opposition, Mr Carr, who has been involved in these negotiations to see how the first part of the motion from

the other place can be dealt with. It is not dealt with in the motion before this House. Obviously the other place felt strongly about it, which is why it was put in the original terms of reference.

I am a bit worried. It may be a coincidence that 1983 has been selected, but I have a strong recollection that there was major paedophile activity in 1982-83. I believe I raised in the House paedophile networks operating in this State and in other States when the Labor Party was in government and the late Paul Landa was the Attorney General, although I would have to check the *Hansard*. I know that paedophile networks are operating. I have seen directories of contact places available in this State and around the world. As other honourable members have acknowledged, an extensive network operates in Asia, the United States of America and Europe.

Adelaide has had a lot of controversy relating to paedophile networks. Some young teenage boys were murdered and it was felt that they were being used and abused by the networks, which involved members of the legal profession and, it is alleged, a judge. The network called itself The Family. It had nothing to do with the actions the Department of Community Services brought in Sydney; it is a nickname applied to the paedophile network in Adelaide.

I remember also that in 1983, to my recollection, certain sincere police officers in Sydney and Melbourne launched efforts to crush paedophile networks. I followed the cases closely. I was pleased when raids conducted in Sydney and Melbourne identified key people involved in paedophile activity who used children in video and photo pornography. In the end the groups were able somehow to generate support for themselves, and the Victorian police unit that carried out the raids - the Delta squad, which specialised in identifying and targeting paedophile networks - was disbanded following the operation. Sydney police officers involved in the raids were criticised.

I remember that one of the men prosecuted at that time, Emu Nugent - that was the name he gave himself; I do not know whether it was a registered name or the name that appeared on his birth certificate - was operating in Glebe. I remember also that during the early 1980s the paedophile networks infiltrated the homosexual and lesbian national conference. I was given copies of the program, which scheduled sessions on paedophilia and paedophile support. The networks were also

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collecting donations to help pay the legal expenses of various individuals charged with paedophile activity. There is a murky mess in this State, in other States and in other nations. Paedophilia is a worldwide problem.

Though the reference to the Independent Commission Against Corruption is a step in the right direction, the commission will be severely limited in dealing with such an involved matter. The identification of networks will go beyond police corruption. I hope the Attorney General and Minister for Justice and the Opposition will be able to decide on the next step to fill the gap. It is a serious matter that must be taken up. Call to Australia supports the two amendments moved by the Opposition. Though we feel that the ICAC is not sufficient for the task, it is a step in the right direction. However, something further needs to be done, be it the establishment of a judicial inquiry, a royal commission or a State Crime Commission inquiry. More effort will be needed to meet the first part of the motion passed in the other place.

The Hon. J. P. HANNAFORD (Attorney General, Minister for Justice, and Vice President of the Executive Council) [3.39], in reply: I thank honourable members for their comments. I think I should respond to matters raised by the Hon. Elisabeth Kirkby and Reverend the Hon. F. J. Nile. The Hon. Elisabeth Kirkby referred to how long the inquiry should go back and the Opposition's desire on this point. When this matter first arose I asked the Independent Commission Against Corruption to prepare draft terms of reference having regard to the debate that had transpired. In his terms of reference, which he took to the Leader of the Opposition and the honourable member for Heffron, the date referred to was 1987. In subsequent correspondence with me the honourable member for Heffron stated that some matters may go back as far as 1972 and therefore there was a need to go back to that date. In a letter of 14 December to the honourable member for Heffron I wrote:

I note that you have remarked that some events which need to be addressed may relate to a period prior to 1984. Mr Temby's Terms of Reference refer to 1987, however I have no difficulty with referring to the Commission allegations concerning a longer period provided that the Commissioner has the power to decide which investigations he wishes to revisit.

There were further discussions, and on 14 December I wrote again to the honourable member for Heffron. In that letter I said in part:

To suggest that the resources of the Independent Commission Against Corruption should be committed indefinitely to investigating every child sexual assault committed in NSW since 1972 is clearly unrealistic. The Commission's resources should be utilized in investigating the network matters which concern you.

It was out of that that the date of 1983 arose. I adopt the words of the Hon. E. P. Pickering: if anything comes out during these investigations that would require an alteration to that date, and the commissioner took the view that there should be an alteration to that date, I would be more than happy to come back to the Parliament and ask it to vary that date. Matters that should be investigated should be pursued. But to suggest that matters going back to 1972, or some other date, should be investigated and that every sexual assault should be reinvestigated by the ICAC - which was the tenor of the submissions I received from the honourable member for Heffron - is not tenable and I do not think the House would regard them as tenable. We are looking at networks and how they are being sustained. Reverend the Hon. F. J. Nile is concerned that the motion does not address the first part of the lower House resolution. To the contrary, it does. In fact it goes further. The first part of the resolution of the lower House as moved by the Hon. Deirdre Grusovin was:

That the House calls upon the Government to immediately establish a judicial inquiry into the paedophile networks in this State.

That is very general. It has been picked up in the first two lines of the motion. The Government is asking the commissioner to investigate allegations that some members of the police force of New South Wales have, by act or omission, protected paedophiles from criminal investigation or prosecution. Those words have been very appropriately drawn so as to fall within the statutory power of the commission. But it is clear from the discussions I have had with the commission and the nature of the allegations that paedophile networks can only be sustained if the police or some other public authority are involved. If the terms of reference are drafted to confine them to the public authority, an appropriate investigation cannot be pursued unless an investigation into all the people associated with members of the public authority is also pursued. Therefore, the ICAC will be able to achieve all that the Government aspires to in the investigation.

If the ICAC is to appropriately pursue its investigation into allegations against the Police Service, it must investigate everyone who has been associated with the police, as it must investigate everyone who has been associated with people in other public sector positions. On the basis of the information the commissioner has been able to give me I can assure the honourable member that his concern that there will not be the in depth investigation that he would have aspired to resulting from the resolution of the lower House is without foundation. I must again qualify those comments by saying that the commissioner must act within the terms of his legislation. However, I do not believe that will constrain him in relation to the nature of this particular investigation. Like Reverend the Hon. F. J. Nile, I will continue to monitor the matter and I assure the House that I will deal with the reference further if necessary.

There may well be other ways of dealing with additional matters. The real benefit of referring this matter to the ICAC is that the ICAC has all the powers of a royal commission as well as associated police resources that can be readily utilised for this type of investigation. Matters can be investigated

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with a degree of skill not normally associated with some investigations pursued by royal commissions. From time to time we note that royal commissions cannot obtain the evidence they need to pursue an appropriate police prosecution. The ICAC investigations are resulting in evidence that can be used directly in police prosecutions. In my view that is a singular benefit of this reference to the ICAC. Not only will we know what has gone on; the investigation will result in real convictions.

The concern of Reverend the Hon. F. J. Nile about 1983 is not justified as, in addition to the general reference to investigate allegations, there is the particularity which follows - "in particular, the adequacy of major investigations undertaken by police in relation to paedophiles since 1983". I have explained the reasons for choosing that date. As I said, if any matters come to attention that would warrant going back to before 1983, there is absolutely no restriction on the commissioner pursuing such an investigation. I assure the House that if the commissioner came to me drawing to my attention a concern, I would seek to amend the reference. But to leave it at large, which is the effect of the amendment that Reverend the Hon. F. J. Nile is supporting, effectively would mean that every investigation, no matter when it occurred, would have to be the subject of some particularity of investigation. The commissioner regarded that as an unfair imposition on the commission. He would prefer to have this specific reference but the ability to pursue his general investigations as the evidence becomes available to him. I commend the motion to the House.

Question - That amendment No. 1 be agreed to - put.

The House divided.

Ayes, 19

Mrs Arena	Mr Manson
Ms Burnswoods	Mrs Nile
Mr Dyer	Revd F. J. Nile
Mr Egan	Mr O'Grady
Mr Enderbury	Mr Shaw
Mrs Isaksen	Mr Vaughan
Mr Johnson	Mrs Walker
Mr Kaldis	<i>Tellers,</i>
Mrs Kite	Dr Burgmann
Mr Macdonald	Mrs Symonds

Noes, 20

Mr Bull	Mr Moppett
Mrs Chadwick	Dr Pezzutti
Mr Coleman	Mr Pickering
Mrs Evans	Mr Ryan
Mrs Forsythe	Mr Samios
Miss Gardiner	Mr Rowland Smith
Dr Goldsmith	Mr Webster
Mr Hannaford	
Mr Jobling	<i>Tellers,</i>
Mr Jones	Mr Mutch
Miss Kirkby	Mrs Sham-Ho

Pairs

Mr Obeid	Mr Gay
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Question so resolved in the negative.

Amendment No. 1 negatived.

Amendment No. 2 agreed to.

Message

Message forwarded to the Legislative Assembly advising it of the resolution and requesting it to pass a resolution in similar terms.

JOINT SELECT COMMITTEE UPON THE SYDNEY WATER BOARD

Motion by the Hon. R. J. Webster agreed to:

That the reporting date for the Joint Select Committee upon the Sydney Water Board be extended until 19 April 1994.

Message forwarded to the Legislative Assembly advising it of the resolution.

QUESTIONS WITHOUT NOTICE

MALABAR SEWAGE TREATMENT PLANT

The Hon. J. R. JOHNSON: I ask a question of the Deputy Leader of the Government in relation to the operations of the sewage treatment plant at Malabar. First, has the Environment Protection Authority ordered the Water Board to review the operation of incinerators at Malabar following a \$3.5 million health study? Second, has the Water Board been directed to produce a risk management strategy to minimise toxic emissions from Malabar? Third, when will the risk management strategy be available for public scrutiny? Fourth, will the Minister order the incinerator at Malabar to be closed until the study risk management strategy is produced?

The Hon. R. J. WEBSTER: An extensive investigation into the potential health risks associated with the operation of incinerators at the North Head and Malabar sewage treatment plants has not been completed. This investigation was instigated and funded by the board, and project managed by the Environment Protection Authority. The collection of data and risk assessment was carried out by independent consultants engaged by the EPA. A working party established to oversee the investigation included members of CESS - a local organisation - the Department of Health, the Environment Protection Authority, and Randwick and Manly councils. The testing program established that the incinerators at the North Head and Malabar plants were only minor contributors to the total air pollution in the surrounding areas. The investigation also concluded that the health risk associated with the incinerators is negligible. The report found that a chemical, hexavalent chromium, was detected in emissions from

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the Malabar sewage treatment plant. According to the Department of Health, its presence poses a minute - one in 10,000 - statistical risk of increased cancer.

The Hon. J. R. Johnson: Approximately 50,000 people live out that way and I am one of them.

The Hon. R. J. WEBSTER: The honourable member should listen to the answer - one in 10,000. As average cancer rates in the community are one in three for men and one in four for women, any additional risk from the incinerators is negligible. I think the honourable member will be interested in this. I am sure it will give him some confidence to continue living out there. The risk assessment is based on a hypothetical person - perhaps even the Hon. J. R. Johnson, who we all know is not a hypothetical person - spending 24 hours a day for 70 years at the point of maximum concentration of the emissions. The assessment also assumes the chemicals in the emissions are in their most toxic forms. That is the result - one in 10,000. The report found that, while the incinerator does not pose a significant health threat, a review of board operating procedures is required. The board has begun investigations into ways of reducing the risk of emissions and will report as directed to the Environment Protection Authority by September this year.

The multiple hearth incinerator at the Malabar sewage treatment plant is operating within EPA licence requirements. The board, of course, has already ceased incineration at North Head. The Malabar plant currently incinerates only screenings; sludge is not incinerated at Malabar. The bottom line is that the Government, unlike its predecessor, ceased the disposal of all sludge to the ocean in January of last year. The result of that is that Sydney now has its cleanest beaches for some 70 years. The alternative to incineration of the screenings at Malabar is to transport those screenings out of the sewage treatment plant by road, and deal with them somewhere else. I know that the Leader of the Opposition in another place - the honourable member for Maroubra - in contact that he has had with the Water Board, has made it very plain that the operation of the incinerator at Malabar is infinitely preferable to the prospect of removing screenings by road.

HIGHER SCHOOL CERTIFICATE RESULTS FOR RURAL STUDENTS

The Hon. D. F. MOPPETT: My question is directed to the Minister for Education, Training and Youth Affairs. Is the Minister's department able to analyse the higher school certificate results according to geographical regions? If so, will the Minister inform the House how rural students in New South Wales performed in the 1993 examination?

The Hon. VIRGINIA CHADWICK: I thank the Hon. D. F. Moppett for his important question, and his continuing interest in and support for rural education in the State. I am pleased to say that the results for rural students in last year's HSC increased in terms of the number of students represented in the list of the top 1,000 students. That increase over the past 12 months has been of the order of 4 per cent and I would like to think that that indicates that the Government's rural strategy - the money that has been channelled into rural initiatives, incentives for teachers, technology, access programs, localised distance education centres, and myriad other initiatives that have been undertaken under the Government's recently completed four year rural education plan - has had some very positive outcomes.

It is fair to state that this success is real, as almost 17 per cent of the top 1,000 students this year are from country regions of New South Wales. Given that country areas make up 35 per cent of the candidature, that is a very pleasing result. The analysis also shows that students are studying a greater diversity of subjects - a trend that has continued from last year. Languages and humanities subjects featured strongly in the results of the top 1,000 students. Apart from English, students in the top 1,000 studied 12 language courses and subjects as diverse as drama, engineering, music, visual arts and geology. It is worth noting that girls continued to improve their performance with almost 49 per cent of the top 1,000 students being female, compared with the previous year's figure of 46 per cent. It is a record result for girls, with a 13 per cent increase in the proportion of females included in the top 1,000 students over the past five years.

Government schools have performed well with students gaining first place in 81 of the 127 courses. I believe it is worth singling out for special merit the work of James Ruse Agricultural High School, which had the highest number of students statewide in the top 1,000 merit list with an achievement of 50 of the HSC students in the top 1,000. I congratulate Mr Quinlan, the principal. It is a mighty result. I have already spoken to the principal. I had the pleasure of his company at dinner recently and he is extraordinarily proud of the achievements of his students and of the dedication of his staff, and quite rightly so. It is also worth noting that the principal was absolutely delighted that this Government has recognised the needs of the school and is undertaking much needed capital works at that school. Once again the school is very grateful for the support given by the Government to gifted and talented students, to selective schools, and to James Ruse Agricultural High School in particular.

I should like to make mention of the work of Australia Post because this is especially relevant in rural New South Wales. As my colleague the Hon. R. T. M. Bull is aware, the Government has had discussions over a long time with the Isolated Children's Parents Association to ensure that results reach rural students on time and that information and access numbers are available so that rural students can avail themselves of the same advisory and counselling services that are so readily available to their city counterparts. Rural students have

received

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encouraging results from our education strategy, and that is another indication that the Government's rural education strategy has worked well and has assisted country families in New South Wales.

HETEROSEXUAL DISCRIMINATION

Reverend the Hon. F. J. NILE: I wish to ask the Attorney General, Minister for Justice and Vice President of the Executive Council a question without notice. Is it a fact that recently a leading woman cricketer said she was being discriminated against because she was heterosexual? Is it a fact that the Anti-Discrimination Board stated it did not have the power to investigate her alleged discrimination? Has the Anti-Discrimination Board requested power to investigate cases of heterosexual discrimination? What plans, if any, has the Government to amend the Anti-Discrimination Act to include heterosexual discrimination?

The Hon. J. P. HANNAFORD: A complaint was lodged with the Anti-Discrimination Board, although the name of the person escapes me at the moment.

The Hon. Judith Walker: Denise Annetts.

The Hon. J. P. HANNAFORD: Yes, of the Australian women's cricket team. The complaint concerned discrimination based upon her heterosexuality. I am informed that the Anti-Discrimination Act in New South Wales, as it is drafted, does not allow for that complaint to be investigated. I asked for further advice about changes to the legislation. A legislative change to introduce a broad ground of sexuality is the subject of a reference I have given the Law Reform Commission. I expect that commission's report on that issue within the next several weeks. I have been advised that to achieve the change that is desired would involve considerable rewriting of the legislation. I formed the view that, having regard to the limited number of complaints that have been made - in fact, I understand that is the first such complaint - it was preferable to await the report of the Law Reform Commission and to look at this whole issue in the context of that report.

COURT TRANSCRIPT CHARGES

The Hon. DOROTHY ISAKSEN: I direct my question without notice to the Attorney General, Minister for Justice and Vice President of the Executive Council. On 21 January a letter appeared in the *Sydney Morning Herald* from a Coffs Harbour solicitor. The solicitor's complaint was that he requested 306 pages of transcript following a criminal trial. The cost of the transcript provided by the Attorney General's Department was \$1,189, or \$6.50 per page. How can the Minister possibly justify such exorbitant charges, particularly as the client involved was receiving legal aid? How can the Legal Aid Commission pay such expensive costs when it is so short of funds? Is the department not contributing to the escalating costs of legal representation?

The Hon. J. P. HANNAFORD: This has been an issue for the legal profession for several years. The price of \$6.50 per page has been imposed for several years. The Legal Aid Commission provides representation for about 90 per cent of committal matters in this State and the budget of the Legal Aid Commission has always contained a component to allow for it to meet the disbursements of cases, including criminal cases. Although I do not remember the amount involved, I have been advised of the component of the budget of the Legal Aid Commission that is expended on this item. The cost of \$6.50 per page was determined as a reasonable contribution towards the costs of providing for the recording, transcription and copying of evidence. That \$6.50 goes absolutely no way towards meeting the actual cost of providing those services.

For that reason, I have ordered a complete review of the operations of the Government's transcription service. That review is being conducted and I looking forward to receiving a report as to how this State can provide better transcription services in this State, especially at a more economical rate to those in need. Irrespective of the budgets that provide these moneys - the Legal Aid Commission, the courts, or the Attorney

General's Department - they are still taxpayers' funds. It is the taxpayers who meet these costs of the legal aid budget. I would love to be able to reduce those costs, and I hope that by the time this survey is completed, better services will be provided at a reduced cost.

"SEVEN WONDERS OF NEW SOUTH WALES" TOURISM CAMPAIGN

The Hon. J. F. RYAN: My question is directed to the Minister for Education, Training and Youth Affairs, Minister for Tourism and Minister Assisting the Premier. What has been the success of the "Seven Wonders of New South Wales" tourism advertising campaign?

The Hon. Dorothy Isaksen: Read the annual report.

The Hon. VIRGINIA CHADWICK: The Hon. Dorothy Isaksen interjected, "Read the annual report". That is an excellent comment but, as the Hon. Dorothy Isaksen should be well aware, it was only in the last State budget that the New South Wales Tourism Commission received a massive injection of funds. In fact it was the single biggest increase in the tourism budget in the history of the Tourism Commission - 46.4 per cent. The injection enabled the Tourism Commission to develop with industry the "Seven Wonders of New South Wales" advertising and marketing campaign. I believe the honourable member's question refers to an analysis of the success of that campaign to date. The Government is well pleased with the campaign that was developed in September-October. The program was first aired at the end of October and early November. Monitoring of this program involves the use of New South Wales travel centres as a guide, comparing sales results for

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one month with a comparable period last year. I am delighted to advise the Hon. J. F. Ryan and all members that in November there was a 25 per cent leap in sales revenue through the New South Wales travel centres, compared with the previous corresponding period last year.

I congratulate the officers of the commission and those in the tourism industry who showed sufficient faith in the "Seven Wonders of New South Wales" campaign to work in the co-operative venture with the commission. That venture has been a mighty success. One then should compare December sales with those of the previous December. In December last year sales revenue increased by 29 per cent compared with figures for December 1992. The difficult question then is: what happened during the drastic bushfires experienced by New South Wales in January? Despite the support the commission had to give to industry, the necessity to allay the fears of those telephoning travel centres and, of course, the great disquiet in all sectors of the community in relation to those dreadful January bushfires, revenue for all travel centres in January increased by 21 per cent compared with revenue for the previous year. In the past month, February, the comparative revenue increase was 17 per cent.

Since the campaign commenced there has been a massive and constant increase in the monitored revenue from New South Wales travel centres. That is good news for the New South Wales Tourism Commission and the Government. The increased revenue vindicates the faith of the Premier and the Treasurer in the New South Wales tourist industry. It is certainly wonderful news for those working in the industry and for young people looking for employment opportunities in the tourism and hospitality industries. If I can translate those percentage and dollar increases into human terms, it is worth recalling that for every 18 additional international tourists or 177 domestic tourists who visit New South Wales one person gains employment.

Tourism not only generates funds for New South Wales but also provides wonderful opportunities for employment, particularly for young people. The Government's commitment to the primary goals of a buoyant economy and high employment and training opportunities for young people has certainly been vindicated by the huge success of the "Seven Wonders of New South Wales" campaign. It has given great heart to me as the responsible Minister and to the Tourism Commission and certainly demonstrates that when government and industry work co-operatively together, everyone benefits.

WILCANNIA ARREST STATISTICS

The Hon. ELISABETH KIRKBY: My question without notice is directed to the Attorney General, Minister for Justice and Vice President of the Executive Council, representing the Minister for Police and Minister for Emergency Services. How many arrests were made in Wilcannia last year for drunkenness and or offensive language? How many people were charged, in addition, with resisting arrest? How many of these charges were laid under the Summary Offences Act?

The Hon. J. P. HANNAFORD: That question should more appropriately be placed on notice, but I will obtain what information I can from the Minister.

LEGAL AID FOR ENVIRONMENTAL MATTERS

The Hon. FRANCA ARENA: I wish to ask the Attorney General, Minister for Justice and Vice President of the Executive Council a question without notice. Is it a fact that legal aid for environmental matters had been available since 1979? Is it a fact that from January 1993 the Legal Aid Commission abolished most of its legal aid programs, including legal aid for environmental matters? Is it also a fact that in October 1993 legal aid for most matters was restored, while legal aid for environmental matters has not been restored? Will the Minister agree with me that citizens should be able to exercise their rights under the State environmental laws? Will he stress to the Legal Aid Commission and its managing director, Colin Neave, the importance of legal aid for environmental matters so that the commission can restore such legal aid?

The Hon. J. P. HANNAFORD: The honourable member is correct when she says that legal aid for environmental matters has been available for a considerable period of time. In fact, it continues to be available, although in a limited way. In December 1992 the Legal Aid Commission resolved to limit access to legal aid. That limitation included a reduction in access to legal aid for environmental matters. However, the Legal Aid Commission continued to provide funding to the Environmental Defender's Office, an office specifically established to provide legal assistance in relation to environmental matters. In the 1992-93 period in excess of \$93,000 was allocated to help run the Environmental Defenders's Office.

