

LEGISLATIVE COUNCIL

Thursday, 10 March 1994

The President (The Hon. Max Frederick Willis) took the chair at 10.30 a.m.

The President offered the Prayers.

INDUSTRIAL RELATIONS (PROTECTION FOR EMPLOYEES OF SUBCONTRACTORS) AMENDMENT BILL

Bill received and read a first time.

WORKERS COMPENSATION LEGISLATION (FURTHER AMENDMENT) BILL

Message

Message sent to the Legislative Assembly requesting that the Workers Compensation Legislation (Further Amendment) Bill transmitted to the Legislative Assembly for concurrence during a previous session of the present Parliament, not having been finally dealt with because of the prorogation of the Legislature, be now proceeded with under the Assembly's standing order in that behalf.

PETITIONS

Retail Tenancies Review Legislation

Petition praying that the House support the Retail Tenancies Review Bill, received from the **Hon. B. H. Vaughan**.

Anti-Discrimination Act

Petitions praying that the Anti-Discrimination Act be repealed because it censors criticism of homosexuals, received from the **Hon. S. B. Mutch and Reverend the Hon. F. J. Nile**.

Container Deposit Legislation

Petition praying that because of the detrimental effect of throw-away packaging on the environment, legislation be introduced imposing a mandatory deposit on all containers sold in New South Wales, 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.

STANDING COMMITTEE ON SOCIAL ISSUES

Sixth Report: Sexual Violence: The Hidden Crime

Debate resumed from 3 March.

The Hon. ANN SYMONDS [10.38]: When the time for the debate expired last Thursday I was drawing to the conclusion of my remarks. I had noted that in the second part of the inquiry under this reference, one of the areas for work will be an examination of the causal factors of sexual violence. In its issues paper the committee acknowledged this by saying:

Examining violence gives rise to many complexities, including ascertaining incidence, identifying causes and separating the difference between the real and perceived prevalence of violence in society. Accordingly, the development of effective strategies and response to violence requires thoughtful and constructive analyses and planning. This, in turn, demands an examination of many broad and far-reaching factors that may even call into question our traditional and accepted practices and values.

I have referred to attempts to establish pornography as the chief precipitator of acts of sexual violence. This is an area of concern among feminists worldwide. A statement included in a recent book of essays on women's studies encapsulates my concerns about this matter. The statement reads:

Over the past twenty years debates about pornography have raged both within feminism and the wider world. Throughout the 1970s feminists increasingly addressed the problem of men's sexual violence against women, and many insisted that men's sexual coercion was the bedrock of male power, thus reducing the politics of men's power over women to questions about sexuality. By the 1980s the issue had become more and more focused on pornography, making it harder to think clearly about either sexuality or pornography - indeed, about feminist politics more generally.

It is important to reject sexist images of women; and I do so. It is also important to empower women both economically and socially to allow them to reach equality in society and to give them more strength in decision-making in relationships of all sorts. Rape and sexual assault are a major manifestation of the exertion of the power of a man over a woman. Historically, it began as the actual powerlessness of women relating to their reproductive functions. Today it retains much of its basis in the economic subjugation and dependency of women. When we rail against demeaning images of women we must recognise those images as arising from unacceptable levels of sexism which are still entrenched in some areas of our society. But the naked body is not offensive and sexual relationships are healthy and desirable human activities.

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I am concerned that the gains of women over the last 30 years will be warped or eroded by an obsession with sex which seems to be sweeping the western world. To concentrate on sexual acts and sexual images and to avoid issues of women's liberation is a considerable danger in that women's energy may be diverted away from extending societal reform to guarantee true equality of status and protection for women. Women want and need freedom from discrimination, harassment, domestic violence and poverty. This will not be achieved simply by a campaign of saying no to sex and hiding images that are denigrating. We must act to eliminate them if we find them unacceptable.

Recently some feminists have argued that heterosexuality is incompatible with women's liberation. Catherine MacKinnon asserts that, "men see rape as intercourse; feminists say much intercourse 'is' rape . . . feminism stresses the indistinguishability of prostitution, marriage, and sexual harassment". Finally, getting right down to it she argues - though I will substitute a five-letter word for a four-letter word in the

interests of propriety:

Either heterosexuality is the structure of oppression or it is not . . . And I would like you to address the question . . . whether a good screw is any compensation for getting screwed. And why everyone knows what that means.

If that is feminism it must be an American version of feminism, which I reject. I believe it is time to restore the original values of the women's liberation movement that I was attracted to in the 1960s. Clearly, we have a task ahead of us to look at pornography, erotica and sexism. Those issues should be carefully examined, analysed and defined. I believe that the depiction of explicit sex is not a problem, but violence and exploitation are totally unacceptable. Educating men and women to value each other and enjoy sexual relationships freely entered into is more likely to improve human behaviour and increase happiness than is a campaign of prohibition on sexual images. It will indeed be a complex task ahead of us in part two of the report. I look forward to the debates, which are timely for women and men in our society. I hope that it will be a productive exercise which retains as its goal the elimination of violence in all forms against women and a move towards a more loving and co-operative society.

The Hon. FRANCA ARENA [10.45]: As my colleagues on the social issues committee have said, our first report entitled "Sexual Violence: The Hidden Crime", is an important report which provides extensive statistical analysis of the results of international, national and State surveys that measure sexual offences. However, the report focuses principally on the findings of the international crime surveys of 1989 and 1992. Our research shows that both surveys were seriously flawed methodologically in assessing the area of sexual violence. It has caused me a great deal of irritation to realise that so much credibility should be given internationally to surveys which were not only flawed methodologically but which were also sloppy and inappropriate.