The Hon. Franca Arena: That is not very much.

The Hon. J. P. HANNAFORD: My recollection is that prior to that year, when legal aid was available, the amount of money actually expended by the Legal Aid Commission on legal aid for environmental matters was much less than the figure I have mentioned. I have in the back of my mind a recollection that about \$58,000 was expended in the previous year on legal assistance for environmental matters. The demands that were being made were not significant; people were turning to the Environmental Defender's Office for assistance. However, although legal aid is not generally available for matters involving environmental law, the senior officers of the commission are delegated to approved grants of legal aid in matters of particular public interest or where a particular issue involves a test case component. In environmental matters that involve a certain public interest or are particularly unique, applications can be made for legal aid and power is delegated to grant approval in such matters.

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JUVENILE JUSTICE VOLUNTEER WORKERS

The Hon. HELEN SHAM-HO: I address my question without notice is to the Attorney General, Minister for Justice and Vice President of the Executive Council. Do recent Opposition allegations that the Government is bringing volunteers to replace trained juvenile justice workers have any truth to them? If not, how wrong did the Opposition get it this time?

The Hon. J. P. HANNAFORD: Because the Hon. Helen Sham-Ho used to work in counselling,

particularly of young people, she has a significant interest in this issue. Some weeks ago I was dismayed when I heard that the Hon. R. D. Dyer - and I regret that he is not in the Chamber - had looked at an advertisement for a juvenile justice pilot volunteer program and, without checking his facts, took the advertisement completely out of context and sought to distort the role of that program. All honourable members realise that the Hon. R. D. Dyer is a man of principle and he usually does not get things wrong. I can only assume that on this particular occasion someone in Bob Carr's office got a rush of blood to the head and said, "Ron, get out and say something about this program".

The Hon. R. D. Dyer, who knows that my office is always available to members of Parliament to check their facts, decided that he would do Bob Carr's bidding. Honourable members know that Bob Carr usually gets it wrong but, unfortunately, on this occasion the Hon. R. D. Dyer got it wrong. I say unequivocally that the honourable member's allegations that the Office of Juvenile Justice is trying to save money by replacing qualified staff with volunteers is absolute nonsense. The advertisement relates to a new program - and I will go into it in some detail because honourable members should be aware of it and I believe they will support it - currently being established by the Office of Juvenile Justice. It is more commonly referred to as the grandparent program.

The idea for the program came from departmental studies and years of experience by juvenile justice officers who found that many young men and women in detention centres did not have any parental role models. These young people have been either alienated from their families by choice, because of violence, or their families have turned their backs on them. The Office of Juvenile Justice felt it was important to have people in the community who could provide emotional and moral support and who could act as parental and role models for young people who no longer had contact with their parents.

The volunteers will be involved in visiting juveniles in custody who lack family and community support. The volunteers will develop and provide community contact for juveniles when they are involved in pre-release and post-release programs. They will act also as escorts for juvenile detainees who are eligible for community excursions and for those who participate in community education programs. They will provide support for young women in custody. The duties will be carried out with the assistance of qualified juvenile detention officers present and will in no way seek to replace officers who currently work in this area.

The Office of Juvenile Justice has had a 20 per cent increase in staff since the Labor Party was in government and I assure the House that that number will continue to rise. The office now has more highly trained staff than it had when the Labor Party was in government. Today it is employing people with better qualifications than was the position when the Labor Party was in government. Unlike the scaremongering by Opposition members I ask that honourable members check their facts. I am happy for the facts to be checked with my office. If honourable members then wish to attack the program, they can find out what is occurring. Everyone in the House should support the program. As these young people leave detention centres, they have no support systems in the community. The grandparent program will enable young people to develop friendships with senior members of the community and will provide support for them when they are released from detention and are trying to lead normal lives in the community.

The advertisement requested people with particular skills to put forward their names to participate in the program. One of the areas adverted to was skills in HIV-AIDS counselling and psychological intervention. If such a person became part of the grandparent program, young people coming out of detention who have HIV-AIDS, and who have no family to turn to, could receive support when they are released into the community, and that support would continue. The program will provide significant support for young detainees. I hope when they are released into the community they will have learned through their experiences in a detention centre and will not return to a life of crime. I commend the officers of the Office of Juvenile Justice for developing the program. I hope all honourable members will support the program. If anyone wants further information about the program, I am happy to make it available to enable them to promote it within community groups.

SUNTANNING DEVICES

The Hon. ELAINE NILE: I ask the Minister for Education, Training and Youth Affairs, representing the Minister for Health, in view of the report today about suntanning devices and the fact that a woman in Britain has been positively diagnosed as suffering from melanoma due to sunbed exposure, what action will the Government take to investigate this latest report, especially in view of the statement made on air this morning by Professor McCarthy, an expert on melanoma?

The Hon. J. R. Johnson: The Minister is going to tell Andrew Peacock to be careful.

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The Hon. VIRGINIA CHADWICK: I think it would be better to ignore the interjection by the Hon. J. R. Johnson, given the seriousness of melanoma and the reality that Australia has the highest rate of melanoma in the world as well as the highest rate of deaths from melanoma. I am sure he read with the same disquiet that I did this morning's article that stated there was a link, at least in one case that was reported, between the onset of various types of cancer, including breast cancer in the case of the woman referred to in the article, and suntanning equipment. It is a very serious matter. If what has long been suspected is true, I know it will be a matter of concern to my colleague the Minister for Health.

I do not have any information to hand, but I believe my colleague is investigating the report. Like the honourable member I, too, read the article with grave concern. I took on board the comments of a number of people, namely, that one would need to know the level of exposure and the number of suntanning sessions and relate that to equivalent time spent on Bondi Beach, which I think was the example used. It is a very complex matter, but given the extraordinarily high rate of melanoma in Australia - I am not discounting the incidence of melanoma elsewhere - it is a matter of grave concern to all of us, especially my colleague the Minister for Health.

MINISTRY FOR THE STATUS AND ADVANCEMENT OF WOMEN

The Hon. Dr MEREDITH BURGMANN: I ask the Minister for Education, Training and Youth Affairs, representing the Minister for the Status of Women whether it is true that the Ministry for the Status and Advancement of Women is committed to fair and proper procedures for the recruitment and promotion of women? However, is it true also that the ministry, as an employer, has in place no grievance procedures, no occupational health and safety procedures, no ethnic affairs policy statement program and procedures and, worst of all, no equal employment opportunity procedures? Is this the reason staff morale has been so low, and there have been so many resignations and leave without pay taken in the past six months?

The Hon. VIRGINIA CHADWICK: I am deeply distressed and disturbed that my colleague and sister opposite should take such a dim view. Yesterday the honourable member and I were two who at least acknowledged International Women's Day and I was very proud indeed. I cannot believe that this spirit of unanimity and sisterhood lasted less than 24 hours. It is most shameful. Knowing my colleague, I am absolutely certain that the allegations and wild assertions are yet another Labor lie. As we talk about Labor lies, it is important to note that part of the Opposition's desperate and shabby attempt to claw back some credibility in the area of women's interests is no doubt brought about by the very poor reception for its so-called women's policy released yesterday. This two-page document is full of rehashed announcements but, more importantly, is a policy containing initiatives that are already in place.

Poor Bob Carr released his contribution to International Women's Day. What was it? It was a women's policy. What is in his new two-page policy? There are new measures to ensure that domestic violence offenders are removed from the home. As has been pointed out by the Attorney General and Minister for Justice, the existing legislation already provides for magistrates to remove the offender from the home immediately. The domestic violence amendments introduced by the Fahey Government in December

strengthen these provisions, as has been outlined by the Attorney General. One of the grand women's policy announcements of the sensitive new age Bob Carr was a measure that already exists.

Let us look at some more of these wonderful sensitive new age women's policies. Bob Carr announced the docking of the pay packets or social security payments of domestic violence offenders. Will Bob Carr explain how a State government will dock pay packets or social security payments? I would be very interested in that, as would the New South Wales Treasury and the Attorney General, who has a problem with fine offenders.

Another SNAG Carr policy is to monitor anti-stalking laws. That is a very good idea. Mr Carr has forgotten that the Fahey Government has introduced the toughest domestic violence laws anywhere in Australia. So he is wrong again. Another SNAG Carr policy is the use of video systems in courtrooms for victims of sexual assault. Video systems are already in use in cases involving children. Another policy is to make it mandatory for all police recruits to undergo training in how to deal with sexual assault victims. We think that is a good idea, too. It is already mandatory.

Bob Carr also announced a policy to resource sexual violence units in the Police Service and the Department of Community Services. There are at least 730 trained police officers in New South Wales already providing immediate support for victims of sexual assault or domestic violence. He also announced a policy to teach breast self-examination to schoolgirls. The Fahey Government has already announced a boost in funding for breast cancer services, including a \$1.5 million breast cancer centre of excellence.

The Hon. J. R. Johnson: On a point of order: a specific question was asked and all we are getting is drivel from the Minister for Education, Training and Youth Affairs, Minister for Tourism and Minister Assisting the Premier. I ask that the Minister answer the question she has been asked.

The Hon. Virginia Chadwick: On the point of order: even I would not call Mr Carr's policy drivel.

The PRESIDENT: Order! The Hon. J. R. Johnson is well aware that there is no point of order. There have been many rulings by my illustrious predecessors, including the honourable member, to the effect that Ministers are at liberty to answer questions in whichever way they deem appropriate.

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The Hon. VIRGINIA CHADWICK: I am almost at the end of these great announcements, given that it was a very short policy. Another Bob Carr policy initiative was to create 17,000 new child care places in New South Wales. That is very modest indeed, given that the Fahey Government has already created 42,000 child care places. It is an act of bravery for the honourable member to raise the issue of the Office of the Status of Women. As I stated yesterday, it is a Carr policy to abolish the Office of Youth Affairs. One can only suspect that this does not auger well for the future of the Office of the Status of Women under a Labor government.

SUPPORT SERVICES FOR PEOPLE WITH PSYCHIATRIC DISABILITIES

The Hon. PATRICIA FORSYTHE: Will the Minister for Planning and Minister for Housing outline what steps the Government has taken to ensure that people with psychiatric disabilities are given proper support services to sustain independent living?

The Hon. R. J. WEBSTER: I will enlighten the House with yet another social policy initiative of this Government which has received widespread support and approbation from people in the wide political spectrum, from the Deputy Prime Minister, Brian Howe, through to my ministerial colleagues in other States. I know that honourable members are sitting on the edge of their seats waiting to hear this answer. However, before answering I feel that I must say something about the Hon. I. M. Macdonald - that example of rustic, bucolic elegance, whom we saw in all his splendour sitting on that squatter's cane chair, on his verandah,

surveying those verdant pastures with those horny, happy, hairy cattle on them. I am sure it made everybody think: if this is socialism, I want a piece of it. I paid particular attention to the type of footwear the honourable member was wearing. If I am not mistaken, they were R. M. Williams boots.

The Hon. I. M. Macdonald: They were Blundstone.

The Hon. R. J. WEBSTER: Did the honourable member say blood-suckers?

The Hon. I. M. Macdonald: They were \$49.50 at the co-op.

The Hon. R. J. WEBSTER: Well, I must say that they were a very good imitation. I do not know that now is the time to pursue this issue any further. We will just dribble out bits and pieces over the next few weeks so that the House does not become bored with it.

The Hon. I. M. Macdonald: You would not wear R. M. Williams around a paddock.

The Hon. R. J. WEBSTER: The Hon. I. M. Macdonald would not spend long in the paddock with only 14 head to look after. I take the honourable member's point. Is he a primary producer for taxation purposes? I do not want to know the answer.

The Hon. M. R. Egan: Are you?

The Hon. R. J. WEBSTER: Naturally. I thank the Hon. Patricia Forsythe for her question, which deals with important social policy issues that have been addressed by the Government in a way which has received praise from my ministerial housing colleagues of all political hues around Australia.

The Hon. Dr B. P. V. Pezzutti: And all the consumer groups too.

The Hon. R. J. WEBSTER: Yes. Since becoming housing Minister I have received many representations from individuals and groups expressing concern about the problems people with psychiatric disabilities have in maintaining a successful tenancy. The Fahey Government is committed to ensuring that all people who require long-term support are able to live independent, active lives in the community. To this end the Department of Housing accommodates many people requiring support, including those with psychiatric disability, in public housing each year. According to the Australian Bureau of Statistics in 1988 16 per cent of the population with mental illness lived in public housing. At 30 June 1993 a total of 894 people who had identified that they had a psychiatric disability were on the public housing waiting list. Dare I say it, there may be many others who had not identified themselves in that way. During 1992-93 the department housed 330 people who indicated they had a psychiatric disability. They constituted 2 per cent of the total number housed that year.

As these figures include only people who volunteered that they had such a disability, we can assume the real number is even higher. However, for many of these people, accommodation alone is not enough to ensure full independence. They also require ongoing access to health and community welfare services. In the past this problem has largely been addressed on a case by case basis. However, it was apparent to me that this method could be of only limited success. It was my view that a more formal relationship between the departments of housing, health and community services needed to be established and structured mechanisms set in place so that this issue could be addressed at a more strategic level. This was the reason why in June 1993 I initiated the establishment of a high level interdepartmental committee to determine the needs of public housing tenants with psychiatric disabilities and to identify ways of improving service delivery by the three departments. The importance of co-ordinating government services has been pointed out on numerous occasions, most recently by Commissioner Brian Burdekin, and the needs of this particular client group are well known. I am pleased to advise that the report of the interdepartmental committee has now been completed. It was recently launched by me and my colleagues Ron Phillips, the Minister for Health, and Jim Longley, the Minister for Community Services.

The Hon. Dr B. P. V. Pezzutti: To wide acclaim.

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The Hon. R. J. WEBSTER: Thank you. In preparing this report the committee consulted with a number of relevant government departments, regional public tenants councils, mental health services, and various consumer groups. The report builds, in a timely fashion, on the groundwork already laid by the three departments in addressing the housing and support difficulties faced by people with psychiatric disabilities. It makes a series of recommendations designed to assist tenants with psychiatric disabilities. The recommendations relate to four areas. The first concerns the range of accommodation options available to people affected by psychiatric disabilities. Under the restructuring of the Department of Housing there will be greater opportunities for the regions to diversify their mix of housing stock to provide a wider choice for these clients. There is also the possibility of the department headleasing accommodation from the private sector and then leasing to clients. Community based housing organisations could also provide independent housing options.

A second area is the availability and accessibility of support services. Recommendations are that there should be a carefully planned expansion of support services with greater involvement of non-government organisations. There is also a need to ensure that the whole range of generic services is accessible to people with psychiatric disabilities. The third area concerns the co-ordination of service provision by the three departments. There will be involvement at the most senior level of the three departments in the review and monitoring of the implementation of the report. Last, I refer to community acceptance of people with mental illness. All honourable members would agree that there is a need for wider understanding in the community of the dimensions of mental illness. Public tenants and community workers need assistance in recognising the symptoms of mental illness and being able to call on support when behaviour becomes disruptive. An education campaign to be undertaken by the Department of Health will assist in this matter.

The report calls for participation by staff at all levels of each department and I will monitor the implementation of this aspect of the report. Chief executive officers will meet annually to review progress. Department of Housing regional directors will be encouraged to give priority to implementing those strategies identified in the report which fall under their area of responsibility. Although the Department of Housing is the agency with primary responsibility for public tenants, the commitment and involvement of the departments of community services and health in the implementation of the report's recommendations will be vital to ensure success. I also expect that the restructuring of the Department of Housing and its renewed emphasis on addressing client need will enable the department to go a considerable way towards implementing the report's recommendations, thereby enhancing the quality of life of public tenants with psychiatric disabilities.

I am also pleased that the report identifies which government agency should take the lead in implementing each recommendation. This will help ensure that there is no passing of responsibility from department to department. Further policy development work will no doubt continue. As far as housing is concerned, I intend to see the newly created office of housing policy develop a comprehensive set of strategies to address the needs of people requiring long-term support, including those with mental illnesses. I am pleased to note that the ministry and regional offices are already working on developing concrete proposals for consideration in the 1994-95 housing assistance program. I commend members of the interdepartmental committee and those who assisted it for their efforts in producing the report.

The Hon. Dr B. P. V. Pezzutti: Absolutely.

The Hon. R. J. WEBSTER: The Hon. Dr B. P. V. Pezzutti endorses my appreciation of the efforts by the mental health co-ordinating council. The tenants groups and the wider community have acclaimed the report. It deals with the issues in a sensitive and co-ordinated way. At a recent ministerial conference in Canberra, I was happy to present a copy of the report to the Hon. Brian Howe, the Deputy Prime Minister and housing Minister. I also gave copies to all my housing Minister colleagues in other States. This matter has been

a problem in public housing for a long time and the report is a step forward. The Hon. R. D. Dyer also acclaimed the report. This is an important social policy initiative which has bipartisan support. It addresses many of the issues Commissioner Burdekin referred to in his recent report on mental illness. I am happy to make a copy of the report available to any member of the House who contacts my office.

BYRON COUNCIL

The Hon. R. S. L. JONES: I ask the Minister for Planning and Minister for Housing representing the Minister for Energy and Minister for Local Government and Co-operatives: is the Minister aware of the relentless campaign of vilification of partially sighted Byron Councillor Anudhi Wentworth by Councillor Ross Tucker, who has attempted repeatedly to deprive Councillor Wentworth of her \$3,000 council reading assistance grant? Is it a fact that the campaign is motivated largely by the fact that Councillor Wentworth is opposed to environmentally damaging developments in Byron shire? Will the Minister ensure that this vilification campaign is investigated urgently?

The Hon. R. J. WEBSTER: I am unaware of the matter raised by the Hon. R. S. L. Jones. He seems to be able to accomplish turning a question without notice into a speech - and sometimes a relatively long speech. I undertake to apprise my colleague in another place of his question.

The Hon. J. P. HANNAFORD: In view of the hour, if members have any further questions, I suggest they place them on notice.

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RURAL LANDS PROTECTION (NOXIOUS ANIMALS) AMENDMENT BILL

Restoration

Message seeking restoration of the Rural Lands Protection (Noxious Animals) Amendment Bill received from the Legislative Assembly and, pursuant to Standing Order 201, bill restored on motion by the **Hon. B. H. Vaughan**.

POST-CONVICTION INQUIRY (DOUGLAS HARRY RENDELL) BILL

Restoration

Message seeking restoration of the Post-Conviction Inquiry (Douglas Harry Rendell) Bill received from the Legislative Assembly and, pursuant to Standing Order 201, bill restored on motion by the **Hon. R. D. Dyer**.

GOVERNOR'S SPEECH: ADDRESS IN REPLY

Third Day's Debate

Debate resumed from 3 March.

The Hon. I. M. MACDONALD [5.3]: Interestingly the Minister for Planning and Minister for Housing has beaten a hasty retreat from the Chamber after his few disparaging comments during question time about whether one should wear R. M. Williams boots. When the electorate of Bathurst was mentioned the first thing

that our Robert did was to have a look at the figures and realise that he had no chance whatsoever of winning the seat. I was rather distressed to learn today that Robert was not going to be the candidate for Bathurst. I thought he would at least have provided a contest in that seat.

The PRESIDENT: Order! I have ruled on a previous occasion that it is not proper for members to refer to other members by their first names. Members will be referred to in the correct manner.

The Hon. I. M. MACDONALD: I apologise; my oversight. Indeed, the Minister for Planning and Minister for Housing had other ambitions. I recall mentioning to a number of individuals this afternoon -

The Hon. Dr B. P. V. Pezzutti: On a point of order: I ask that the Hon. I. M. Macdonald be directed to keep his remarks relevant to the motion rather than proceed with his contribution in the way he has commenced.

The Hon. R. S. L. Jones: On the point of order: I am shocked that the Hon. Dr B. P. V. Pezzutti should take a point of order at the beginning of a member's contribution. Traditionally the Address-in-Reply debate is very wide-ranging and members have been permitted to speak on almost any topic.

The Hon. I. M. Macdonald: On the point of order -

The PRESIDENT: Order! I have heard enough. No point of order is involved.

The Hon. I. M. MACDONALD: Today I said to a number of people that the Minister withdrew his candidacy for Bathurst just as he did in respect to the Southern Highlands seat despite the fact that we were only too happy to give our preferences to him in any contest for Southern Highlands. After all, Goulburn is his home and the place where his family made its fortune over the years. The Opposition felt that he would make a fine candidate for the electorate of Southern Highlands. Instead, Robert - Tug as he is known in another lifestyle -

The PRESIDENT: Order! I shall not warn the honourable member again.

The Hon. I. M. MACDONALD: The Minister has nicknames that are known to other members. I said to him, "Minister, you have a great future in this National Party. Why don't you run for the seat of Southern Highlands? I think you would be an effective member for Southern Highlands". But what did he do? He pulled out of the contest and came into this Chamber!

The Hon. R. S. L. Jones: An anachronistic Chamber.

The Hon. I. M. MACDONALD: I shall deal with that interjection later. We next heard that he intended to contest the seat of Bathurst. I thought, as I am sure many members did, that the Minister would prove to be worthy opposition for Mick Clough. The Opposition was looking forward to the contest. It was said that with his ability the Minister would win the seat decisively and be a great candidate for Bathurst. Of course, at the last minute he withdrew his candidacy. The Opposition is very keen for him to contest the seat of Burrinjuck. What an interesting proposition. In future the Minister will openly consider his options. Recently he broke the solidarity of Government ranks and virtually called for the abolition of this House. That caused some dismay to the Leader of this Chamber and also to the Hon. Patricia Forsythe.

The Minister believes he has a future - we all do - but unfortunately he has demonstrated that he does not have enough ticker to make a decision. He has shown an inability during the past three years to make a decision in relation to not only his prayer but just about everything else he has touched. When it came to the crunch last week or the week before, when a number of journalists sought his views about his future - and, indeed, about the future of this House - he supported the abolition of this House.

The Hon. L. D. W. Coleman: No, he did not.

The Hon. I. M. MACDONALD: He is an abolitionist.

The Hon. L. D. W. Coleman: Have you talked to him about it?

The Hon. I. M. MACDONALD: I have talked to the Minister for Planning on numerous occasions about his views on this Chamber, and I am afraid I

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could not repeat them here. They are somewhat more extreme than those that appeared in the papers. I think the Minister for Planning would make a great candidate for Burrinjuck. I have said that to many people around the place -

The Hon. Ann Symonds: To Alby Schultz.

The Hon. I. M. MACDONALD: Yes, even to Alby Schultz. I have said that the Minister for Planning is the new breath of fresh air that is needed in the lower House in the National Party.

The Hon. R. B. Rowland Smith: We are getting a lot of hot air from you.

The Hon. I. M. MACDONALD: An interjection from the oldest breath of air in the Chamber. I am sure he would agree that the Minister for Planning should serve in the other Chamber and should be Deputy Leader. The Hon. R. B. Rowland Smith smiles and nods in agreement - there is no doubt about that. I just hope that, for once, the Minister for Planning has the ticker to make a decision to run for a seat in the lower House, instead of running away as he has done in respect of the Southern Highlands and Bathurst. He should give it a go in Burrinjuck. I am sure that he will make that decision before the next election because, morally, how can the Minister for Planning, a member with no ticker, remain in this Chamber, a parody of a conservative member?

The Hon. Dr B. P. V. Pezzutti: A paradigm.

The Hon. I. M. MACDONALD: A parody, not paradigm; a parody of a conservative member. On occasions he and his friends in the young faction of the National Party - that is, those under the age of 65 - have said to me, "Listen, you are living out in the country now. Why not cross over to us? We are the rural socialists". They had the temerity on one occasion to put to my mother over lunch here at Parliament House that I should cross over to the National Party. I thought for a minute that, given some of the views of the National Party - that is, public protection of interests and private gain -

The Hon. Ann Symonds: And subsidies.

The Hon. I. M. MACDONALD: Exactly. Government subsidies and private gain might hold some attraction for people as a pseudo form of social intervention. But when I looked at the situation in relation to the Minister for Planning I realised that, in the end, he had no ticker. He runs away from any issue, any confrontation. He has even thrown away his heart, that is, the former seat of Goulburn - now called the electorate of Southern Highlands. He has now thrown away the seat of Bathurst and will not have the ticker to run for the seat of Burrinjuck. I have said to some members of the National Party in another place, "Look, you need the Minister for Planning in your Chamber".

Every day the Minister treats this Chamber with disdain. He made that very clear in the *Daily Telegraph Mirror* article. I just wish he would show some heart and stand as a candidate for a seat in the lower House, and maybe make a contribution to the future of the National Party in another Chamber. After all, the Minister for Planning, with a ticker, would make a fine contribution in another Chamber. I would say, from recent experience, that the Deputy Premier, Mr Ian Armstrong, has even less ticker than the Minister for Planning - if honourable members can believe that. Mr Armstrong gets very upset when anyone visits his area. The Minister for Planning should be encouraged to run for the seat of Burrinjuck forthwith, which he would like to do.

Before I turn to the Governor's Speech, I want to make some comments about a series of newspaper articles that have been prominent in recent times, which concern the treatment of the Governor of New South Wales. I am sure the Hon. J. M. Samios was distressed when he read the articles to which I shall refer. To illustrate my point, I will quote from the articles in question. On 3 February 1994 an article appeared in the *Daily Telegraph Mirror* under the heading, "Woman May Head State", and it contained a series of statements about the future of the Governor of New South Wales, who recently delivered a Speech in this Chamber. The article by Michael Cameron stated:

New South Wales could have its first woman Governor before the end of the year under plans being considered by senior Ministers. The successful candidate is unlikely to hold any military qualifications, in a break with tradition. Government sources told the *Daily Telegraph Mirror* the radical move had been discussed informally by Cabinet members recently. The four-year posting of Rear Admiral Peter Sinclair expires on 8 August. One senior official said it was extremely unlikely the term would be renewed.

The article went on to detail some of Rear Admiral Sinclair's history, and then stated:

A spokesman for the Government confirmed last night his current appointment would end in August.

The article went on to suggest that there have been proposals in relation to other Governors in other States, and continued:

Sources said there had been no serious canvassing of names of potential candidates at this stage for the job in New South Wales.

It went on to express -

The Hon. Dr B. P. V. Pezzutti: On a point of order: I thought the honourable member was actually about to refer to the Governor's Speech. I ask that he be directed to draw his attention, with the greatest expedition, to the Address-in-Reply debate.

The DEPUTY-PRESIDENT (The Hon. R. T. M. Bull): Order! No point of order is involved.

The Hon. I. M. MACDONALD: I shall read the article because it is central to what I have to say in my contribution:

Despite its ceremonial nature the office of New South Wales Governor holds greater relevance at the moment because of the delicate balance of power in Macquarie Street. While the Government is bound by legislation to hold

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an election in March 1995 the Governor may choose to exercise his or her reserve powers and dissolve Parliament if he deems it to be unworkable. Such a move would challenge the 1991 legislation requiring the Governor to give the Opposition the opportunity to form government. It could lead to the biggest constitutional crisis in New South Wales since Sir Phillip Game sacked the Lang Government in 1932.

Further on the point, an article that appeared in the *Daily Telegraph Mirror* of Wednesday, 2 March, carried a photograph of Evonne Goolagong.

The Hon. Ann Symonds: Who wrote the article?

The Hon. I. M. MACDONALD: The article was written by Michael Cameron. It has a common thread with the article of 2 February. The common thread is the reference to government sources and a Liberal backbencher as the source of the story. I am interested to learn who they were, and that is the point I am trying to get at in some detail. Clearly the first article, that of 2 February, was an attempt to interpose in the discussion that was going on at the time about an early election in New South Wales. At that time the Governor's reappointment was being considered, which was supposed to commence in August of this year. This article was a deliberate ploy, by the use of inspired leaks, to destabilise the Governor so that he would

reconsider the Government's point of view in relation to an early election. I realise that these are rather strong comments, but I would assume as a member of the Media Alliance and having knowledge of journalists' code of ethics that when a journalist as senior as Michael Cameron -

The Hon. Dr B. P. V. Pezzutti: Who?

The Hon. I. M. MACDONALD: Michael Cameron. He is head of that paper's bureau -

The Hon. Dr B. P. V. Pezzutti: The *Daily Telegraph Mirror* does not employ senior journalists.

The Hon. I. M. MACDONALD: You are saying that the *Daily Telegraph Mirror* does not employ senior journalists?

The Hon. Dr B. P. V. Pezzutti: If it does, it does not use them.

The Hon. I. M. MACDONALD: The honourable member's interjection has been recorded. Such interjections help to sustain my argument. When a senior journalist like Michael Cameron, who has been writing for major newspapers in this country for a long time, uses terms like "government sources" and "one senior official" he is indicating that the information he is rendering to the public by way of his newspaper has credibility. There is no question of that. He would not use such terms unless what he was reporting came from very senior sources indeed. I am sure that the Hon. J. P. Hannaford, the Attorney General of this State and Leader of this House, and the Hon. S. B. Mutch would agree with me on that point.

The inspired leaks of 2 February and 2 March were designed to make the Governor of this State feel somewhat nervous about his reappointment. No other interpretation could be placed on the articles that appeared in the largest selling paper in this country written by a senior journalist, the head of its bureau. Reference was made to senior government circles. In my view the information probably came from the press office of some senior Minister of this State. Everyone knows that in recent decades, barring illness, reappointment as Governor of New South Wales for a second term happens automatically. That is a clear and unqualified fact.

The Hon. Ann Symonds: He got his second term.

The Hon. I. M. MACDONALD: To put pressure on the Governor to grant the Government's wish to break an agreement with the Independents was the purpose of these particular articles. They were designed to break an agreement in relation to four-year fixed terms and to have the Governor use powers reserved to him to suit the short-term aims of the Government. Such action would politicise the position of Governor in a way that only Sir Phillip Game and Sir John Kerr have managed to attain in twentieth century Australian politics. In contemporary Australian history I cannot recall a similar campaign being conducted by a government to have a Governor do its bidding. These two major articles clearly demonstrate that there was a campaign by the Government to suggest to the current Governor that he would not be reappointed after 1994. This upset a number of National Party members. A number of National Party members made it clear in the media that they wanted this issue resolved and that they wanted the Governor reappointed.

The Hon. Dr B. P. V. Pezzutti: It should never have started, and there was no basis for it to start. You know that and Michael Cameron knows that.

The Hon. I. M. MACDONALD: I do not believe that Michael Cameron, a senior journalist with the *Daily Telegraph Mirror*, and a member of the union of which I am a member - the Media Alliance - would use such terms in an article dealing with such an important and controversial issue. This was a disgraceful leak. In years gone by, if something similar had taken place during a period when Labor was in government, there would have been an outcry from conservative parties, who would have called for an inquiry to identify the source of leaks that destabilised the position of Governor. Though I am a republican, I believe that the office of Governor should not be destabilised. Certainly the Governor should not be intimidated into using powers

reserved for him.

The leaks were disgraceful. They forced the hand of the Premier. Although it is clear the Premier did not want to do so, he was forced to extend the Governor's term of office by one year. It is amazing that, while the Governor was speaking in this Chamber last week, someone from the offices of the

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conservatives opposite ran down to the press gallery to leak the second story on 2 March. The Governor was destabilised while he was speaking in this very Chamber. It could only have happened at that time. The only interpretation of the message being sent to the Governor was, "If you do not do our bidding and grant an early election, you will not be reappointed for another four years". When a senior journalist quotes senior government sources I do not believe that the journalist is not receiving information from a ministerial officer or, indeed, a Minister. No other conclusion can be drawn. This disgraceful series of articles was politically motivated to try to undermine the office of the Governor in relation to the fixed term legislation.

The Hon. Dr B. P. V. Pezzutti: They were an absolute disgrace.

The Hon. Patricia Forsythe: They were.

The Hon. I. M. MACDONALD: The Hon. Dr B. P. V. Pezzutti and the Hon. Patricia Forsythe say the articles were a disgrace. Why do we not agree to conduct an inquiry into those leaks? I am sure Opposition members would be only too happy to have an inquiry into who leaked the information, why the leaks were made and what their purpose was. The articles were disturbing in the extreme. I am sure the Hon. R. B. Rowland Smith would have been disturbed by them and would have supported the initiative of members of the National Party who, over the weekend, sought to have the Premier finally make a decision about the reappointment of the Governor. Undoubtedly those articles were an attempt to pressure and politicise the office of Governor towards the conservative side of politics. That has happened twice in Australian history. An attempt was made to repeat it on 2 February and 2 March. The purpose of those articles cannot be denied.

The Hon. Elaine Nile: Is the lady concerned not also a republican?

The Hon. I. M. MACDONALD: In making these remarks, I am not commenting in any way on Evonne Goolagong. Over the years I have enjoyed her tennis but I have not particularly followed her political beliefs.

[*Interruption*]

Not even slightly. I am not in as much trouble as the Hon. S. B. Mutch. I bet that last weekend, when John Brogden was drinking a bitter ale after the preselection ballot for the electorate of Vacluse, the Hon. S. B. Mutch was wondering what was going on in his party.

[*Interruption*]

The Hon. S. B. Mutch says there was only a five-vote margin in it. I said to the Hon. S. B. Mutch, "You are involved in a fairly difficult ballot yourself. With Mr John Brogden - a fine republican, a strong, politically active left-wing type of person who would sit very well in certain sections of the Labor Party - being defeated, what are you going to do?" It is clear to me that the Hon. S. B. Mutch - a fine, small "l" liberal - will have a great deal of difficulty in the future with the new Federal member for one of the northern beaches electorates, Bronwyn Bishop. I look forward to the Liberal Party upper House ballots that will take place in June. The National Party has been able to sort it out and has made the sensible decision to put its chairman at No. 1, the Hon. R. T. M. Bull at No. 2 and the Hon. L. D. W. Coleman at No. 3. I look forward to hearing the discussion about what will occur in the new Liberal Party of New South Wales in 1994. It is a different Liberal Party from the Liberal Party that was in ascendancy under Nick Greiner and the Hon. E. P. Pickering in 1987-88. They called themselves the group. I understand the use of that term. "Groupers" is a term that was used in the Labor Party over the years.

The Hon. J. R. Johnson: I was one of them.

The Hon. I. M. MACDONALD: The Hon. J. R. Johnson claims he was not one of them.

The Hon. J. R. Johnson: I was one of them! It was party policy.

The Hon. I. M. MACDONALD: The Hon. J. R. Johnson has admitted to the impossible. The Hon. S. B. Mutch faces the new wave of conservatism that is sweeping the Liberal Party. I wish him luck. I hope he receives the full support of all his colleagues in this Chamber in the preselection ballot. It is somewhat sad that honourable members must reflect upon the defeat of John Brogden - a fine staffer, a fine republican and a fine person who is interested in social justice and redistribution in the community. I hope that the ill wind of conservatism that has swept the Liberal Party of New South Wales, the North Shore influence, does not sweep away fine individuals who sit opposite such as the Hon. Patricia Forsythe and the Hon. S. B. Mutch.

In his Speech Rear Admiral Sinclair referred to a number of agricultural programs proposed by the Government. I shall refer to a few of the difficulties we farmers have to cope with in rural New South Wales. A recent issue of the *Land* dated 14 February contained a disturbing contribution. To any real farmer that publication is the bible. I know the Hon. S. B. Mutch would not know anything about the *Land* and would not read it, but I am sure the Hon. R. B. Rowland Smith would read it regularly.

The *Land* contained a very disturbing article on the clearing of wheat areas over the past 20 years. A study by the National Parks and Wildlife Service, which compared photographs taken over the past 20 years in the northern areas of New South Wales - particularly around Moree and in the southern sector of Queensland around St George and Goondiwindi - showed a massive clearing rate that it predicted would virtually wipe out the native biota by the year 2000.

The National Parks and Wildlife Service says that the only way in which the clearing of the native biota can be addressed is through government

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intervention, but I noted that the Governor's Speech contained nothing about how the Government would intervene in the practices of farming to ensure that rural areas of New South Wales were not undermined. The National Parks and Wildlife Service study revealed that trends in clearing indicated dire consequences for the native biota, rural industries and the human infrastructure occurring therein. It revealed further that the situation is rapidly arising where government intervention is seen as the only viable means of controlling clearing in the agricultural heartland of New South Wales.

That might seem a radical statement, but the National Parks and Wildlife Service compared aerial photographs of the area for the past 10 years, which showed quite clearly that the level of clearing was unsustainable. The pressure for cotton farming in the Moree and Goondiwindi areas is intense, as it is in the Lachlan and Macquarie valleys. In both areas the native biota has been cleared substantially, leading to a great loss of native forests and native animals. Unfortunately, the process seems to be continuing without any form of real control, such that the National Parks and Wildlife Service has called for government intervention.

The problem is highlighted dramatically in the cotton growing areas of New South Wales. Honourable members would note that in recent times discussions have taken place involving various members of the Government and ministries concerning the future of cotton growing through the imposition of charges for water rights and water resources in northern New South Wales. Recently that problem was highlighted by river monitoring and serious water shortages in the Macquarie River system below Warren, which cottongrowers felt could cost them up to \$1 million in lost production. Water shortages affecting cotton growing in northern border areas led to considerable debate and discussion. On 20 May last year the *Land* reported that a debate between Ministers in the Fahey Government had reached boiling point.

As honourable members know from recent programs, the honourable member for Barwon had been advocating extending water rights to a number of farmers in the Moree area for the purposes of growing cotton.

He had been campaigning in the latter part of 1993 for an embargo on pumping until underground water reserves and the drought-affected northwest were replenished by rain and riverflows. The honourable member for Barwon claimed that the Department of Water Resources had favoured the big irrigators, had failed to protect groundwater supplies for rural stock and had inadequately policed pumping from unlicensed bores. The Government's problem with water resources in cotton growing areas had led to an intense internal debate over the future of the Department of Water Resources.

It is clear that these questions, which pose great problems for the conservatives in New South Wales - problems between the private right to land, the use of that land and the overall sustainability of agriculture in New South Wales - have reached pressure points on the issue of water for cotton growing, clearing of land for the extension of the wheat belt area and further cotton growing in the Lachlan and Macquarie basins. The only way to create sustainable development within the wheat belt regions of New South Wales is by government intervention. A sustainable agricultural situation cannot develop, given the urgency of water resources and the management of water, without the Government developing a clear policy on the limits of water usage, production and clearing in the wheat belt.

The National Parks and Wildlife Service study demonstrated clearly that clearing rates in wheat areas were going far beyond sustainable levels and that the figures were heading rapidly towards the common figure for the eastern belt, that is, in many areas less than 10 per cent of native forests, which, as even the Hon. R. T. M. Bull would know, is unsustainable given Australia's drought ecology and salinity problems. This rapid rate of clearing will only lead to unsustainable practice in those areas.

The Hon. R. B. Rowland Smith: Is the Hon. I. M. Macdonald talking about imposing quotas on freehold land?

The Hon. I. M. MACDONALD: The Hon. R. B. Rowland Smith said that I am talking about giving quotas on freehold land. I will not at this stage propose how we handle the problem in terms of the rights of individuals to their land and the usage of their land.

The Hon. R. B. Rowland Smith: I am talking in terms of clearing.

The Hon. I. M. MACDONALD: In terms of clearing, I believe we will have to reach a stage where we cannot sustain any more clearing in the Darling Basin, for instance, or the Lachlan Basin or Macquarie Basin.

The Hon. R. B. Rowland Smith: The honourable member is talking about cotton, not wheat.

The Hon. I. M. MACDONALD: We are reaching a threshold of turning the economically viable cotton growing industry into an ecological disaster. We will have to be very careful how we manage those resources and how much more land we make available for cotton production.

The Hon. R. B. Rowland Smith: I am talking about wheat growing on freehold land. Would the Hon. I. M. Macdonald tell the owner of freehold land that he cannot clear it?

The Hon. I. M. MACDONALD: In the near future we will have to consider measures for various regions of New South Wales. When enough has been cleared we will have to say, "That's it". Some areas could sustain more clearing.

The Hon. R. B. Rowland Smith: Twenty thousand acres of my country, cleared the lot.

The Hon. I. M. MACDONALD: As the Hon. R. B. Rowland Smith said, they took out 20,000 acres. Given the problems with blue-green algae, drought and salination in western New South Wales, I do not believe clearing is a sustainable practice. That should be the guiding principle to what we do in future with the more

fragile areas of the State. It is shortsighted to believe that one can alter radically the ecology to such a degree and not cause the environmental disasters that are starting to occur.

I suggest to the Hon. R. B. Rowland Smith that, as the National Parks and Wildlife Service said, we will need intervention in the future to prevent the ecological downside. For example, in the Murray River Basin in Victoria attempts are being made to counter salination with reafforestation. Areas that have been cleared for farming of one form or another - dairying or fruitgrowing - are being reafforested to try to reduce the water-table. I believe we need to revert to policies that have regard to the sustainability of regions. I am sure that the Hon. R. B. Rowland Smith agrees with me. I hope the Government will start to look at the issues involved. In the end government must look carefully at the extension of water rights to see whether they are sustainable over a period, given the nature of water cycles in this country where extensive droughts are followed by a few good years. In many areas of agriculture, particularly the new hi-tech areas, the equation and how it will work over time has not been worked out.

I have been dismayed by the recent attacks on the National Parks and Wildlife Service with respect to wilderness areas and the bushfires. I live on the buffer zone of a national park. I was distressed to think that people saw the activities, or lack thereof, of the NPWS as somehow not aiding bushfire relief. The NPWS has conducted itself with rigour in many areas, given its funding. Because of the extent of our national parks and State forest systems it is impossible to conduct the sorts of back burns and fire prevention activities over a three-year or four-year cycle between our very intense, hot, dry periods, which lead to large bushfires. They do not have the resources or the ability to cover such a large area to the degree that some in the media have suggested.

Bushfires are a natural part of the Australian ecology. I would not want national parks to be burnt out every two or three years as part of a fire prevention policy. However, in the Southern Highlands, where I live, the buffer zones could have been burnt regularly to provide a less fuel-intense area between the national park zone and habitation. A buffer zone that was kept reasonably intact was all that was needed. Extensive burning of national parks is not necessary. I hope the select committee of the other Chamber will come to the same conclusion. I believe it will based on the evidence. I refer also to the series of articles that appeared in the *Daily Telegraph Mirror* in the past few days relating to the upper House. A front page article relating to the abolition of the upper House and waste was accompanied by a photograph of me as the defender of the system. The article stated:

At his country home, NSW Upper House MP Ian Macdonald reflects on the role of the State's house of review. Like many of his colleagues he conducts political business from a home office when the House is not sitting. But unlike several others he staunchly defends its role.

The article then referred to a report on page 5.

The Hon. R. B. Rowland Smith: Did they send you a photograph of yourself?

The Hon. I. M. MACDONALD: I will deal with that in a moment. Page 5 had a short piece about me. The way the journalist sought to get my views on the issues surprised me. I have spoken to many members of this Chamber who believe they were approached in a way that did not in any shape or form reflect the real intent of the writers. The journalist who rang me said that the newspaper was interested in promoting the members of the upper House and felt that the upper House could improve its relationship with the community by exposing its members more. The newspaper wanted to run a series of articles outlining to the community the members of the upper House and the issues that concerned them.

On that basis, I was prepared to allow the journalist to come to my place. At no stage did he say to me that the newspaper intended to publish a series of articles, editorials and set pieces designed to ridicule the House and to attack members over alleged expenditure, committee hearings, overseas trips, et cetera. I allowed the *Daily Telegraph Mirror* to come to my place, I endured posing for something like 250 photographs and I spoke to the journalist on a range of issues for 4½ hours.

The Hon. R. B. Rowland Smith: Were 250 photographs taken?

The Hon. I. M. MACDONALD: Seven reels of film were used and I endured 4½ hours of discussion. At no point was anything that appeared in the articles raised. It was only some time later, from other News Limited journalists, that I learned a lot more about the articles and the series. That raises questions about how the story was constructed. I am most concerned about some aspects of it.

The Hon. R. B. Rowland Smith: You were concerned about the *Daily Telegraph Mirror* a while ago.

The Hon. I. M. MACDONALD: Honourable members should not get me wrong; I am referring to an article. I am concerned about the use of taping during the conduct of interviews with members. I spoke at least three or four times on the telephone with one of the journalists concerned. I made it clear that I am a member of the Media, Entertainment and Arts Alliance. Each time I spoke to the journalist I was told, "Listen, hold on a second, I want to go to my desk", and there would be a short gap and then the conversation would go on. I understand from other members who have spoken to the journalists involved that at a certain point they admitted that the conversations were being taped.

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I have some knowledge of the Telecommunications (Interception) (New South Wales) Act and the Listening Devices Act. I will not labour the point in this Chamber, except to say that both Acts make it very clear that a person who intends to record a conversation between himself and another person must inform that person prior to the recording of the conversation. If it is true that taping was conducted, at no point was I informed that the conversation was being taped. I suggest that some inquiries should be conducted into this matter. It is bad practice for journalists to tape people's conversations without their knowledge. Taping can be a means of ensuring accuracy and of promoting integrity in journalism, but people must be forewarned that it will occur. That is the law of this country and this State. Other members have told me that journalists involved in the story admitted taping members but at no point was I aware that I was being taped; I learnt that afterwards. Journalists should conduct themselves with due propriety and act in accordance with the provisions of the Listening Devices Act 1984 and the Telecommunications (Interception) Act.

The Hon. J. F. Ryan: The editor of the *Daily Telegraph Mirror* told me that he had corrected the journalists who were involved and admitted to me that taping had occurred.

The Hon. I. M. MACDONALD: The Hon. J. F. Ryan has said that the editor admitted to him that the taping had occurred and apologised for those activities.

The Hon. J. F. Ryan: He told me that the journalists had been reprimanded for doing it.

The Hon. I. M. MACDONALD: Yes. There is a possibility that every member of Parliament interviewed was taped by the *Daily Telegraph Mirror*. I have no problem with being taped but I believe that members should have been told about the taping. It is extraordinary. There was not much point: 90 per cent of the material I gave to the journalist was not used. To return to my original point, I was referred to as the defender of the system but there is not one line in all three days of the *Daily Telegraph Mirror* that shows that I am a defender of the system. In the little break-out on page 5 on Monday it was stated that I have a liking for a rural lifestyle, that I come from the country and have gone back there. It said also that I am on the regional development committee and that I have an interest in regional issues. My name having been emblazoned across the front pages as the defender of the system, the newspaper report did not contain one line about my actually defending the system. It is extraordinary.

This Chamber should make official inquiries whether taping of conversations occurred. It should then make a determination. I would not have objected to being taped had I been asked and I would have conducted the interview in the same way. But as a member of the New South Wales Privacy Committee, under the

chairmanship of Chris Puplick, I take the view that any illegal or unnotified taping of individuals is in breach of journalistic ethics and potentially is a breach of two Acts - one State and one Federal. I do not believe any punitive action should be taken against the journalists involved but this House should make clear that such behaviour should not be repeated by a major newspaper or indeed anyone in the community, especially by journalists as senior as Bruce McDougall.

During the week or two prior to the articles appearing, and indeed on the days on which the articles appeared, many journalists, including other News Limited journalists not involved in the story, were sceptical about and antagonistic to the framework of the stories run in the *Daily Telegraph Mirror*. As late as Friday a senior journalist from a News Limited paper made it clear to me that most of the journalists at News Limited who had heard about the matter - it was common knowledge around the corridors of News Limited - had made it clear that they were not in any way supportive of the attempts to ridicule this House. That is the only way one could describe the campaign confined to the particular coterie of journalists associated with the story.

In the *Daily Telegraph Mirror* on Monday it was claimed that I was a defender of the system but that claim was not supported in the newspaper until today in a series of little articles under the heading "A House divided". As a member of the Media Alliance and a citizen of New South Wales I believe the matter contained under the heading "MLCs hit back" should have appeared with the original story. Many of the quotes published today were made when members were interviewed previously and then pulled out after the first series of articles and used as throwaway lines on page 4 of today's *Daily Telegraph Mirror*. That is not professional journalism. A number of journalists from News Limited have said to me that the series of articles was designed to "get" the upper House and that is the framework upon which the journalists worked.

At the end of the series, after endeavouring to create a furore, quotes were used which were taken from interviews conducted well before the series of articles appeared. In terms of research, integrity and ethics, the way in which the series was handled by the *Daily Telegraph Mirror* was a gross distortion that stemmed from a political campaign in relation to this Chamber as distinct from any real assessment of this House and its part in the democratic process of New South Wales. A number of aspects of the *Daily Telegraph Mirror* story need to be fleshed out and need further investigation. The use of tapes should be closely looked at by the House and it should be made clear to journalists that it is totally unacceptable and unlawful. The Standing Committee upon Parliamentary Privilege should look at these issues, but not in the sense of having a witch-hunt because it should not proceed in that manner. The practices should be looked at in detail and a more balanced approach should be given to the work of this Chamber. It is interesting to look through the collage of articles, particularly on the first day when there was maximum public attention. In the first series of

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articles many statements were made about the upper House but at no stage did they adequately cover the work of the House in any shape or form.

Some members of this Parliament are populists who, in my view, have rapidly jumped to the conclusion that this House should be abolished for reasons that are immeasurably reprehensible. The Australian Labor Party dropped its platform of abolishing upper Houses approximately 25 to 30 years ago. This happened after the conclusion was reached that seeking a further referendum for the abolition of the upper House of New South Wales was a waste of taxpayers' money and would lead to an inevitable defeat. Honourable members should recall that in 1984, following the 1978 agreement between the parties, this House was finally democratised and placed centrally within the democratic system of this State.

In earlier times the upper House had an elected formula by appointment of the parties, which left much to be desired in my view. That system cannot be justified under any circumstances. However, this House now has one of the most democratic franchises in this country. One might argue the merits of the Hare-Clark system in Tasmania. Overall I believe the proportional representation formula has allowed this House to develop whereby various groups, sectors and interest bodies in our community can have input in a direct and real sense. In no other lower House in this country can this representation be achieved through the various electoral systems.

All praise should be given to the Hon. Helen Sham-Ho for putting the meaning of democracy in this Chamber in very clear terms. She said, "I would never be elected in another Chamber in another House". That eloquently summed up the democratic spirit and force that is inherent in our election system. From all the quotes, misquotes and little quotes I found after 4½ hours of discussion, it is clear that the role of this Chamber in a democratic Australia is to represent the minority groups that would not normally have a chance because of the system. Yet, the *Daily Telegraph Mirror* did not deal with that aspect.

There are more women members of this Chamber than there are in any other State or Commonwealth Parliament. Women have been able to attain that level of representation in this Chamber because of the democratic formulation that was first instituted by Neville Wran in 1978 and brought through in 1984. A seasoned campaigner such as Reverend the Hon. F. J. Nile would not be successful in an election for any seat in this country - not in the Riverina or in any other small area of the State. The basic democratic election formula enables interest groups to be elected to this Chamber. In future I trust that a thousand flowers will bloom in this Chamber with more women and more representation from various community groups.

In 1990-91 this House debated the changed voting formula, and changed numbers were brought about. The Liberal Party - the conservatives - extended the democratic franchise of this Chamber by lowering the quota, which means Reverend the Hon. F. J. Nile does not have to work so hard to seek re-election. However, because he is a hard worker he will make sure that he puts every endeavour into succeeding at the next election. Where does this appear in the *Daily Telegraph Mirror*? The article does not mention that this House provides representation for people in the community that the more direct electorate-based Houses are unable to achieve.

For that reason, women, ethnic groups, Aborigines and others will have a chance to participate at the centre of the democratic process. At no stage in the *Daily Telegraph Mirror* was there any discussion of the role of the Legislative Council of New South Wales within a democratic framework. If the talk is of a few million dollars, the rest of the community will be rattled into believing that it is a waste and that this House should be abolished. Unfortunately - or fortunately - in the past many people have said that democracy is expensive. If this House is to be effective with representation from the Hon. Helen Sham-Ho, the Hon. J. Kaldis, the Hon. J. M. Samios - my Scottish friend - and also from women on both sides of this House, it will only be through this type of Chamber and not an electorate-based Chamber.

The Hon. Patricia Forsythe: So you do not agree with Paul Keating's comments about the Senate?

The Hon. I. M. MACDONALD: I do not agree with the Prime Minister's view that the Senate should be abolished. In my view, unicameral parliaments have far too much power in general. The power needs to be diluted. Most excessive power throughout history has occurred when people have not had checks and balances on the exercise of that power. In fact, the unicameral parliaments of Queensland over the past 30 years - and the 30 years prior - were governments characterised by scandal, inappropriate use of power, and lack of tolerance for any other ideas in the community.

There is no doubt that the Bjelke-Petersen Government would not have lasted more than 10 years if its democratic franchise was reviewed by an upper House that had been elected on the basis of proportional representation. There is no doubt that Sir Joh's role would have been limited by an upper House restraining the excesses of power. My comments do not relate to a particular government or political view in this country, and I am not taking a partisan position in relation to the role of an upper House. Unrestrained power in Queensland has saddled the people of that State with excesses beyond belief. Most honourable members would agree that the bigotry that was forced upon the community in Queensland for 20 years was a tragedy that could have been averted had there been a democratically elected upper House.

The series of articles in the *Daily Telegraph Mirror* has done a disservice, not to me as an individual, not to any member of this Chamber, and not to this House as a Chamber within a democratic

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framework, but to democracy itself. The articles do not, and did not seek to, canvass the issues of the role of an upper House within a democratic system. I for one will strenuously fight abolition moves by any leader, any

political group, any newspaper or media outlet, or any other group that wants to raise its head. I will strenuously fight for the retention of an upper House because I believe it makes a democratic system work - as demonstrated in this country and overseas. Virtually every State in the United States of America and most European countries have upper Houses that act as a brake on the excesses of governments that have agendas in conflict with the democratic expression of the people.

It is for those reasons that I believe the series of articles in the *Daily Telegraph Mirror* did not deal with the substance of the debate about an upper House. The articles were sensationally based and designed to ridicule the Chamber. They did not canvass the issues involved in any real way. I conclude by saying I hope the House treats seriously the comments I have made, particularly in relation to the series of articles that appeared in the *Daily Telegraph Mirror*, as well as the articles that related to the Governor of New South Wales. I believe the seriousness with which we take this matter will be a clear demonstration from us that democracy will not be trifled with.

[The Deputy-President (The Hon. Dr. Marlene Goldsmith) left the chair at 6.24 p.m. The House resumed at 8.15 p.m.]

The Hon. PATRICIA FORSYTHE [8.15]: I am pleased to support the motion by my colleague the Hon. Dr B. P. V. Pezzutti. His speech was, as always, both thoughtful and broad ranging.

The Hon. J. R. Johnson: It was sound - all sound.

The Hon. PATRICIA FORSYTHE: It was all sound and I thank the Hon. J. R. Johnson for his most apt interjection. The motion and the speech by the Hon. Dr B. P. V. Pezzutti were in stark contrast to that of the Leader of the Opposition, the Hon. M. R. Egan, whose speech was narrow in perspective. It was a silly amendment and a silly stunt, but I will have more to say about that later. It has been fascinating to listen to the protests of Opposition members for most of last week. I should begin by congratulating the Governor on the extension of his term of office. I am sure all honourable members look forward to working with him over the next year. His quiet dignity and his example to us all is something we appreciate.

In contrast to the attitude of the Opposition has been the support that the Government has shown to His Excellency over recent days. The Hon. I. M. Macdonald made lengthy allegations about some conspiracy theory concerning the Governor and the extension of his term, but last week the Opposition indulged in silly stunts. When members of the Opposition from the other place attended this Chamber for the opening of Parliament this year, and also last year, they seemed to misunderstand the role of His Excellency and their duty to acknowledge him. Because of their misguided approach to republicanism many of them came into this Chamber without acknowledging His Excellency in the chair.

Following that performance last week the Opposition was crying crocodile tears about a media story that was said to be destabilising the Governor's position. At the same time the Leader of the Opposition, the honourable member for Maroubra, issued a document displaying his photograph where one would otherwise expect to see a photograph of the Governor. I have a copy of the document here and underneath the photograph are the words, "The Governor's Speech for a Carr Administration". It begins, "The Governor's Speech New South Wales really needs. Members of Parliament here assembled . . .". It is a lengthy document, written as if it were the alternative speech the Governor would have given. It is a silly stunt and one that should be beneath even the Opposition.

The Hon. I. M. Macdonald made much of the role of the Governor in his speech earlier tonight and of the stories in the *Daily Telegraph Mirror*. However, he shot his debate to pieces. On the one hand he accepted word for word what the *Daily Telegraph Mirror* had reported when discussing the position of the Governor, but half an hour later, when talking about the story as reported in the *Daily Telegraph Mirror* about the Legislative Council - a story which he knows something about, as we all do - he was exceptionally critical. When it suited his purposes he was prepared to believe word for word what was reported in the *Daily Telegraph Mirror*, but when it came to the story that equally suited his purposes he was able to say on the one hand that the *Daily*

Telegraph Mirror could be correct but on the other hand it was incorrect. He shot his argument to pieces about how the *Daily Telegraph Mirror* had reported the story about the future of the Governor.

I want to draw out a number of the features of that speech. The themes that are at the heart of this Government include responsible economic management, care for the individual and recognition of the value of families. Those themes, which I am proud to support, are also at the heart of liberalism. Many governments around Australia have been prepared to jump on the responsible economic management bandwagon lately. This Government first championed the idea of deregulation in 1986, 1987 and into 1988. It realised that microeconomic reform was important for the people of New South Wales. It is not a whim of economists but a means to greater productivity. In government terms that means lower taxes and charges. In other words, people benefit from good economic management.

His Excellency's Speech reinforced our commitment to assist the unemployed and those at risk of being unemployed. In the past week I have listened with interest as various members of the Opposition have come forward with their interpretation of figures. I refer particularly to the

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speeches of the Leader of the Opposition and the Hon. Delcia Kite. We can all interpret statistics, but those honourable members chose narrow statistics, their interpretation of which was wrong. The Australian Bureau of Statistics findings of January this year reinforce the view that this Government is working extremely hard to do something for the unemployed and to turn around the economy of New South Wales.

The ABS statistics of January show that employment has increased by 46,900 since July, which is greater than one-third of all national economic growth. New South Wales is doing better. The number of unemployed in New South Wales is now down by 16,600, that is 45 per cent of the national fall. Our unemployment rate is down to 10.3 per cent - which is not a satisfactory figure, but it is below the national average and it shows that we are about creating jobs. New South Wales and Western Australia had the greatest drop in unemployment in the period of December and January.

Honourable members opposite have said that the Government is holding Australia back; it is not. The number of new jobs being created in New South Wales is more than twice the Australian average - 9.7 new jobs must be created to get one unemployed person back to work. The national average is 20 jobs. Unfortunately, our teenage unemployment level is the same as the rest of Australia: unacceptable. That is the area in which we must focus many of our goals for the next year. I shall refer later to what we are doing with respect to education, training and TAFE.

The Government is doing something about the record level of teenage unemployment. It comes back to our strong belief in the importance of the individual. Many of our policies have a much broader focus than simply good economic management; they place emphasis on the individual. Unemployment is without doubt one of the biggest challenges facing every government in Australia - hence our emphasis on education and training. The Australian Labor Party has no mortgage on concern for this issue. What His Excellency said in his address reinforces the message that the Government takes this issue very seriously.

Another key area of His Excellency's address was public sector and microeconomic reform. Indeed, that is part of our broad economic agenda, as it is for all Australian governments. That message was reinforced to all of us in the Council of Australian Governments communique from Hobart at the end of February. It emphasised goals that this Government has pursued from day one. The communique issued from Hobart on 25 February stated, "The Council agreed on the need to accelerate and broaden progress on microeconomic reform to support higher economic and employment growth on a sustainable basis". In other words, if we are going to make progress, we have to break out of the cyclical nature of the economy. It is not about picking winners; it has to be a broad economic approach and it has to have as its basis some means of sustainability.

The COAG communiqué is very much in accord with the philosophy of this Government. It is difficult to know what the Opposition's position is on this. In almost every speech we have had over the past year from the Leader of the Opposition and others from his party we have heard a different emphasis. Of course, we all recall

the speech given last year by the Leader of the Opposition - his so-called big end of town speech. It had a different emphasis from what we had picked up. From the speeches of Bob Carr and the Hon. M. R. Egan it is difficult to interpret the direction in which they are seeking to go. Do they support what COAG said? The COAG communique referred to the water resources policy. Many of the issues raised in the communique are already being addressed by this Government - for example, its pricing policy in relation to the Water Board. The communiqué on that occasion stated:

The strategic framework embraces pricing reform based on the principles of consumption-based pricing and full-cost recovery, the reduction or elimination of cross-subsidies and making subsidies transparent.

That may sound familiar. It has been much the basis of the direction of this Government since coming to office in 1988 in relation to electricity, and the policy is now being applied to water. However, I acknowledge that the previous Labor Government adopted this policy in the Hunter in the early 1980s. The difficulty for us today is to determine precisely what the Labor Party thinks about this policy. Institutional reform is also an element of the COAG direction. New South Wales has already seen progress in this regard. At the end of last year we saw price reductions for commercial users. Recently we have heard in this House that domestic consumers are also benefiting from the new approach. People who are conservative in their use of water, who treat water as a scarce commodity, will be rewarded in their bills. COAG's agreement sits very comfortably with the announcement by His Excellency that the Water Board will be corporatised.

I could find no reference in the speech of the Hon. M. R. Egan to the corporatisation of the Water Board. I have no idea what Labor's attitude is in that regard. The speech of Bob Carr, which was printed and distributed, was silent on this issue. Through corporatisation the Water Board will have the opportunity to be commercially focused, leading to greater accountability and transparency of the Water Board. The level of service expected of it will be made clear and its focus will be on core services and not the myriad small businesses that have been part of its focus. The bottom line will be that if the new corporatised board cannot provide water and sewerage services at a competitive rate, it will be possible for alternative service providers to provide a proportion of the market. Corporatisation has been one of the issues the parliamentary committee investigating the Water Board has focused on for many months. I will have more to say about the Water Board when the committee report is handed down, I hope within the next six weeks.

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I shall make only one comment on the committee at this point. A little over a week ago we learnt from the media that Government members of the committee were "white anting and stalling the committee". That is anything but the case. As on other occasions, we had difficulty getting the media to print our side of the story or to acknowledge that there was another side. I am pleased to say that the chairman of the committee stated at the last meeting we had, about a week ago, that that was not the situation. We have been presented with metres of material from the Water Board, and Government members are intent on the report being addressed, if necessary, page by page. It has been a long and slow process but Government members have not in any way sought to white ant or stall. We reject that criticism out of hand.

Much of what we have heard about COAG in the past few weeks has been about competition policy. We know that Professor Hilmer, in his advice to the Federal Government, has said much about the importance of competition. It is not an entirely new idea. Today I went back through some early speeches by the Hon. Nick Greiner in which there were almost identical words to those of Professor Hilmer speaking to the business community or in his report to the Federal Government. There is no doubt that the Federal Government is now forging ahead with the concept of competition and economic reform which was at the heart of the Greiner philosophy in 1987 and 1988. We wholeheartedly endorse this approach because it is one of the bases upon which this Government was elected in 1988. Professor Hilmer said in his recent speech to the business community:

Competition policy tends to involve the degree to which competition is going to be allowed to play a role in an economy, and competition is one of the constructive forces that can be used in an economy in order to create jobs to create wealth.

In other words, it is not about competition for its own sake; it is about a means to create jobs, and from that we create wealth. Nick Greiner, back in 1987, in a speech to the New South Wales Young Liberals in relation to the Liberal vision for New South Wales, said:

We do need to expose the public sector at State and Federal levels to competition. There is a need to contract out those services that can be better done by the private sector.

There is a perception these days that it is the Federal Government that is driving the agenda.

The Hon. R. J. Webster: It took a long time for them to work it out.

The Hon. PATRICIA FORSYTHE: We have been talking about this for a long time, as the Minister just said. We have been on the right track for a long time and we will see the rewards. Where is the Opposition's vision on this? The coalition has these goals, and policies in place to address them.

The Hon. Jan Burnswoods: What did your leader tell you about vision?

The Hon. PATRICIA FORSYTHE: How can we have a vision when we have to deal with Independents -

The Hon. Jan Burnswoods: Not Greiner, that other bloke. The one who said -

The Hon. PATRICIA FORSYTHE: Yes, he said it is very difficult to have a vision when members of the Opposition and Independents second guess everything we do. The speeches of the Leader of the Opposition are absolutely silent on competition policy. The Hon. M.R. Egan said of Carr's program in his speech that it was "not just a program for jobs; it covers the whole range of government activity". A reading both speeches will show that it does not cover the whole of government activity; it barely touches any areas of government activity. Let us look at a couple of things that we have proposed which His Excellency particularly noted. We have many initiatives in place for economic development, and I shall highlight just two of them, in particular manufacturing and the work being done by the Minister for Regional Development, the Hon. Ray Chappell. His Excellency highlighted the creation of the manufacturing industry advisory board as part of a broad promotion and development of the manufacturing sector in New South Wales. I particularly welcome this as part of a much broader program, which the Minister released in late 1993, a manufacturing industries program.

This Government has recognised the critical importance of manufacturing to our economy. Manufacturing is our future, and without capacity to value add on our primary resources we will be for ever at the whim of world commodity prices. It cannot be put any more simply than that. When the Minister released his document he said that the New South Wales Government vision is that the majority of State manufacturers will become internationally competitive. Indeed, that is at the heart of what the Government is about at the moment. We have already put in place a number of measures to achieve that goal, such as the establishment of the advisory body. It will bring the private sector and Government together in an appropriate partnership. We also have State environmental planning policy 34, which the Minister for Planning would know all about. We have also put in place case-by-case assistance with rebates, exemptions, infrastructure support and money for research and development. We have undertaken the red tape inquiry. The speech from the Leader of the Opposition would lead one to believe that Opposition members were the first to discover the problems of regulations.

We have been doing that since 1988. When Nick Greiner became Premier he said that one thing we must do is review every regulation. That process has been under way. A joint public-private sector publication called *Making it Happen in New South Wales* draws together all of our policies and initiatives for manufacturing and business growth. Those initiatives should be compared with the steps that the

credit rating of New South Wales.

My emphasis in this debate has been on manufacturing. The reason the Government has particular interest in manufacturing is that there has not been sufficient investment in Australia, particularly in manufacturing industries, and this has constrained our import replacement and export growth. More than anything, this Government has talked about a long-term and sustainable future. However, many constraints on growth relate to Federal policies and more needs to be done in this regard. The Opposition should use its clout with the Federal Government, if it has any, to address some of these concerns because creating the right climate in New South Wales for manufacturing will not be achieved unless high labour and construction costs are addressed.

Even if we must live with those factors in order to trade with Asia, other improvements can be made to assist our manufacturing sector, particularly with regard to our taxation system, which is at the heart of the lack of competitiveness for manufacturing and investment disincentives. It is to me a great regret that the States cannot do more. I congratulate this Government on making the growing manufacturing sector a key goal, but I look to Federal Labor to assist to make Australia more sustainable in manufacturing development. I should briefly mention some Opposition initiatives. I refer to the contribution of the Hon. M. R. Egan and his silly amendments last week to focus on some initiatives that he sought for job creation.

Perhaps before I refer to some of the overseas jaunts that the Leader of the Opposition thinks he is about to embark upon I should say that he should look at the constraints that the Federal system places on the economy and persuade his Labor mates to consider changes to the tax system, rebates for exports, or perhaps changes in the tax equalisation levy on imports - which will give Australian manufacturers and New South Wales in particular a level playing field. From reading the grand plan presented last week by the Leader of the Opposition one questions how the Opposition will expand the economy and achieve the new manufacturing sector. In his contribution the Leader of the Opposition spoke of how the job of the proposed department of finance and State development under a Carr Labor government will be to enter the international Australian market-place and bid for business and jobs.

The Leader of the Opposition believes he will be the Minister responsible for that portfolio and will be going out to the market-place. It sounds to me like he is planning many overseas trips. He says that whenever a significant and sensible new investment opportunity is identified, it will be his job as Minister for finance and State development to convene a top level bid team. Just as New South Wales bid for the Olympic Games, that team will bid for investment opportunities for New South Wales. The Opposition is picking winners but will go looking for them overseas with their vast bid teams. He said that they will also be taking major initiatives to unshackle all business, big and small, from unnecessary red tape. If a business can show that any government regulation is an unnecessary hindrance, it will qualify for exemption granted by the Minister for finance and State development. This sounds like Labor of old. What regulations could the Leader of the Opposition possibly be talking about? It might be State Environmental Planning Policy 14 on wetlands because the Opposition might want to locate manufacturing businesses on a wetland.

The Hon. R. J. Webster: What about clean waters?

The Hon. PATRICIA FORSYTHE: The Minister referred to clean waters. It could be the clean water regulation, clean air regulation, or hazardous and offensive development - SEPP 33. With regard to any regulation, if a business says that it is silly and it is a hindrance, the Leader of the Opposition will be prepared to exempt that business. A regulation either has merit or it does not. This Government is not about the business of selective abolition because it might suit one company or another. For example, is it a question of 90,000 or 40,000 pigs at Scone? Someone might say in that instance that the regulation is a hindrance because "we will do well with 90,000 pigs and not worry about the neighbours". This Opposition policy is fraught with danger. The Opposition tells the Australian Democrats that it is concerned about the environment and that its members are the guardians of the environment. On one hand Opposition members parade their green credentials, but on the other hand make silly statements. At what point is something regarded as being silly and an unnecessary hindrance?

The Hon. D. F. Moppett: How did the Opposition measure up two days after the helicopter bill? Its answer was to remove all impediments to the helicopter industry for the development of New South Wales and drive them to Victoria.

The Hon. PATRICIA FORSYTHE: That could well have been a silly hindrance or unnecessary red tape for helicopter owners. The Opposition cannot have it both ways. Last week we witnessed the Robert Ray approach to the environment; the silly frogs at Jervis Bay. Then there was the Prime Minister's so-called good idea to move the Navy to White Bay. First he was concerned about the Balmain basket weavers. Honourable members may have read the article in the wonderful journal, the *Daily Telegraph Mirror* of 3 March, when he warned the Independents in New South Wales Parliament that they would not be able to prevent the move on heritage grounds because the land was owned by the Commonwealth.

The Hon. Jan Burnswoods: This is John Fahey, is it not?

The Hon. PATRICIA FORSYTHE: No, it is not John Fahey. It is the Prime Minister.

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The Hon. Jan Burnswoods: John Fahey is always warning the Independents.

The Hon. PATRICIA FORSYTHE: You cannot get out of it that easily. One day the Opposition says one thing and on another day says something different. The Opposition cannot have it both ways. At some point in his contribution the Hon. M. R. Egan said that coalition reform on regulations since 1988 has been a take-it or leave-it approach. Far from it: it has been a sensible and carefully planned attack on unnecessary red tape. The Government is not about picking winners and it is not about the approach suggested by the Leader of the Opposition.

I refer now to regional development, which falls under the portfolio of the Hon. Ray Chappell. The Standing Committee on State Development has been undertaking an extensive investigation into regional development and will make recommendations later in the year. I draw the attention of the House to comments made by the Leader of the Opposition a few weeks ago. I do not know whether he thought that because he was making statements about the establishment of the Hunter Development Board he could sneak into the area and no one would notice his stupid press release. But the Government did notice. On the morning that the board was announced at the new Hunter Development Council he issued a press release that said, "Libs and Nats to stack the Hunter Development Council". He got in early and said that the Government was about to load the council down with political cronies.

The first political crony of the Government was said to be George Keegan, the former member for Newcastle, who was an Independent. The Leader of the Opposition then identified Chris Barnes - who he described as a former National Party candidate for the electorate of Hunter. I have no difficulty saying he is wrong. I am quite happy to claim Chris Barnes as a former Liberal candidate.

The Hon. J. H. Jobling: He is a current Liberal Party member.

The Hon. PATRICIA FORSYTHE: Indeed. I first met Chris Barnes when he was secretary of the Vignerons Association. He runs one of the best restaurants in the Hunter Valley and has taken a great role in the Hunter Valley. If his only crime is that he is a member of the Liberal Party, I fail to recognise the problem. The Leader of the Opposition then identified another member of the Liberal Party and said - shock, horror - that those people were likely to appear on the council. He was partly right - all three of them did - although, as I said, Chris Barnes was certainly not a member of the National Party.

Of course, the Leader of the Opposition overlooked the fact that Peter Barrack, the Secretary of the Newcastle Trades Hall Council, was also on the council. I am very fond of the *Newcastle Herald*, but on this

occasion I would have to say that the headline "How the members of the Hunter Council line up" was a little biased. The newspaper gave a summary of all the members and included a reference to political affiliation - for example, "none", "not known". Peter Barrack, political affiliation, none! He said to someone afterwards that he must not have been working hard lately. I do not think Peter Barrack would be backward in admitting his political affiliation. All I can say is, "What is wrong in those instances?" Does it not say something about people who might actually have an interest in and a willingness to do something for the area. The Opposition should not talk about jobs for the boys. The editorial in the *Newcastle Herald* editorial of 22 February stated:

The NSW Opposition spokesman on State Development, Mr Egan, has been over hasty in attacking the composition of the new Hunter Economic Development Council. It would be surprising if any government-appointed board did not include people with political connections. Much more important, from the Hunter's point of view, is whether the new council produces results.

Other members of the council include the chairman, plant manager of Tomago Aluminium, Barry Goldstiver, and Peter Rundle of Rundles Holdings Limited, which is a major manufacturer in the city. Rundles Holdings recently secured a significant contract to supply uniforms for Qantas and has contributed much to the city. The council includes men and women from across the Hunter Valley and people who have contributed to the valley. The choice of members will give the council an outstanding direction for the future.

I shall conclude my remarks on the Hunter Valley with a couple of brief points about the Building Better Cities Agreement, which was mentioned in His Excellency's Speech. I was disappointed last year when the coalition announced that it would abolish the Building Better Cities program as part of its Fightback policies. In fact, the Building Better Cities Agreement is an achievement of the State and Federal governments of which we can all be proud. I have no difficulty in supporting this initiative of the Federal Government. I want to focus briefly on the Honeysuckle development and note a few achievements of the past year. As I do, I wonder still at the questions the Hon. R. S. L. Jones asked during last year's estimates committee hearing. He asked some very odd questions about the Honeysuckle development. I still do not know what he was getting at because, already, \$18 million has been committed to public works on the Honeysuckle development; \$3 million has been committed to projects and studies beyond Honeysuckle in inner Newcastle; \$500,000 has been spent on restoring the first of Honeysuckle's heritage buildings; new aged units have been completed; and new moorings for the commercial fishing fleet are under way.

I say all that against the background of an extremely run-down area of the city of Newcastle, an area of old wharves and old railway shunting yards that has been degraded all my life. But new life has been breathed into the area, which will provide a long-term benefit for the city and the region. The Honeysuckle development is so exciting and I am

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pleased to support what His Excellency the Governor said because already 90 per cent of the dollar value of works and more than 100 contracts have been let to locally based firms. It is estimated that the Honeysuckle development will provide in the long term 300 full-time jobs annually during the 20-year construction phase, 1,400 indirect jobs per annum, 3,000 to 5,000 new residents after completion of the project and, in addition, 5,000 to 8,000 employees will come into the area. That can only be to the long-term benefit of Newcastle. Honeysuckle borders the central business district, and anyone who knows Newcastle knows that in a commercial sense, particularly a retail sense, the heart of Newcastle has been slowly degrading and dying for years.

I want to mention briefly three other areas of His Excellency's Speech. First, I compliment the Minister for Education, Training and Youth Affairs on the education and training initiatives she has introduced. It is part of the Government's commitment to the individual. The drive the Minister has put into broadening education and giving a range of choices, not only in the types of schools but also in the way in which people can study for the higher school certificate, undertake apprenticeships and training and choose various employment-based training options while completing the higher school certificate is outstanding. Many young people in New South Wales will benefit from these initiatives. The Government cares for the individual.

I should mention also the initiatives that will expand opportunities for Aborigines and provide choices in

new curriculum studies. New South Wales has a long way to go in terms of Aborigines and Aboriginal health and education. Any initiative is welcomed. I only hope as we get to the next century that what we identify are achievements in leaps and bounds for those people. Had I spoken yesterday on International Women's Day I would have mentioned women's policies. In many ways the Minister for Education, Training and Youth Affairs in question time today took much of my thunder. But it is worth my while to note that the Governor's Speech as delivered by the Carr administration contained only a brief reference to women on page 15. The Leader of the Opposition in this House said not one word about policies for women. Perhaps he was embarrassed because everything the Leader of the Opposition mentioned in his speech had been announced already by the Government, as the Minister for Education, Training and Youth Affairs so succinctly reminded the House today during question time.

The Leader of the Opposition made the point that the Government had only done a public relations exercise - except that he reannounced everything that the Government has done, which says something about his support of our so-called PR exercise. Perhaps more to the point, if by way of a PR exercise the Government is doing something to raise awareness of women's issues and the self-esteem of women, it is on the right track. Certainly, the Government's commitments have been broad and its achievements most significant. I congratulate the Minister for her achievements in that regard. Labor cannot paint us into a corner on this. The Government has taken the high ground. It has the initiatives; it has the runs on the board. They are achievements of which we, in the coalition, can be rightly proud. I had intended to wind up by saying something about the family because I am proud that it has always been Liberal Party policy to promote the family and family values. In this the International Year of the Family I conclude by saying that my fondest hope as we discuss the issues of the family is that we do not divide the community.

It is most important to emphasise over and over again the importance of the family while recognising that there are people who sit outside families. I remind them that perhaps we should all dwell on traditional family values as being of importance. I am no great fan of Hugh McKay; I think he is far too negative. I am positive about the future but he seems negative. A sentence in his book *Re-Inventing Australia* is worth noting:

However it may be defined -

He said of the family:

- it provides a social context in which traditional family values loyalty, acceptance, shared responsibility, mutual support are more likely to thrive.

I hope everyone will keep that in mind in the coming year. There is no point in trying to divide people in the community over the issue of families and trying to define families in a way that excludes people. I support the traditional family, but I recognise that other people outside it have concepts of loyalty and shared responsibility and we should do nothing to try to isolate them in this the International Year of the Family when we promote many of the positive attitudes of families. I am proud of the things that my party has said over many years.

The Hon. JAN BURNSWOODS [9.1]: As a conscientious member of the upper House, in preparing to speak to the Address in Reply to the Governor's Speech delivered in this Chamber last week, I thought I would have a look at what the Governor and I said last year. The Governor's Speech last year was a great deal better than his Speech this year. I found it a depressing exercise. Although on 1 March it was made clear to honourable members what a thin, paltry, depressing and inadequate program the Fahey Government had to put before us through the mouth of the Governor, it was not until I looked at last year's performance - which at the time I thought was pretty pathetic - that I realised that it has been all downhill since that time.

Before I start to refer in detail to the Government's program I wish to refer to two comments I made last year at the commencement of my contribution. I was critical of what I called the childish dress-up party we had on the opening day, and I mentioned the marvellous experience of taking part in the gay and lesbian mardi gras a few days later when half a million people turned out to join in. This year the mardi gras was bigger and better. I believe well over half a million people joined in this year.

Having drawn that particular parallel with what was said last year, I should now like to look a little more at the Governor's remarks. But before I do so, I join many of my colleagues in expressing my regret at the treatment the Governor has received from the Fahey Government. In its usual ham-fisted way it set out to remove him but was then faced with yet another backbench revolt from the feather duster club, I think they call themselves, the National Party rump, and a couple of Liberals.

Once again the Premier backed down and told the poor Governor that he could continue on. I did notice, as did many of my colleagues, that the Governor was looking very sad and rather depressed on the day he delivered his Speech. At the time I thought it was because of the paltry speech he had to deliver. But, of course, honourable members now know that it was because of the treatment that had been meted out to him by the Government. However, now that the Government has announced that he is to survive for another year, I congratulate him on getting over that difficult period, and I join my colleagues in drawing attention to the Government's truly dreadful behaviour. When I compared last year's Speech with the Speech delivered this year I was struck by the range of commitments made last year that have not been carried out. The Speech this year dealt with a series of reannouncements and recycling. Last year the Governor said on waste management:

The Government will act when it has considered the current round of community consultation and the joint select committee report.

This year no reference was made to the lack of action last year. Instead, the Governor said:

The Government will be responding to the findings of the Parliamentary Joint Select Committee on Waste . . .

In early 1995, if this Government survives that long, the Governor will probably say again that the Government will be continuing to think about the findings of the parliamentary joint select committee on waste. I do not want to refer to every example of repetition and the way in which this year's speech repeats last year's Speech. But I offer Government members another example. For instance, last year the Governor said:

Legislation will be introduced to ensure that those suffering from AIDS are not discriminated against.

This year he said:

Legislation will be introduced to prohibit discrimination on the grounds of . . . HIV status.

Again last year the Governor said:

The Government will propose legislation arising from the review of the Victims Compensation Act.

This year he said:

The Government will introduce a comprehensive package of reforms following the review of the implementation of the Victims Compensation Act . . .

I could give numerous similar examples, but I think I have quoted sufficient to make the point that last year's pathetic little program was not carried out. Honourable members will have seen the recent statistics in the newspapers relating to the decline in the Government's program. The Government this year has chosen to ignore perhaps the most embarrassing examples of its drift and failure to do anything and merely reannounced the other commitments, presumably hoping that someone will be silly enough not to notice that it has all been said before. I have not yet referred to the International Year of the Family, and I should like to refer to that. Last year the Governor said, "The Government will co-ordinate a program of initiatives". This year honourable members heard - a slight change of wording - " . . . the Government will be announcing a number of special

initiatives in this area . . ."

I should like to say a little about a proposal to give prisoners a \$5 phonecard. That was announced around the same time that the Governor gave his Speech. A constituent who lives in Sydney contacted me to point out to me that the \$5 phonecard does not help families; in fact, it is an insult to them. The woman's husband is in gaol five hours' drive from Sydney. They have two children and, of course, the wife is trying hard to make sure that the children maintain contact with their father. The husband, like most prisoners, is able to telephone home each week. However, the gaol rules mean that the subscriber trunk dialling call has to be made in the peak period and must be made reverse charge through the operator. That is the most expensive way to make a telephone call. It costs this woman \$180 a quarter to take calls from her husband in gaol. If the Government thinks it can trumpet that it is doing something to help keep families of prisoners together in this International Year of the Family by bringing in a \$5 phonecard, it should be ashamed of itself for making such a derisory promise.

I urge the Minister for Justice to adopt a simpler solution to help families with a member in prison. If prisoners were allowed to use the new Telecom Homelink plan, which enables a person to call his home number, put in a code and bypass the operator, thereby greatly reducing the cost of STD calls from prisoners, the Government would be taking a step that might make it easier for families to keep in touch. The problem I am referring to is particularly important given the location of so many of our gaols. In passing, I refer to the extra problems the families of prisoners face with the location of the newest gaol in Junee. The time and the cost of travel and of staying overnight has made it almost impossible for families to keep in touch with prisoners. All the research shows the importance of prisoners keeping in touch with their families but, if anything, the Government has made that more difficult.

I should now like to refer to an issue about which honourable members have heard quite a deal in the past couple of weeks. That is the Office of Youth Affairs, which is under the control of the Minister for Education, Training and Youth Affairs. Honourable members have heard so much about the Office of Youth Affairs during the past few weeks because it has become clear that the former head of that office, Jillian Skinner, who is now a member of Parliament,

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was running the Government's marginal seats campaign from that office. The politicisation of the Office of Youth Affairs is a tragedy because it funds good programs. It has continued the good work of the youth co-ordination unit that was in place under the Labor Government and, of course, the good work under Labor of the Department of Youth and Community Services. The present Minister for Education, Training and Youth Affairs has taken the youth out of youth and community services.

The Hon. J. H. Jobling: And put the family in.

The Hon. Ann Symonds: That did not last long though, did it? It has now gone too.

The Hon. JAN BURNSWOODS: I am sure the Hon. Ann Symonds will be able to add a little to my remarks when she speaks later in this debate about the Government's real commitment to the family. The Government's so-called commitment to youth was remarkably absent from the Governor's Speech. The Governor made only a passing reference to apprenticeships, which I would have thought the Government would be ashamed to mention, given its record on apprenticeships in the public sector. The only reference to youth in the Governor's Speech is the statement that this year the Government will release the white paper on future directions in juvenile justice. Honourable members have been waiting for that white paper for a long time. However, as I have already pointed out, this year's Speech contains many things that were in last year's Speech. Perhaps next year's Speech will contain yet another comment on the forthcoming white paper. That may, indeed, be the case because I have heard that it is a disappointing document and that one of the reasons for the delay is that the white paper on juvenile justice is basically a flop.

The next issue I want to deal with relates to the tragic bushfires that threatened so much of Sydney in early January. The area in which I live is not very far from the Lane Cove National Park and the homes that were

threatened on the North Ryde and Marsfield side as well as on the other side of the river in Lane Cove and right up the valley. It was certainly a very frightening period. I join other honourable members in paying tribute to those volunteers and members of New South Wales Fire Brigades and the Department of Bush Fire Services who worked so hard to combat the fires and to prevent even more damage than did occur. Recently the Government established a committee to examine issues relating to bushfire management and the management of land to ensure that bushfires, should they recur, are not as devastating. I was interested to read again what the Hon. E. P. Pickering said in the debate in this Chamber on 19 November last year on the bush fires and fire brigades amendment bills about the formula that had been used for firefighting funding and the levy paid by the insurance industry. On that occasion he said:

For three years I reduced the charge against the insurance industry while it increased its charge premiums to the community by about 40 per cent. I gave that game away as a waste of time, and created within the fire brigade movement a slush fund, or a hollow log as it is often referred to, rather than allow the insurance industry to use this mechanism to increase its charges against the community. At the time I left the ministry, about \$8 million was tucked away in that hollow log. This resulted in a situation where the bush fire brigade was underfinanced and the other -

That is the fire brigade:

- was overfinanced.

Honourable members will agree that that is a worrying statement. I repeat that the Hon. E. P. Pickering told this House last November that when he completed his term as Minister he had deliberately ensured the tucking away in a hollow log of a surplus of about \$8 million. When one looks at the public accounts for 1992-93 one finds that there are indeed huge hollow logs. On 30 June 1993 New South Wales Fire Brigades had a credit balance of \$34 million. The \$8 million of the Hon. E. P. Pickering is also sitting there in an account simply titled "New South Wales Fire Brigades Account". However, there is another hollow log. A separate account, the New South Wales Bush Fire Fighting Fund, has a credit balance for the 1992-93 year of almost \$10 million. During that year the amount in that account increased from \$6.119 million to \$9.8 million. In other words, in the financial year 1992-93 the surplus in the New South Wales Bush Fire Fighting Fund increased by more than 60 per cent. I should like to quote from the Auditor-General in relation to that particular service. On page 332 of his report the following note appears:

Cash held by the department, \$9.8 million, is largely represented by amounts allocated to contributing councils but not spent as at 30th June, 1993, which amounted to \$8.3 million. Of this amount the department is committed to expend \$7.2 million -

But, as I have said, it had not been spent:

- in 1993-94 with the remaining \$1.1 million to be allocated to contributing councils as required.

I am no financial expert, but I am certainly concerned about the size of those surpluses, the way they rapidly grew, and the fact that the former Minister admitted to this House last November that he had consciously and deliberately created a hollow log containing \$8 million. That is a very large hollow log. The Government has been quiet indeed about these surpluses.

The DEPUTY-PRESIDENT (The Hon. Franca Arena): Order! I cannot hear the honourable member.

The Hon. JAN BURNSWOODS: I became particularly interested in the financial side of the firefighting operation in late January when the Minister for Police started floating the idea that households would have to start paying a firefighting levy, presumably along the lines of the famous environmental levy, foisted upon the people of New South Wales as a short-term thing. It was suggested that the firefighting levy could assist in paying for firefighting equipment and maintenance. One of the

great proponents of the bushfire levy on households is the Insurance Council of Australia Limited. I was

interested to look back to those debates in November and see the changes in the funding formula for the State's fire services brought about by the Bush Fires and Fire Brigades (Amendment) Bill.

Until November the funding formula was that Treasury contributed 25 per cent, local government 25 per cent, and insurance companies 50 per cent. As a result of the bills passed late last year the apportionment of contributions changed so that the Treasury's contribution was reduced to 14 per cent - which will help those hollow logs grow fatter - local government's contribution was reduced to 12.3 per cent and the insurance companies' contribution was increased to 73.7 per cent. At the time it struck me that the insurance companies had accepted this substantial rise without a peep of protest. In the second reading speech the insurance industry was thanked by the Minister who said:

The insurance industry is to be congratulated for its support of the proposals and in particular its acceptance of the increased contributions of its industry.

I was surprised to read in the *Sydney Morning Herald* on 27 November last year, only a week or so after the bills passed through this Chamber and after the praise of the insurance industry, an article which said:

The cost of household and fire insurance is set to rise to help provide more funds for the State's fire services . . .

The Minister for Police was then quoted, but nowhere was any mention made by the insurance industry making the complaint or by Mr Griffiths that the insurance companies' levy had been increased by the State Government with the concurrence of the insurance industry. The community was somewhat conned in the whole exercise. During the fires there was public concern for the safety of lives and property. Many people now face the difficult process of rebuilding. It seems that the public and the Parliament have been told only part of the story about the funding of fire services. Before I leave the subject of bushfires I should like to return to the local area I mentioned before, the areas on each side of the Lane Cove River National Park. I have been concerned, as many people in that area have, that the Lane Cove River National Park, which suffered enormous damage in the fires, is recovering very slowly - not simply because of the obvious slowness in the regeneration of vegetation, but also because of a conspicuous lack of funds with which the National Parks and Wildlife Service is provided to enable it to recover from the damage caused by those fires.

I have referred on several occasions to the Government's starving of funding for the National Parks and Wildlife Service and the extent to which that lack of funds contributed to any alleged failure to carry out controlled burning in the years and months leading up to the bushfires. As part of this debate a comment of mine was published in the *North Shore Times* drawing attention to the need for the Government to commit more funds to national parks, as well as comments about the way in which the ultraconservatives in the Fahey Government were attempting to hijack the debate about national parks. I was referring to the debate, which was literally roaring along at about that time, about wilderness areas.

The Hon. R. S. L. Jones: That is the rednecks.

The Hon. JAN BURNSWOODS: The Hon. R. S. L. Jones has referred to them as the redneck wing of the Fahey Government. I was not so impolite, but I am sure many honourable members would sympathise with the description he suggests. Somewhat to my surprise - and I do not want to read out this lengthy correspondence - the Minister for the Environment who, I know, was under a great deal of pressure at the time, chose to write a letter to the *North Shore Times* apparently for the sole purpose of attacking the comments I made.

The Hon. J. H. Jobling: That is understandable.

The Hon. JAN BURNSWOODS: I certainly did not object to his attacking those comments. It gave me an opportunity to reply the following week and correct what he had said. But what really surprised me was that the Hon. Chris Hartcher, when referring to the donations that had been made to the Lord Mayor's appeal, said, "It is possible that there may be funds from these activities to make Lane Cove River National Park an

even greater piece of recreational bushland". He was suggesting that the funds that had been donated from people all over New South Wales to the Lord Mayor's Bushfire Appeal could be used to top up the limited funding of the National Parks and Wildlife Service. The National Party - I hesitate to use the phrase rednecks, but that wing of the Government - had kept the service so starved of funds that the Minister was making the pathetic suggestion that money donated to the Lord Mayor's Bushfire Appeal might make the park an even greater piece of recreational bushland.

That suggestion seems to have vanished, and I am rather glad it has. Undoubtedly our national parks need to be properly funded, not only to recover from the bushfires but for all the other activities carried on in those areas. For instance, Lane Cove River National Park had to close its doors at 5 p.m. in summer - at a time when it was not dark until 9 p.m. - because it did not have the money to keep them open any longer. I am sure honourable members would agree that that was a foolish waste of a resource. Nevertheless, for the Minister for the Environment to be reduced to pathetically suggesting that donations made by people in an outpouring of generosity for the victims of bushfires should be used to replace Government funding of the National Parks and Wildlife Service was an indication of the pressure the Minister was under from the National Party wing of the Government.

I referred earlier to the comments in the Governor's Speech in February 1993 and made some comparisons between those comments and comments in his Speech in March 1994. I should now like to

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refer to three or four of those comments and highlight the differences between last year's Speech and this year's Speech. In 1993 the Governor's Speech made reference to the Independent Commission Against Corruption:

The Government has a commitment to the elimination of official corruption and has sought public response to a Discussion Paper and draft exposure Bill dealing with bribery and extortion by public officials. Legislation will be introduced to reform the criminal law in this area.

Last year we were told that legislation would be introduced to reform criminal law in this area. I looked carefully at the 1994 Speech, but it is silent and no such legislation has been introduced. Again, in 1993 the Governor's Speech contained the sentence:

Following consideration of the Report of the Parliamentary Committee on the Independent Commission Against Corruption, the Government will introduce appropriate legislation.

In 1994 there was nothing about this in the Governor's Speech and, of course, no legislation has been introduced. In 1993 the Governor said in his Speech:

The privacy of individuals will also be enhanced by the introduction of a Data Protection Bill.

In 1994 no comment, just silence, but no legislation has been introduced. In relation to the Independent Commission Against Corruption, honourable members will be aware that this week is the final week of the five-year term of Commissioner Ian Temby. Many honourable members may be aware also that last week he attended the Committee on the Independent Commission Against Corruption for his final meeting, which followed the format of previous meetings whereby questions were submitted to him in advance. He provided the committee with answers and committee members then questioned him. I refer to the promise in the Governor's Speech of 1993 to introduce legislation following the report of the Joint Committee on the Independent Commission Against Corruption with respect to the Act. In that regard Ian Temby stated:

It is disappointing and frustrating that 18 months after the Court of Appeal decision -

That of course was in the Greiner-Moore case:

- and 9 months after the PJC report, the Act remains unchanged. So far as the Commission knows there has been no referral to the Law Reform Commission as recommended by the PJC, and the intentions of Government as to statutory amendment are unknown.

This situation is nothing short of a disgrace. As the commissioner pointed out, it is now more than 18 months since the Court of Appeal decision in the Greiner case showed up an urgent need to amend the Independent Commission Against Corruption Act to make it possible to deal properly with, amongst other people, members of this Chamber and Ministers of the Government.

The Hon. R. S. L. Jones: No, they could not have that.

The Hon. JAN BURNSWOODS: That comment is probably spot on. Eighteen months after the Court of Appeal decision and nine months after the parliamentary joint committee finished a very detailed report on the review of the Act - a report which was unanimous and reflected the near unanimity of the submissions - the Government has made no move to change the Act, despite numerous promises. As I said, it was mentioned in the Governor's Speech at the beginning of 1993. On 14 November 1993 the Attorney General and Minister for Justice pledged on radio to take action on planned changes to the Independent Commission Against Corruption Act by the end of that year. We have had numerous promises from the Premier, but we have had no action. Following the very strong criticisms expressed by the commissioner, members of the committee and many journalists last Friday, the Premier issued a press statement.

The DEPUTY-PRESIDENT (The Hon. Franca Arena): Order! There is too much audible conversation in the Chamber. I cannot hear the honourable member.

The Hon. JAN BURNSWOODS: The Premier's press statement of last Friday would be laughable if it were not so serious. In relation to changing the ICAC legislation his statement said:

Suggested reforms to the ICAC legislation have been matters of considerable discussion by both the Government and the ICAC Committee of Parliament.

I guess that was at least accurate - they have been discussed for almost two years now. He then went on to say:

With the imminent appointment of a new Commissioner, it is entirely appropriate that any planned changes should be fully discussed with Mr Temby's replacement.

Of course, no such idea was ever mentioned in the Governor's Speech in February 1993, in the Attorney General's comment in November 1993, or in the Premier's comment in December 1993. But the Premier has had a brainwave. Perhaps the Premier has finally decided to have some vision after all - although I suspect that his description of it is unparliamentary. At least he has thought of a new way to wriggle out of the Government's disgusting delay in amending one of the most important Acts dealing with corruption in this State. I also referred to the Premier's remark about discussing proposed changes to the Act with Mr Temby's replacement.

I now get to the second issue I want to deal with in relation to the ICAC. Mr Temby has a fixed five-year term which finishes this Sunday. The Government has known for five years that this week was the time the commissioner had to be replaced. The Government, after much prodding and reminding, announced in December that it was going to seek expressions of interest. A little while later it placed advertisements which invited interested people to contact a nominated firm of consultants, which included a former Liberal Party member of this Chamber; that made it pretty handy.

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During January and February we kept hearing that the appointment of a commissioner was imminent. The Independent Commission Against Corruption legislation requires that the nomination of a commissioner be placed before the parliamentary joint committee. The statute is worded so that the committee can spend up to six weeks dealing with the replacement of the commissioner, and perhaps interviewing the nominee. In fact, the committee is able to undertake a range of activities in this regard. Since late last year the committee has

been seeking some indication from the Premier as to whether he could for once carry out some administrative activity without a bungle and whether he could get on with the process of nominating a commissioner.

As I have said, the Government has had precisely five years to know that the commissioner's term expires this week. We have all heard rumours about who might be appointed, but that is about all we have heard. I return to the amazing press statement put out by the Premier last Friday following the criticisms of Mr Temby and the outcry at the committee meeting and in the media. The Premier made a really important announcement. He said:

The Government is still considering a replacement -

It has had five years:

. . . It will be necessary to make an interim appointment of an Acting Commissioner . . .

The Hon. R. S. L. Jones: That has been done.

The Hon. JAN BURNSWOODS: It has been done, has it? If one looks at the Act and at the procedure for appointing an acting commissioner there are several question marks about the way in which that process should be carried out. The real worry in all of this is that we have a Government that has devoted a considerable amount of energy over the last 12 or 18 months to attacking the Independent Commission Against Corruption, ensuring that there is no review of the Act, that the necessary amendments to the Act have not been carried out after a delay of 18 months, that there is no commissioner, and that if an acting commissioner is appointed - there are doubts about that process - that person will necessarily be a lame duck. It is possible that we could have an acting commissioner for months.

In short, it seems very clear that if the Premier has been capable of making any decision at all, the decision he has made is in effect to kill off the ICAC by leaving it with an Act that has major flaws, and without a proper commissioner. Given the importance of the ICAC to the conduct of government in this State, this is a very serious situation indeed. The seriousness of the situation, with the Act badly flawed and no commissioner having been appointed, becomes even more apparent when one recalls the list of Government members - from Mr Greiner and Mr Moore, to Mr Collins - who have appeared before the commission.

It is with great seriousness that I raise these matters tonight. Some of the members of the committee have tried to ensure that this situation did not come about. We have been asking questions and sounding warnings for some months. The situation we feared, as described by Ian Temby, is a most disappointing and frustrating one. The Government has failed to act on some of the more important reports produced by the ICAC over the last five years. As Ian Temby mentioned in very strong terms last Friday, the criminal law in relation to bribery and corruption remains exactly as it was in July 1990 when the commission's North Coast land council report was issued.

The Government has now had nearly four years to act on the report but has failed to do so, despite giving a commitment to do so in the Governor's Speech in February 1993 - over a year ago. It is now 18 months since the presentation of the report on the unauthorised release of confidential government information, which raised a number of very important matters needing legislative change. Again, the Government has done absolutely nothing about those. I mentioned the commitment last year relating to the need for a data protection bill to protect the privacy of individuals. A private member's bill - not a Government bill, I might add - has been continually adjourned in the other Chamber by a Government backbencher. But the Government itself has done absolutely nothing to deal with this important area. There is grave reason to fear that effectively the Government is leaving us with an Independent Commission Against Corruption that will be unable to act. Whilst it is possible that that is just a reflection of the bungling and inertia of the Premier, I fear it is worse than that and that the Premier is making sure that that powerful body has no power during this year in the lead-up to an election.

The Hon. P. F. O'GRADY [9.42]: Tonight I want to talk about Sydney's future. The Government put out a discussion paper on planning for the greater metropolitan region which is typical of the Government's habit of paying lip-service to the vision thing. That is the thing that John Fahey had in his first Budget. On the front page of the *Daily Telegraph Mirror* was the headline "18,000 jobs". That was John Fahey's vision then. He did not have a vision then and he does not have a vision now. The Government's broad discussion paper uses lots of the right language but commits the Government to nothing specific. I would like to discuss a specific plan of the Government and how it conflicts with the perceived plan for Sydney's future. The Government wants to sell the showground for residential development. Government Ministers are on the record as wishing to do this. The Centennial Park and Moore Park Trust (Amendment) Act notwithstanding, I believe the Government will move to sell the showground at the earliest opportunity.

In an attempt to justify selling off an important public asset the Government tied the sale, first to moving the Royal Easter Show to Homebush, and then to the Olympic bid. It then tried to switch the argument to whether the show should be at Homebush and the importance of the Olympics. However, we have not heard any reasons to justify the proposed

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development of the showground. And we will not hear that argument from the Government because the site, as the Government well knows, is totally inappropriate to be sold off for residential use. The first problem with the selling of the site is the loss of public amenity. The discussion paper on Sydney's future points out the importance of creating a liveable city. Government members fail to understand the importance of planning and foresight in great cities of the world. Florence is a good example of great foresight in the vision thing. If the Government proceeds with its concept it will be throwing away the vision thing for Sydney and for New South Wales.

The Hon. R. J. Webster: I am listening very carefully to you. So far you have been talking a whole lot of rot.

The Hon. P. F. O'GRADY: The Minister knows that the showground should not be sold off for residential purposes. If urban consolidation is to work, people must be attracted to established areas rather than forced into the fringes.

[*Interruption*]

The DEPUTY-PRESIDENT (The Hon. Franca Arena): Order! The Hon. P. F. O'Grady has the call.

The Hon. P. F. O'GRADY: Established areas must be made attractive and liveable. An attractive area has open space and public amenities and offers quality of life. Building residences on open space will not attract people into an area; it will drive them outwards to where they can find open space. Sydney should learn from its own history and the urban ghettos around the world. If we destroy the amenity of the urban area by covering open space with houses, people will flee outwards, leaving a lifeless, concrete desert. By selling off the public property that makes the showground area attractive the Government will undermine the urban consolidation projects already occurring in that area of Sydney. Just four of South Sydney Council's recent rezonings add up to more medium-density dwellings than the showground site would contain - 2,467 dwellings. South Sydney is just one of the adjoining council areas. Latest Australian Bureau of Statistics figures show that private sector medium-density housing is the most rapidly growing sector of new housing approvals. The Government can make the area attractive or destroy it, and negate the purpose for which it was established.

The Governor's Speech trumpets the Government's use of better cities funding for an urban renewal program at Ultimo-Pyrmont. The Government is fond of bashing the Darling Harbour redevelopment. Without the open space and public amenities of Darling Harbour the Ultimo-Pyrmont project would not be feasible. What the Government proposes for the showground is the equivalent of building over Darling Harbour and expecting people to move into the Ultimo-Pyrmont area. That is a concept the Government should take on board. It is the availability of open space and public amenities which attracts people to surrounding medium-density residential housing.

One of the most ironic tactics the Government is using to gloss over the sale of the showground is attacking local residents. Nick Greiner complained that they were essentially a group of silvertails. The Hon. J. F. Ryan has accused the local residents of trying to steal a public asset for themselves. I have to ask: who does the Government expect to live in the new dwellings? The dwellings would be built on a \$74 million block of land. With the price tag the Government is putting on the land the people who move into the area would be silvertails. All the Government's rhetoric on the sale of the showground deliberately avoids mentioning the moving of several thousand new residents on to that piece of land.

Let us look at some of the effects on the land. The site includes not only the showground but the cricket ground and the football stadium. The proposed residential complex will put several thousand new residents into the heart of the Moore Park-Centennial Park complex. The new residents will have the right to protect the amenity of their local neighbourhood. They will have the right to complain about noise, traffic and vandalism produced by sporting events or cricket matches at the cricket ground. They will have the right to protest when the Premier makes a unilateral decision to approve a U2 concert. It is deceptive of the Government to claim that moving the Royal Agricultural Society Showground to Homebush will save residents from the problems of parking, noise, litter and all those things which are generated by people living in an area with public amenities in it.

The Royal Easter Show is held on 10 days of the year; football, cricket, concerts and other major events happen all year round and will not be moving to Homebush, and nor should they. The use of the showground site will probably increase. Many buildings on the site have historical value and significance and must be retained in any planned development. And if they are retained, they must be used. The Government has not added into its Olympic fudge of figures the cost of maintenance and repair of those buildings. Perhaps it intends to sell them. If that is so, what commercial uses of those buildings would not seriously lower the value of the proposed adjacent residences?

If the residents on the outskirts of the Moore Park site are upset about the proposed high level of usage of showground facilities, imagine the ruckus that will be raised by people living on the site. My involvement with the Sydney gay and lesbian mardi gras has made me aware of how destructive a group of determined residents can be. A handful of residents have taken complaints to the Liquor Administration Board against every mardi gras and sleaze ball event since 1990. It has cost the mardi gras organisation, which is community based, the best part of \$500,000 and hundreds of volunteer hours to defend that action. What was the ground for complaint? It was that the mardi gras parade and sleaze ball occasionally produced sound levels above 45 decibels.

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The mardi gras organisation requested only that sound levels be allowed to rise to 50 decibels. After four years, eight Liquor Administration Board hearings and numerous inquiries the issue is still not resolved. The irony is that the Homebush Bay strategy report on the Paddington site found that the typical level of noise of an evening in nearby Lang Road, Cook Road, Robertson Road and Martin Road was approximately 45 decibels. The report recommended that a residential goal of 50 decibels should be set. For years a showground user has been plagued with legal action merely for meeting the Government's recommended sound level requirements. If 2,000 residences were moved closer to those areas, it would be impossible for those events to be held.

Without the revenue from the mardi gras and sleaze ball, the mardi gras parade, festival and fair could not go ahead. The 600,000 spectators who line the streets to watch the parade would be denied this popular public event and the 45 per cent of Australians who watched the Australian Broadcasting Corporation's mardi gras broadcast would have missed the spectacle. Artists, writers, film makers and performers who participate in the festival would also lose their forum. At least \$38 million in revenue would be lost to the city of South Sydney in a single year. If the Government were honest, it would subtract the annual income from the proceeds received from the Paddington showground site.

It is a catch 22 situation: dwellings inside the showground site will seriously undermine any public access to and usage of the buildings that will be retained. Making historic buildings accessible to public use will reduce the return on the sale of residential land. The Government's figures are always dodgy and this dilemma makes them even dodgier. Showground events - mainly sporting fixtures but also trade fairs, car shows, mardi gras and the big day out concert - are all important and have served the Sydney community for many years. To the residents who regularly complain about the damage caused by those events the Government responds by accusing them of having the NIMBY syndrome. However, the Government now proposes to build several thousand more homes whose backyards will be the football stadium, the Sydney Cricket Ground and all the heritage buildings that will be retained in any proposed sell-off.

I am ambivalent about the residents' action, but some of their grievances are genuine and must be dealt with. Policing is already a problem in the Surry Hills area; the large number of major events only exacerbate the problem. When they take place thousands of extra people pour into the area, and this creates problems with traffic, noise, vandalism and street violence. Although police from other areas are brought in to assist, the Surry Hills-Darlinghurst patrol bears the brunt of policing. They must co-ordinate police activities and roster all beat police for the events, and hence general police work is inevitably placed under strain. The Surry Hills-Darlinghurst patrol performs an exceptionally good job - its response rate per officer must be close to the highest in the State, achieved by only 16 beat police.

The Hon. R. J. Webster: That is a change of attitude.

The Hon. P. F. O'GRADY: It is not. I have constantly said that the Surry Hills patrol has one of the best police officers in the State, Kerry Beggs, who was the commander for some time. Much of the credit for the performance of the patrol rests with him and John Thompson, two men who have shown a capacity to understand and deal with the community to which they belong and serve. It is not the first time that I have placed on record my view about those police officers and that station. When major events are held, every police officer is required to work; all entitlements for holidays and authorised days off are forcibly put aside. The time off, which the officers deserve, is taken midweek - a cost that must be borne by the local community.

Residents are already concerned about the problems that occur in the streets surrounding the showground site. They are aware that their local patrol works under extremely difficult conditions. The solution to this problem is not to add several thousand new residents who will need more police protection. If the sell-off proceeds, I doubt that the Government will factor in the cost of extra beat police for the understaffed Surry Hills-Darlinghurst patrol. The report of the Homebush Bay strategy committee found that an additional 2,000 dwellings would create 10,000 extra vehicle trips on an average weekday. Those cars would feed on to Cook Road, Moore Park Road and Lang Road. Current traffic volumes through the three major intersections might increase by 8 per cent. The streets between Moore Park and the central business district already carry an inordinate amount of traffic. Of course, Taylor Square is a traffic nightmare. One reason is that the Government and the failed Minister for Transport, Bruce Baird, cancelled the eastern distributor tunnel. The eastern distributor should have been built and it will be under the next Labor administration. One of the first acts of a Carr administration will be to commence work on the tunnel - much-needed public infrastructure.

The Hon. R. J. Webster: I hope it will be built well before that.

The Hon. P. F. O'GRADY: It will happen on 26 March 1995, which is not very far away. That is the day construction will start because Labor will win office next year and construction on the tunnel will commence, and that will ease some of the present constraints on Crown Street, Bourke Street and Oxford Street which are crammed with traffic. After sporting events at the two grounds people can be caught in traffic for up to an hour, yet the Government intends to place thousands of people and their vehicles within the confines of the site. The Homebush Bay strategy claims that the eastern distributor will benefit vehicle users travelling to and from the showground. However, the Government seems determined to undermine the effectiveness of the eastern distributor by making it a tollway.

I have seen the effect that the M4 toll has had, and I confidently predict that a toll on the eastern distributor

will create similar problems. The impact

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of adding a toll to the M4 has been to encourage motorists to take alternative routes to avoid the toll. Extremely heavy traffic pours on to Parramatta Road and Victoria Road with the result that their capacity to move the traffic smoothly is exceeded. Suburban areas around the tollgates are flooded with vehicles leaving the motorway to avoid the toll. Suburban areas around the entrance and exit to the motorway and the alternative routes also bear the brunt of excess vehicles which would be using the M4 if it were not a toll road. If a toll is placed on the second stage of the eastern distributor, a large number of vehicles will divert into suburban streets to avoid the toll. Any thoroughfare in the redeveloped showground site would be a potential toll avoidance detour onto Oxford Street. It is also highly unlikely that any of the 10,000 vehicles per day which the residential development would create would choose to pay a toll simply to cross Taylor's Square. They will avoid the tollway. Some of the current routes will doubtless be cut off by the new road. Those 10,000 vehicle trips will be through the suburban streets of Paddington and Surry Hills.

A medium-density development with a choice between poor or expensive vehicle access into a traffic jam by a toll road does not sound particularly attractive for the \$74 million price tag on the showground. Of course, deducted from that figure must be the cost of the necessary sewerage works, which will approach the \$2 million mark. Even less should be expected because of the high cost of soundproofing the dwellings on the northwestern edge, as recommended. More of that windfall should be deducted because the lights from the Sydney Football Stadium will make it impossible to align the dwellings to maximise passive solar energy use. Developing the Paddington showground site is not an example of desirable urban consolidation as envisaged in the policy paper called "Sydney's Future". It is asset stripping land and amenities which belong to the people of this State. It is being tacked on to the Sydney Olympic bid to fudge some of the already dodgy figures. It will not raise \$74 million or anything like it. Instead, it will cost the State immeasurably. If the Government cares about Sydney's future, it will go back to the drawing board and come up with some sensible proposals for the Royal Easter Show, the 2000 Olympics and the showground site. However, I do not consider that that is particularly likely in this Government's hands.

The Hon. R. T. M. BULL [10.2]: It gives me a great deal of pleasure to support the motion of the Hon. Dr B. P. V. Pezzutti in this Address-in-Reply debate. I thank and congratulate the Governor, Rear Admiral Peter Sinclair, not only for his speech in this Chamber but for the very fine work he is doing as Governor of New South Wales. I wish the Governor and his wife well for the future. The Government has been revitalising itself for many years with the openings of Parliament and Governors' speeches. This year is no exception because, as it has done in the past, the Government has outlined a very positive program for the future of New South Wales, a program that will stand this State in good stead for the future. New South Wales leads the nation in most areas of government reform - whether in reform of the public sector, industrial relations or creating jobs. Whatever the particular emphasis one would want to put on the role of State governments, the present New South Wales Government is leading the nation.

The Government looks forward to continuing that success in the next 12 months as the program unfolds and the policies are implemented throughout the State for the benefit of the citizens of New South Wales. As Parliamentary Secretary for Education, my real concerns are the positive aspects of education and the way that the Government has been able to provide such an outstanding record in the provision of educational facilities and the delivery of particular courses to students throughout the State. It is government's responsibility to make sure that New South Wales is offering programs that will meet the diverse education and training needs of the community. It is important that our education and training programs address the realities of a changing world. The programs must change to deal with the rapidly developing, highly specialised technologies that have brought fundamental changes to the world in which we live and work.

This is the International Year of the Family and it is appropriate that I address initially some of the issues pertaining to the involvement of parents in schools, with particular reference to the International Year of the Family. The Government has encouraged school councils to become fully involved in school decision-making, not only through the parents and citizens associations with which they have always been involved but also through the Education Reform Act. Parents and the community are now able to be involved in decision-making

in schools. More than one quarter of the State's 2,200 schools have now elected school councils. I am proud to say that in the Riverina region, in which I live, a very high percentage, more than 90 per cent, of schools participate in school councils. The Government intends that all schools should have school councils so that educational priorities reflect the needs of the local communities.

The Government is preparing a number of initiatives which will help parents to become involved. One particular initiative that the Government is preparing is a grievance procedure for parents, designed to provide a mechanism for the resolution of complaints which have not been satisfactorily resolved in the normal school-based mechanisms. There is the parents as teachers program, which has been undergoing a three year trial since 1991. Literacy is a priority area for schools in the year 1994. Parents as teachers is a program for families with children aged three years and younger and promotes competent language and overall perception. It is only one of a number of programs which promote collaborative relationships with families in addressing improvements in literacy in the early years.

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In October 1993 my Minister issued the publication *Partnerships, Family Values and Education in New South Wales Schools* to coincide with Family Week and to draw to the attention of the community the many ways in which the education and training portfolio benefits families in New South Wales. It details the values taught through the content and structure of education and training; it indicates the range of courses and choices available to suit the learning needs of family members and the range of courses which provide vocational training in the occupations and professions which support families. There are many other issues pertaining to the International Year of the Family. The Government's directions policy and pathways provision and the New South Wales TAFE Commission's higher school certificate in TAFE has introduced increased flexibility around the higher school certificate to facilitate access to the HSC for students whose family responsibilities have made a two-year traditional full-time study pattern difficult to achieve.

The Government recognises the importance of the family and family values in education and training through programs and policies which support the family-school partnership and recognise the importance of the parent as the primary educator of children. Issues related to families are dealt with in many of the syllabuses developed by the Board of Studies for New South Wales. There is a range of policies, programs and support services which are provided by the Department of School Education: multicultural education; Aboriginal and Torres Strait Islander education; gifted and talented students; girls education strategy; parents as teachers programs; the early intervention classes; the joint secondary schools-TAFE program; students at risk program; school counselling program; home-school liaison program; student assistance scheme; and the rural recession grants, just to name a few. TAFE New South Wales provides training for a range of occupations which provide family related services, including courses such as the child studies course, training for family support and youth workers, and training for nannies and housekeepers. TAFE New South Wales also provides family support programs for its students and staff, including child care provisions for TAFE New South Wales students, educational and personal counselling for students, and a confidential counselling service to help staff with problems which affect their work but are not caused by problems at work.

The initiative of quality learning and the issues pertaining to quality learning are particularly important to this Government. Members may be aware of the recent changes in the higher levels of the bureaucracy in the Department of School Education. We now have a Deputy Director-General for teaching and learning, which is a very new initiative. That emphasises the importance that this Government places on teaching and learning and the basic outcomes for our students. Education is all about quality of outcomes. We need to determine rigorously what our standards are today and to ensure that they increase. We have to guarantee that our standards not only are high but are world class.

The New South Wales Government has a commitment to improving the literacy skills of the children in this State. The recently endorsed English K-6 syllabus sets out clear expectations for teaching and learning in literacy skills as part of the Government's commitment for a solid basis to build upon for future education and training - in other words, a return to basics. English is one of the six learning areas of the school curriculum.

The English K-6 syllabus encourages schools to recognise community values, to promote close working relationships with parents and to foster community involvement and participation in school life.

Of importance also is design and technology, which have been developed as a replacement for an improvement on industrial technology. They reinforce and build upon the best features of that course, and at the same time attempt to overcome some of its limitations. Both courses emphasise the importance of practical hands-on activities and use design projects as a means of teaching the related theoretical study. While design and technology students will be able to specialise in any of the areas covered by industrial technology, the scope of study has been extended to include a wide range of technologies.

There has been a lot of discussion about the future of the school certificate. In light of increasing retention rates, in 1993 the Board of Studies conducted a review on the future of the school certificate. To promote wide spread consultation on its future, the board issued a discussion paper and questionnaire in July 1993. As a result, these key points should be noted. The school certificate is to be retained as a year 10 credential of subject-based reporting in terms of students' achievements of syllabus outcomes. An external moderating mechanism will also be retained and schools will have a strengthened role in reporting the achievements for the school certificate.

I should like to highlight a number of initiatives concerning curriculum implementation. To ensure the maximum quality support to teachers for the implementation of a new curriculum, the Department of School Education has developed a co-ordinated plan to support the implementation of the four major focus curriculum areas: first, the English K-6 syllabus; second, the year 7 key learning area profiles; third, literacy across and within the key learning areas in year 7; and, fourth, vocational education.

This will allow a more strategic and manageable approach to the implementation of the new curriculum. Curriculum support will be implemented across the State by the chief executive officer and 10 regional consultants. To further improve quality learning, allocations have been made for an additional 100 kindergarten teachers, who will be used as additional classroom teachers and will focus on improving literacy standards. Each region will choose schools most needing to improve their literacy levels on local knowledge in consultation with the Primary Principals Council, parents groups and the Teachers Federation.

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One of the outstanding achievements of this Government over the past couple of years has been the implementation of the languages other than English program. In 1992, 29 per cent of secondary schools offered 100 hours of study of a language other than English in one year, an increase of 23 per cent. Further, 52 per cent of secondary schools offered an Asian language - an increase of 7 per cent - and 28 per cent of primary schools offered a language other than English program. The Government has nominated 12 priority languages: Arabic, Chinese, French, German, Indonesian, Italian, Korean, Modern Greek, Russian, Spanish and Vietnamese. By 1996 all secondary school students will study one language other than English for 100 hours, and by the year 2000, 25 per cent of all HSC candidates will be studying a language other than English, and 50 per cent of these language other than English candidates will be studying an Asian language.

The Hon. J. F. Ryan: Bob Carr said it is a waste of time.

The Hon. R. T. M. BULL: By the year 2010 every government school student from kindergarten to year 12 will be studying a language other than English. Quite a record. As the Hon. J. F. Ryan has reminded the House, sadly Bob Carr's comments in support of this particular program have been negative. The quality assurance program that was introduced into our schools last year is an important vehicle for providing public accountability for the performance of schools and the Department of School Education. It is a key source of information for identifying areas for strategic development throughout the system. A review of the quality assurance program resulted in the presentation of a report in the second half of 1993. The report presents many positive findings from school reviews. For example, it provides evidence which supports the progress made by school communities towards devolved decision-making and greater flexibilities in the use of resources. I am

sure honourable members will agree that at the end of the day when we are looking at the success of our schools, it is not the bricks and mortar, the number of teachers or the amount of dollars that count. What counts are outcomes in respect of the performance of our children in schools. That should be the evaluation that we are concerned about, and the quality assurance program should surely be the barometer of that.

With regard to the issue of happy and safe schools the Government is committed to providing learning environments which are free from discrimination and harassment. The anti-racism policy statement and grievance procedures introduced to all schools by the Minister deal with discrimination against students whether it is based on race, sex, disability, marital status or homosexuality. The Government has an ongoing commitment with respect to the performance and work of school counsellors throughout our schools. The Government is spending approximately \$25 million on school counsellor salaries each year. There are 477 school counsellors and 66 district guidance officers working in New South Wales government schools - an increase of 20 school counsellors since last year, who have been appointed to schools to work directly on programs targeted at countering violence.

Every government school has access to a school counsellor. School counsellors are experienced teachers with an additional qualification in psychology. As well as working with students and teachers, school counsellors advise parents and work closely with other government departments, and community, health and welfare agencies. In addition we have, of course, our violence strategy. In the 1993-94 budget \$5 million was approved to address the issue of violence in schools. One hundred additional personnel have been permanently employed to work on anti-violence initiatives. They include 20 specialist teachers to work with behaviour disordered students, 20 Aboriginal community liaison officers, two community liaison officers, and 40 teachers aides. Regions have been allocated a further \$500,000 to develop programs, materials and resources to address the issue of violence within each region.

The most exciting development in education for many years is post compulsory education and training and the emphasis on links between schools and TAFE. The New South Wales Government is committed to new and better education and training pathways to help students discover, develop and contribute excellence within their chosen field. To ensure that students of all ages have a range of learning choices to meet their needs, we need to shape and focus the outstanding skills and facilities we have to meet the individual needs of students.

Vocational courses for the higher school certificate are, of course, dual accredited. The Board of Studies has developed three new vocational courses in retail, hospitality and office skills which are available for study for the first time this year. The New South Wales Government's directions policy requires all future vocational courses for the higher school certificate to be dual accredited to ensure that students have access to widely recognised vocational credentials and that vocational courses offered in schools will be responsive to industry needs. In relation to post-compulsory education and senior years of schooling, major developments have ensured that courses in years 11 and 12 cater for a full range of students. The directions policy provides for all vocational education and training programs for the HSC to be dual accredited by the Board of Studies and the Vocational, Education and Training Accreditation Board. That means that students will gain industry recognition and advanced standing in further education and training.

I turn to post-school options for students with disabilities. The post-school placement of students with disabilities is not the sole responsibility of any one organisation. The interdepartmental committee on transition established by the Minister in 1992 was asked to address post-school service provision as a matter of high priority. In November 1992 the Department of Community Services announced a \$3.6 million funding package that included the

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establishment of a post-school options program for school leavers with disabilities and moderate to high support needs. This major initiative has been enthusiastically supported by parents and groups representing people with disabilities.

The TAFE-HSC pathways program is also extremely popular. One of four pathways to education, training and employment for young people after year 10 has been outlined in the Government's direction policy.

The Government is opening up a new range of options designed to maximise future study and training opportunities. The pathways program provides students with the opportunity to gain a TAFE certificate, the HSC and a tertiary entrance rank. The program enhances opportunities available for young people who have a clear preference for vocational education and training through TAFE and who also want to qualify for the HSC. The strong interest in this pathway indicates an increasing community understanding of the need to provide young people with high-quality education that has a vocational emphasis.

In relation to post-compulsory education, the Board of Studies has three new content-endorsed courses in vocational education for 1994. These courses will give young people access to a broader and more interesting and equitable range of study options leading to the HSC and further education and training. I should like to refer briefly to a subject that is still in the minds of honourable members. That is the participation of schools in the successful bid for the Olympic Games. The Department of School Education played a significant role in Sydney's successful Olympic 2000 bid. One of the more visual components was Tanya Blencowe's presentation to the International Olympic Committee in Monte Carlo. I am sure all honourable members are proud of the fact that Tanya came from a public school in Bangor, to the south of Sydney.

Tanya's presentation was only one part of the overall strategy, which included a wide range of curriculum initiatives implemented at school, region and State levels. An Olympic Education Management Committee has been formed with the Sydney Organising Committee for the Olympic Games, the Australian Olympic Committee and the Department of School Education. The committee is currently preparing a draft package that clearly defines the objectives of Olympic education programs, the structure during the next seven years and resourcing implications. The International Olympic Committee has expressed interest in the strategies initiated by the Department of School Education in support of the Sydney Olympic 2000 bid. The network of friendship proposal, which has been organised worldwide, will be implemented by the Department of School Education in 1994.

I would have commented on a number of other initiatives had time permitted, including rural education, which is of special interest to me. I would have commented also on the success of the Government's programs that I have not mentioned. If I had more time, I would give the House a detailed analysis of the Opposition's dishonest reporting of education issues during the past month or two. I am sure that as time passes these untruths will be well documented and spoken of at great length in this and other places as the people of New South Wales realise that the Opposition in this State has no policies for the future. The Opposition cannot run up the flag on any issue related to education. It can only come up with pathetic and dishonest untruths about the Government's education policies. I am proud to be associated with the Minister, the Hon. Virginia Chadwick, who has done an outstanding job delivering education and training in this State. The Government's performance is second to none in the history of this State and second to none around Australia. It gives me great pleasure to support the motion for the adoption of the Address in Reply.

The Hon. JUDITH WALKER [10.26]: For the first time in 9½ years, I will probably surprise the Chamber by informing honourable members that I intend to make only a short contribution to the Address-in-Reply debate. As always, it is a privilege to reply in this august Chamber to the Governor's Speech to Parliament. It was a good move on the part of the Premier to extend the Governor's term for another 12 months. I am sure the Governor and the people of New South Wales are grateful for that. Recently the *Daily Telegraph Mirror* published a marvellous exposé, although I am not sure what the exposé was really all about, apart from trying to get a message across that we should not be here. I do not know the gentlemen who wrote the article, and I do not particularly want to know them. Their names are immaterial. However, I have never read a less balanced argument on why the Legislative Council should be retained or abolished. The supposed exposé did not put a case for or against anything. All it did was put a bit of dirt on us and claim that members of the Legislative Council were a bunch of useless people who contribute nothing.

It is untrue that the Legislative Council contributes nothing. If scholars were brought into both Houses of Parliament and asked to look at the style and calibre of debate in this House and the other House, they would probably be surprised to find that the quality of debate and behaviour in this House is higher than in the other House. The committee system in this place is increasing. I am a member of the Staysafe committee. I find

the experience of serving on that committee very rewarding. Honourable members would be aware that the twenty-fifth report of the Staysafe committee, which deals with culpable driving, was tabled in this House yesterday.

I am sure that the public of New South Wales is happy to see the end result. The report took into account submissions from members of the public about how they felt about culpable driving. The report recommended increased prison terms, so I think Staysafe sent a fairly clear message to the judiciary and the people of New South Wales that parliamentarians are very concerned about culpable

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driving. The committee works well between different parties. It is similar to all the other standing and select committees that do so much valuable work in the Parliament. It might interest the House to know that I am also a member of a committee called MACMEC, the Ministerial Advisory Council to the Minister for Education Committee. As honourable members are probably aware, it is most unusual for a Labor member to be on a Liberal Minister's advisory council.

Nevertheless, I have enjoyed serving on that committee for more than 12 months, and I have found it to be an excellent committee. It has been charged with looking at the quality of teacher training in New South Wales and what can be done to improve it. The committee has produced a paper that I am sure the Minister will issue shortly. She has informed the committee that the paper has been very helpful to her. I was a little concerned when I first joined the committee because 32 of the 36 members of the committee are professors, teachers or academics of all persuasions. I think four members only are non-academics. I soon discovered that the four non-academics were on the committee to keep the academics' feet on the ground. It seems to work quite well.

The publicity concerning this Chamber can only be referred to as adverse, but the people of New South Wales are much smarter than we sometimes give them credit for. If the purpose of the exercise and the way in which those articles were written was to denigrate this House, that has not been achieved. I think it has achieved the complete reverse. The only thing that disappoints me is that some of the comments that were made - "Yes, we should get rid of the House," or, "We should abolish it," or, "I do not give two hoots about really being here" - do not do us any service. Why are honourable members in this House if they do not give two hoots? I do not know why they do not resign. If honourable members feel that way, they should not want to be part of it. Members who feel denigrated should not be in the Chamber.

I do not care which side of the political spectrum honourable members are on, but they should have the courage of their convictions. Few people have the courage of their convictions. Those that do are more likely to be asked why they have such courage. The knockers should resign. I am sure there are many people outside the Chamber who would love to join us. It would add to the quality of the Chamber. For those who want to continue, I can happily say that I do not anticipate a Government abolishing this Chamber in the near future. Probably none of us will see an abolition in our lifetimes. I am not concerned. I do not think New South Wales will adopt a unicameral system in the foreseeable future.

When the Hon. J. J. Fahey addressed this Chamber as the Minister for Industrial Relations - I think the term we gave him was visiting magistrate - introducing his reforms to industrial relations, on a number of occasions I raised with him the problem I had with employment agents. Day after day the public notices in the *Sydney Morning Herald* and the *Daily Telegraph Mirror* list a great many people who are seeking registration as private employment agents. At the time I got the impression that the Minister did not quite understand what I was saying or why I was concerned. However, the picture has emerged much more clearly since the Government's legislation has been in place and people are more actively involved in negotiating enterprise agreements.

Employment agents, who have been burgeoning in New South Wales for the past couple of years, do not put people into work through the salary-related pay as you earn taxation system; they contract out to companies, and the companies that take them on do so as contractors. By the time the person comes to work for whatever endeavour, he or she is actually a subcontractor and is paid in accordance with whatever the enterprise is, but no tax is taken from the salary. If that practice continues, the answer is clear. State Governments depend on their

carve up of pay as you earn taxation from the Federal Government. Everyone knows it is worked on an agreed system. If the level of pay as you earn taxation continues to drop because people are not paying taxation on a PAYE basis but are hired as subcontractors and contractors, the Government might find itself in a bind, as will the Federal Government.

I ask the Government to look closely at the number of people who apply in the State every day to become a private employment agent. It is setting a pattern that perhaps a lot of people have missed, but I would ask the Government to take it on board as a matter of urgency and have the Department of Industrial Relations investigate the number of people who are being registered, how the contracts are working and whether people who are being hired out on a subcontract basis are paying tax. When the Government was introducing its new industrial relations bill I asked also that the Government pay special attention to women workers, particularly those employed in the clothing trade. Sure enough, it has blown up again.

I do not deny that the Minister for Industrial Relations and Employment and Minister for the Status of Women seems to have taken it on board, but she said, as did the report, that she did not think it was as bad as it is. I can happily tell the Minister that it is worse than it appears. I do not take that from the union point of view, because I heard everything that Kevin Boyd, the secretary, and the Minister had to say tonight. People working in the trade say it is burgeoning. More women outworkers are being paid an appalling rate than when the Government introduced its legislation two years ago. If the Minister's industrial relations inspectors visited 180 places within New South Wales but laid only 140 charges, that is the tip of the iceberg.

If the Minister sends her inspectors around the State, she will find that the level of employment in sweatshops - that is the only thing one can call them - is greater than she thinks. She is looking at the tip of

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the iceberg only. She should send out more of her inspectors. I hope the Minister takes them all to the wall. It has been occurring for years, but some people in the rag trade should know better. Some of them, as one would know if one opened the social pages of the Sunday newspapers, are supposed to be the glitterati of society, such as the Trent Nathans - and I do not suggest that Trent Nathan is involved - but some well-known clothing people are buying material from sweatshops, and they should be taken to task. If workers are paid \$2 or \$3 an article for which one has to pay \$100 in a shop, the mark-up is extraordinary. No one should make those sorts of profits. No one should profiteer from sweatshops. No one should be profiteering from migrant women - and they are predominantly migrant women - no one at all.

The Minister needs to send more of her inspectors out for another quick look. I understand what the union movement is saying: we cannot go into any of these places - be they clothing factories, ordinary engineering shops, et cetera - without giving them notice. If a union has to give seven days' notice of its intention to check the books, obviously it will not work in anyone's favour, particularly the workers' favour. If a boss who is not doing the right thing and who is not paying his people the right money is given a week's notice, he will be able to fake anything and to show the inspectors anything. It is a major problem.

The Minister would be far better served if she took on board what occurred in the past. Only minimal notice was required in order to go into a factory, shop or office to look at their books to make sure that they were complying with New South Wales law, particularly with respect to health and safety. I would hate to think that because of the lack of inspectors visiting factories or the lack of will to fine people and bring them before the courts it is possible for employers to lock workers in factories, as happens in many Asian countries. The doors are locked and the fire escapes are blocked. As a result, people are burnt to death at work because no health and safety issues are taken into account.

It is a bit like what has been allowed to occur in Sydney for a long time with respect to boarding-houses and backpacker hostels. I do not give a damn what South Sydney Council or any other council says. If by this time the people who own these institutions have not put in the necessary fire equipment and made the necessary adjustments to make their places fire safe, they should not be in business; their licences should be withdrawn and they should be put out of business. Are we going to just stand around waiting for another catastrophe to occur? A mayor from some council will then say, "Your Honour, it is like this: we gave them notice, and we

gave them time to comply". They do not go back and check it out.

As I have said in this Chamber on many occasions, there was a time when the fire brigades did that; it was responsible. It was not possible to obtain insurance in New South Wales without a report from the fire brigade to the effect that the place was up to scratch and met the requirements. That was a much better idea. But the fire brigades no longer have that authority. That is a mistake we have made. The State Government should take some of the councils to task. Inspectors should be sent in to look at some of the flea-bitten places that line Flinders Street in Darlinghurst, Cleveland Street in Redfern and other areas. They are an absolute disgrace. If that is where people have to live in order to get cheap accommodation, the State Government should hide its head in shame. People are living in dreadful, squalid conditions in New South Wales.

Since day one I have been totally opposed to the Richmond theory. Richmond was not even a medical doctor - he prepared a report. He used to work for the Department of Public Works. I am not knocking his ability as a public servant, but he picked up on an idea that became popular in Europe and in the United States of America on the basis that we should deinstitutionalise. That is fine if the services are on the ground to pick up the people when they need institutionalisation. If the services are not available, people are done a great disservice. To this very day, the New South Wales Government has not got it right.

The mentally ill in this State live in appalling conditions. I know that the Government does not have money to throw around, but it should set up a task force in conjunction with Sydney City Council, South Sydney Council and other councils. Something positive should be done about the living conditions of these poor unfortunate people who have left mental institutions. The services available, such as the Sydney City Mission, are overflowing; they cannot take in any more people. It is appalling that in 1994 people are living in such conditions in New South Wales. Frankly, if Sydney hopes to be an Olympic city, we cannot put a coat of paint on some buildings and say that they are fine. Let us show the world what a great city Sydney is. We have to do something about caring for the less fortunate in our society.

The Hon. A. B. MANSON [10.45]: In keeping with my past contributions to the Address-in-Reply debate, I intend to concentrate on a matter with which I have some experience. This year I have assessed the Government's performance on employment, particularly apprentice employment. Though I completed my apprenticeship almost 40 years ago, I have maintained a constant interest in the welfare of apprentices. The trades still hold my utmost respect. There are two types of experience that apprentices gain: the experience of others, which is passed on through the years as the craft develops, and the personal experience of individual apprentices - the gaining of experience by trial and error that teaches the apprentice how to learn. Through these two types of experience the apprentice gains most of his practical knowledge and, when applied, his knowledge becomes a skill that is of great benefit to our society.

The wisdom of the apprenticeship system, and indeed all employment-based training systems, including traineeships, is that the budding tradesperson

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or trainee gains the knowledge necessary to perform his calling and the ability to apply that knowledge to each task he undertakes. The apprenticeship system also provides a means of support for young people as they gain skills. That is a vital feature of the system for both the individual, who must be able to live, and our society. Society demands the skills and the labour of the apprentice as the old tradespeople move on.

As the New South Wales economy comes out of recession we will be demanding skilled labour. This demand is likely to be greater than at any other time in our history. I ask the Government what it is doing to ensure that this demand can be met. That begs another equally important question: what is the Government doing to ensure that the apprenticeship system is helping to reduce youth unemployment? Before I reveal the results of my investigations into these questions, I should like to outline the responsibilities of a government with regard to apprentices. Like the dual nature of an apprenticeship - that is, training coupled with work experience - the Government has a dual responsibility to oversee the apprenticeship. First, it must provide the regulatory framework that maintains the integrity of the apprenticeship system. This includes the private sector, where, sadly, frequent abuses of the system occur. Apprentices are still taken on as cheap labour, their

master never really intending to provide their training or the job security necessary for them to complete their training.

Second, the Government must ensure that it takes its fair share of the responsibility to provide apprenticeship opportunities to young people. This includes the maintenance of an adequate number of apprentices in the public sector. I regard this as vital as it provides a healthy example for the private sector and ensures that skills peculiar to the public sector, such as rail maintenance, are always available in the form of trained apprentices. The Government also has a responsibility to encourage the private sector, particularly in times of economic downturn, to employ apprentices. Companies should be helped, and sometimes pushed, to take on responsibilities for the provision of training and to guarantee a stable supply of skilled labour in their own industries. They must also guarantee the trade competence of their apprentices, which means fighting the view that an apprentice is a cheap form of labour.

At a more general level, all sections must accept their role as employers of young people - young people who, if allowed to become and to remain unemployed, are likely to end up as part of our emerging social underclass. These things I regard as the minimum standards to be met by government. But I suspect that the Government does not agree with this. It could not, because it has certainly not met those responsibilities to apprentices. Therefore, it has not fulfilled its responsibilities to provide an adequate number of competent tradespeople to the community. My research has identified Government sell-outs of apprentices on many fronts. The first step, however, is to identify the problem, and I have produced a table charting the levels of apprentices in training in New South Wales over the past six years.

I propose to table the document for the perusal of members. It is sourced from the Federal Vocational Education Employment and Training Advisory Committee quarterly apprenticeship statistics, 1988 to 1993. The table includes figures for the building industry, which as all members would be aware has experienced a period of prolonged downturn. As it is an industry which I am familiar with, I will make specific observations about it later. The table also includes figures for all industries and a comparison of apprenticeship levels for males and females.

Key points that arise out of the figures are, first, that apprenticeship levels peaked in mid-1991 and have fallen ever since. Second, apprenticeship levels in the building industry have fallen greatly - 24.2 per cent since mid-1991, which compares with a smaller but equally dramatic fall across all industries of 20.7 per cent over the same period. Third, apprenticeship levels in the building industry are currently 7.4 per cent below 1988 levels, which compares with an all-industry combined fall of 11.8 per cent since 1988. This suggests that falls in apprenticeship numbers in the building industry have been occurring for a longer period than the decline in other industries. Fourth, falls in numbers in the building industry have been similar in size for males and females. However, the number of female apprentices in training across all industries has been relatively stable over the past six years.

As honourable members will see from these figures, New South Wales has lost almost a quarter of its building trade apprentices in the past three years. It has lost more than 20 per cent of apprentices across all industries, with the metal and electrical trades also suffering large losses. It is pleasing to see female apprentices maintaining their numbers, but increases are necessary. The most disturbing fact to my mind is that fewer apprentices are in training in all industries now than there were six years ago. While this can be attributed to the recession and to restructuring in industries that traditionally employ apprentices, I do not see these factors as excuses for the decline in apprentices not being checked. The decline really began in New South Wales after the last State election, and the trend has not yet been reversed.

Something for members to keep in mind is that a larger proportion of teenagers have relied on the apprenticeship system to find employment in the past two years than at any time since the 1982-83 recession, according to the New South Wales Department of Industrial Relations, Employment, Training and Further Education as reported in its August 1993 monthly report on employment and unemployment. This is another reason to make sure that the system can cater for as many apprentices as possible and that apprentices do not fall out of trades because of a lack of employment places. Unfortunately, the slack in apprenticeships does not

appear to have been picked up by the Australian

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traineeship system in New South Wales. Commencements in 1992-93 were only slightly above the level of 1988-89, being 4,725 and 4,433 respectively. This is stated in the same report. A passage in His Excellency the Governor's Speech that interested me greatly was the following:

Proposed reforms include improvements to apprenticeships and traineeships, expansion of employment-based training options, the application of national competency standards, and resource development to enhance the quality of employment-based training.

Unfortunately, I have not heard a commitment by the Government to implement any of the "proposed reforms, only His Excellency's indications that the Government has proposals. But what are these proposals worth? Let us examine the Government's record. Again, I have charted the Government's performance on spending directly aimed at apprentices and have produced a table reflecting this. I propose to table this for the perusal of members. Its source is New South Wales Budget Paper No. 2 of 1992-93 and Budget Paper No. 2 of 1993-94. The table refers to three schemes which were running before the peak in the number of apprentices in mid-1991. Sure enough, the dramatic fall in the number of apprentices in training since the peak of mid-1991 was accompanied by consistent yearly falls in actual spending on apprenticeship schemes by the New South Wales Government. In fact, the fall in spending has been a massive 17.4 per cent over the past three years. The table shows that the estimates in the Government's 1993-94 Budget suggest that the trend of declining expenditure will turn around. However, as we all know, the Fahey Government believes that estimates are to be broken in a downward direction.

In 1992-93 the allocation to the Government's apprentice schemes totalled \$4.181 million with actual spending totalling only \$3.733 million. Around \$448,000 was not spent while thousands of out-of-trade apprentices drew dole payments. As I said earlier, the fall in the level of apprentices in the building industry has been much greater than for many other industries. The Government's current investment in construction is almost \$6 billion, as reported in its *Executive Bulletin* in February. This \$6 billion represents between 33 per cent and 40 per cent of the Australian non-residential construction market, which is a major client of the industry and, therefore, has an important responsibility in providing the skilled labour that it consumes. This is why the Government continues to advertise its policy on apprentice ratios: it has to be seen to be fulfilling its responsibilities to train. In answer to my question, the former Minister for Public Works, the Hon. Wal Murray, said:

[The Public Works Department] has a requirement for all contracts exceeding \$250,000 and involving at least 2000 hours of trade labour (for a single trade) that contractors and sub-contractors must maintain a ratio of at least one registered apprentice to every four tradespeople.

Unfortunately, the enforcement of this policy and contract requirement seems to have recently lapsed. In late January workers on the Government's Nepean Hospital site were forced to take industrial action to ensure that contractors observed the Government's policy - a policy that the building industry unions have also had for some time. On the Nepean Hospital site the ratio of apprentices to tradespersons had fallen to about one to 10. The union organised for 15 of its out-of-trade apprentice members to attend interviews at the site, and all of these young people were eventually employed. These out-of-trade apprentices were given another opportunity to pursue their calling and the community did not lose the skills that the apprentices had already gained.

The building unions division of the Construction Forestry Mining and Energy Union is currently campaigning to ensure that the Government strictly enforces its own contracting requirements regarding the ratio of apprentices to tradespeople. The efforts of the union and particularly its younger apprentice members in this regard should be acknowledged by all members. Another organisation that deserves credit is Building Apprentices Training Limited - BATL. For many years it has provided a safety net for out-of-trade building industry apprentices. The New South Wales branch of the Master Builders Association has, unfortunately, failed to live up to its stated promise to guarantee employment to all apprentices it took on under the Build-a-Job scheme. In total, 60 young people were denied apprenticeships despite the guarantees. However, the scheme is continuing to function, and I am sure all members wish it success, as I do.

A Carr Labor government would be committed to strictly enforcing specific apprentice quotas in the building and other industries, particularly as Olympic preparations progress at Homebush Bay. Members opposite may be tired of my highlighting the Government's record in the building industry, but they admit they are big construction clients and I trust they welcome my scrutiny of their performance. In any event, I now refer to the Government's record as employers of apprentices in the public sector and the example it has set for the private sector. On 14 December last year I recall that the Hon. Virginia Chadwick said in *Hansard*, "The Government has a fine record on apprenticeships". Let us consider this statement in light of some facts.

Many members in this House will recall that former Premier Nick Greiner wrote to his Ministers in December 1991 asking them to maintain levels of apprentices in their departments. That letter was dated 5 December 1991 and was incorporated in *Hansard* of the same date at page 5625. This letter followed a series of stinging public attacks by this Opposition over apprentice retrenchments and the failure of the Government to recruit apprentices. Members might recall the unbelievable story of Michael Hopp who, in 1992, was awarded a State medal from TAFE for coming first in his trade course. He also received the Canterbury-Bankstown motor mechanic award.

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The Hon. Judith Walker: He was a State Rail Authority apprentice.

The Hon. A. B. MANSON: That is right. At that time Michael Hopp was employed by the State Rail Authority and was named SRA apprentice of the year. Despite these achievements, he was retrenched from the Marrickville Training Centre along with six other apprentices. This incident provided the private sector and the community with an example, one that I hope they deplore rather than follow. The last word I heard from the Government regarding public sector apprentices and trainees came from the Minister for Industrial Relations and Employment, the Hon. Kerry Chikarovski, in a press release of 16 July 1993. She announced that the level of public sector apprenticeships and traineeships had fallen by 5 per cent in the previous six months.

Obviously the former Premier's concerns with apprentice levels have not been followed through by the Fahey Government. Government members can be assured that a Carr Labor government will protect apprentices' jobs and will use apprenticeships and traineeships as a means of combating youth unemployment. The Opposition fought the Government's attempts to close the SRA training facility at Chullora and won. Chullora workshop will be expanded to become a public and private training centre for apprentices under a Labor government. A Carr government will generate 2,000 apprenticeships; it will require departments to increase apprenticeship intakes when recruiting. A Carr government will enter into group apprenticeship arrangements between the public and private sectors, establishing apprenticeship pools. It will effectively lobby the private sector to take up Federal Government incentives for apprenticeship intakes, such as the craft and special trade training schemes.

Unlike the Fahey Government, a Carr government will enforce the guarantees of group apprentice schemes. Through New South Wales TAFE the Government was party to an arrangement with the Master Builders Association regarding Build-a-Job schemes guaranteeing in-trade employment for 60 trainees who finished up out of a trade, yet the Government fails to enforce the agreement. I have placed on the notice paper a series of questions relating to the level of public sector apprentices. I trust that other honourable members will take note when the answers are published. The last point that needs to be made on this issue is that a new opportunity will emerge with the commencement of the Australian Vocational Certificate Training System in 1995. By that time the Labor Party will be in Government in this State and will ensure that the massive falls in apprenticeships that the present Government has allowed come to an end. By our actions, we will restore hope and employment opportunities to the young people of New South Wales.

Debate adjourned on motion by the Hon. Elisabeth Kirkby.

ADJOURNMENT

The Hon. R. J. WEBSTER (Minister for Planning, and Minister for Housing) [11.11]: I move:

That this House do now adjourn.

LEGAL AID FOR ENVIRONMENTAL MATTERS

The Hon. JAN BURNSWOODS [11.11]: I wish to say something about an issue this House has heard a fair bit about lately: the question of legal aid in environmental matters. I refer to a recent judgment by Justice Stein dealing with a case relating to public interest legislation and the question of costs. In his judgment Justice Stein made a number of interesting comments. In particular, he quoted Justice Toohey. I will read that statement to the Chamber. At a conference in 1989 Justice Toohey said:

Relaxing the traditional requirements for standing may be of little significance unless other procedural reforms are made. Particularly is this so in the area of funding of environmental litigation and the awarding of costs. There is little point in opening the doors to the courts if litigants cannot afford to come in. The general rule in litigation that 'costs follow the event' is in point. The fear, if unsuccessful, of having to pay the costs of the other side (often a government instrumentality or wealthy private corporation), with devastating consequences to the individual or environmental group bringing the action, must inhibit the taking of cases to court. In any event, it will be a factor that looms large in any consideration to initiate litigation.

I am referring to the Iron Gates case that members of this House have heard of before. In this particular action the applicant, Al Oshlack, was a dedicated environmentalist active on the North Coast and a member of an organisation known as the Lismore Greens. Mr Oshlack's solicitor put the following case on his behalf: that he had no pecuniary interest in the outcome of the litigation, only a concern as a member of the public for the public interest in the enforcement of environmental law; that he had a concern for endangered species of fauna; and that the subject-matter of the proceedings, the development of the sensitive Iron Gates site, is a matter of general public interest travelling well beyond this particular case. For instance, he cites the continuing interest of the National Parks and Wildlife Service and its opinion that the council should have required the developer to submit a fauna impact statement. The endangered fauna with which the case is concerned is the koala, a species whose preservation is of wide public concern.

The basis of Mr Oshlack's legal challenge was arguable and raised significant issues of environmental law regarding the fauna protection provisions of the Environmental Planning and Assessment Act and the Endangered Fauna (Interim Protection) Act. It was maintained that the litigation in this case was truly public interest litigation and the additional features referred to constituted special circumstances justifying a departure from the ordinary rule relating to the awarding of costs. The developers and Richmond River Council's argument was that the applicant's case was weak; that he persisted in almost all aspects of his

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challenge, even when it was apparent that some were not arguable; that participation opportunities were made available to the public by the council; and that Mr Oshlack's lack of pecuniary interest in the proceedings was irrelevant. They expressed concern that if applicants were able to bring test cases without penalty as to costs if unsuccessful, the floodgates would be open. The judge stated:

The fact is that 14 years experience of open standing provisions in the Land and Environment Court had produced little more than a modest flow, barely wetting the wellies.

The judge found the challenge to the Iron Gates development was in the public interest. The judge said further:

The proceedings were a legal challenge to the validity of a development consent granted by the Council . . . The land is partly covered by littoral rainforest and SEPP 14 designated wetland. It is habitat for the koala, listed as an endangered species . . . The applicant's challenge was based on the alleged failure of the Council to have regard to the factors listed in s4A of the Environmental Planning and Assessment Act and its failure to require a fauna impact statement . . . The case also claimed that the consent was void because the Council failed to give proper consideration to the endangered fauna factors required by s90 of the Act and the Regulation.

Further, the council's conclusion that there was unlikely to be a significant effect on the environment of endangered fauna was one not reasonably open to the council.

There is no doubt that the subject matter of the litigation, the development of the Iron Gates site, has been an issue of controversy on the North Coast for some years. It has resulted in a spate of litigation and aroused some deep feelings on all sides. There is undoubtedly a public interest in the outcome of the litigation, in the development . . .

The public interest is not confined to the applicant and like minded citizens but includes the continuing concern of the public authority entrusted with the protection of natural values, the National Parks and Wildlife Service.

Mr Oshlack's pursuit of the litigation was motivated by his desire to uphold the public interest in ensuring obedience to environmental law which he claimed was breached -

And by the protection of the koala and so on. The judge dismissed the application for an order for costs. In summary the judge found:

The basis of the challenge was arguable, raising serious and significant issues resulting in important interpretation of new provisions relating to the protection of endangered fauna. The application concerned a publicly notorious site amidst continuing controversy. Mr Oshlack had nothing to gain from the litigation other than the worthy motive -

[*Time expired.*]

AMERICAN HOMOSEXUAL LAWS

Reverend the Hon. F. J. NILE [11.16]: During the past few weeks the Reverend Dr Chuck and Donna McIlhenny of San Francisco visited Australia. They have ministered in San Francisco for the past 20 years. It is perhaps a sign of their fortitude that they continued to minister to that city when they had been under constant attacks, including the fire bombing of their home. They have published a book entitled *When the Wicked Seize a City*, and I urge honourable members to read it. In the book Reverend McIlhenny spells out what he calls the gay agenda, and he has produced a chronology of events in San Francisco which may have some parallel to our city.

Some people question the existence of a gay agenda. I believe that San Francisco provides the answer to that question and issues a warning to Sydney because there are many parallels between Sydney and San Francisco. In 1975 there was a statewide decriminalisation of homosexual acts when the Consenting Adults Bill was passed by the Californian State Congress. In 1977 the first openly homosexual politician won a seat on the San Francisco Board of Supervisors, which is the equivalent of a city council. In 1978 gay rights sexual orientation laws were passed without dissent in San Francisco. In 1979 they appointed a member of the Board of Supervisors and established a gay seat on the city council of San Francisco.

In that same year Reverend Chuck McIlhenny was sued as a minister of the Presbyterian Church in San Francisco for firing a practising homosexual who was the church organist. That led to a court case which cost him \$110,000 to defend as part of the religious freedom of the United States of America. He won that case. He was the first minister to be sued in the United States, of the first church, and the first one to win a case. In 1984 there was a proposal by the city police in San Francisco - because the police are controlled by the city council -to ban city workers, police detectives, from investigating gay-related crime because of their prejudice against homosexuality. That particular plan has not yet been adopted. In June 1988 a branch of the public library was renamed and dedicated to the memory of a gay supervisor who had died, and a gay band, chorus and gay American Legion Post were represented at the ceremony.

The library in San Francisco became the first public institution to fly the gay flag, which is something like a rainbow flag. In 1989 non-discrimination legislation allowed for homosexuals in public school classrooms to

teach the gay lifestyle as a legitimate alternative lifestyle. In 1991 the election of two lesbians to the city council and the election of Tom Amiano, a gay comedian, to the school board was known as the "Lavender Sweep". In February of that year domestic partnerships, or gay marriages, became law in the city and county of San Francisco. Also in 1991 the mayor set up a task force on the family, headed by a prominent lesbian who redefined the family to include homosexuals, lesbians, single lesbians, artificially inseminated women and bisexual households. Also that year there was an increase in lesbian artificial insemination. Sperm banks were used to enable lesbians to produce children without fathers. There was also an increase in violence against gays and lesbians both from within the gay community and from outsiders.

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In that same year the first gay police chaplain for the police force was appointed. The VD rate increased dramatically amongst heterosexuals, homosexuals and intravenous drug users. In 1992 NAMBLA - North American Man/Boy Love Association - was allowed to hold regular meetings in the public library, one floor above the children's library, with the approval of the City Library Commission, at taxpayers' expense. This is the gay agenda, which goes on for many pages, week after week, month after month, involving also attacks on the boy scout movement and the Governor of California. [*Time expired.*]

DAY DREAM MINE SMELTER

The Hon. D. F. MOPPETT [11.21]: I draw to the attention of the House the efforts that have been made to restore the Day Dream Mine smelter chimney, at a site 23 kilometres west of Broken Hill near Silverton. This is a significant relic of the early mining industry on the Barrier Range, a fascinating history that has been submerged by the spectacular history of Broken Hill itself, which has a substantial place in our history. It is as well to reflect on the early history of mining in that region. In about 1860 the pastoralists came to the area. At that time there was tremendous interest in the opportunities for the discovery of gold throughout the colony. At one stage a hoax reporting that gold had been discovered in the area drew a lot of people to the Barrier Range. A little later definite finds of workable minerals were made.

To illustrate the isolation of the region, a wonderful story went around about a wandering preacher who came upon what Henry Lawson would have called a rustic oaf working out on one of the stations. He seemed to be interested in conversation so the preacher said to him, "Have you ever been to Holy Communion?" The rouseabout said, "Holy Communion!", a trifle puzzled. "Can't say I have, but I have been to Menindee". That demonstrates the cost of freight on sophistication in those days. That applied also to the development of the region. In 1865 copper was discovered at Coonbaralba Heights. The field was worked for a short time and the ore was shipped out by horse-drawn wagons. The project was not successful, but by 1876 a workable lode of silver-lead was found at the Thackaringa Fields in a small

hole adjacent to a wayside pub run by Mr John Stokie. Later on, in 1882, another significant find of silver-lead was found on what was known as the Umberumberka field. That gave rise to the town of Silverton, which started off in its early years with such bravado that it is amazing to think of the confidence people had in what was otherwise a very hostile land.

The Day Dream Mine was one of those developed in the region. The significant feature of the site is that in 1885 - and at this stage, though the lode had been discovered, only exploratory operations had proceeded at Broken Hill - a smelter was built adjacent to the mine, the first smelter on the Barrier Range. It was built in an effort to overcome the high freight costs that had to be paid to deal with the minerals being won from the area. Sadly, because of the pace at which development occurred on the lode near Nine Mile Well on the Broken Hill, the smelter closed down in 1888. Unfortunately, the relic that remains is in extremely poor condition. The shaft was originally constructed to half of its height in stone and the remaining half in red brick. That red brickwork has deteriorated considerably and the site is, in part, dangerous. Urgent work is required to stabilise the structure so that restoration can proceed.

I am sure that work would be successful because those who know the Burra district would be aware that a similar sort of structure on the Burra fields was restored using the same technology. If this site can be restored, it will be tremendously important for the whole of the mining archaeology in the Broken Hill area. The site is the subject of a permanent conservation order taken out in 1983. The council has made a worthy effort to get on with the job. In October last year the council wrote to me, and I am certainly working with the Minister for Planning to try to secure funds. There is a technical hitch because part of the area was the subject of a freehold grant made to Edward Perrow in 1888. No descendants of Perrow can be traced. However, that problem can be overcome, perhaps, by the House supporting a private member's bill to secure the title. Funds could then be obtained to restore this significant relic of an important part of the heritage of Australia and western New South Wales.

Motion agreed to.

House adjourned at 11.26 p.m.