How can the people who carried out the surveys seek to justify their incompetence? We should send a copy of our report to them, with a strong letter about our feelings. It is most important that they know how we feel about it. There was anguish in our society when a front page article stated that Australia had the highest level of sexual violence in the world. That is certainly not a reputation one should be proud of. It was an untrue presentation of the facts.

Our report, however, is a very useful document for the community because it reviews Australian and New South Wales studies and statistics. Nevertheless, there are a number of problems concerning these statistics. Victim surveys and police statistics, for example, downplay the incidence of sexual violence, with the latter sometimes including a number of incidents in the one case of a victim reporting multiple attacks in the one complaint and the former having a ceiling for the number of attacks counted for any individual surveyed. Such ceilings ranged from two to five attacks in the surveys examined by the committee. In the survey conducted by the Australian Bureau of Statistics the ceiling was three assaults.

I hope all honourable members will read this important report. They will see that the New South Wales crime statistics tell us that there were 1,880 cases of sexual assault in 1992. The Australian Bureau of Statistics victim surveys tell us that for every case that becomes a crime statistic there are at least three other cases that do not because the victims do not report them. We know how important this is. We need a more appropriate and humane approach from police officers, nurses and others. When victims report sexual assault they are treated as though they were the perpetrators. They are humiliated and made to wait for hours. In court they are treated not like victims but like perpetrators. Their attitudes towards society change considerably after a sexual attack. They want to retreat into themselves, be left alone and not report anything. We cannot blame women for having this attitude. Unfortunately, unless we encourage people to report the crime, it will increase without abatement. It is important that victims are encouraged to report the crime.

As I have said, statistics supplied by the Australian Bureau of Statistics show that there are at least three unreported sexual assault cases for each case that is reported. From these figures one might be

tempted to conclude that the level of sexual violence in 1992 was four times the official figure, suggesting that there were at least 7,520 occurrences of sexual assault in the State in that year. We must be concerned about this. If there is a bottom line for the statistical information in this report, it is that there is more sexual violence in our society than is measured by any of the studies reviewed.

What is sexual violence? How is it perceived in the community? Evidence to the committee and reports seem to suggest that there is still the perception that sexual violence is caused by the female victims. "Why did she wear such a revealing dress? Why was her skirt so short? Why was her bosom

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half exposed? She asked for it". That is an example of certain attitudes in the community, the blame the victim syndrome. Some would even go so far as to say that women enjoy it. The committee was aware of that type of attitude being displayed. I became absolutely livid when people suggested that Confucius said about rape, "If you cannot do anything about it, just lie back and enjoy it". Even colleagues in this House repeated that when they heard about the inquiry. This disgusting attitude is still common in many areas of our society. Such attitudes are reinforced by comments such as those made by the judge in South Australia who said, "They first say no but, in effect, what they mean is yes". Misogynist attitudes come even from the judiciary. Such attitudes continue to prevail in our society. We hope that the report will go a long way towards counteracting this terrible attitude.

The community for years has trivialised sexual violence. It has been treated as a kind of joke. Women were perceived sometimes to be partially responsible. Now we know the terrible consequences of sexual assault on women. At public hearings we heard from victims. People who work with victims told us of the terrible trauma encountered by the victims and also by their families. The Hon. Ann Symonds referred to this aspect. Sexism is prevalent in our society. We should have a healthy, strong attitude toward the enjoyment of sex. It is one of the joys of life. However, I do not agree with pornography. The exploitation of women in pornography disgusts me and I would never support it. If people want to buy pornography in sex shops and enjoy it in private they can do so, but pornography should not be put in a public place.

The Hon. R. B. Rowland Smith: What do you know about sex shops?

The Hon. FRANCA ARENA: I know they are there in the city. I have never entered one. It does not really interest me but I am glad that they are available for people such as the Hon. R. B. Rowland Smith, who obviously is very interested in them. The public hearings were very enlightening. I put on record my sincere thanks to all the people who shared their knowledge and experience with us. Parliamentary committees are very valuable but they rely heavily on the support and co-operation of the public, public servants and experts. The committee had wonderful co-operation and support. I thank all the people who helped us. I must also record our thanks to our excellent staff - Jenny Knight, Glen Baird, Alexander Shehadie, Heather Creighton and Annie Marshall. One could not ask for a better and more co-operative and diligent staff. I offer congratulations and many thanks to our chairperson, the Hon. Dr Marlene Goldsmith and her deputy the Hon. Ann Symonds. We are very fortunate to have two such excellent women leading the committee.

This House has been the subject of recent media criticism but few people take the trouble of looking in depth at the work of our committees. Mr President, I hope you will forgive me for quoting you but I heard you recently say that one of the most enjoyable, satisfying and worthwhile jobs you have had in your years in Parliament was as a member of the adoption committee. Those feelings are shared by all members of that committee, which produced a heart-warming and important report. Regardless of the recent media campaign, the change in the adoption laws has given much joy to many people. Mr President, you chaired the committee and I am very proud to have been a member.

The work of the committee inquiring into compensation for medically acquired AIDS was very hard. Although we were not able to give as much as we would have liked, at least we were able to find a way of giving \$50,000 each to victims who had suffered incredibly and who were asking for justice. That work

was poignantly worth while. Journalists like to make facetious comments about members of this Chamber but they should look back at some of the committee work done, and the changes to legislation, and realise how useful they have been for the community. I cannot understand why people look at only the negative side of our work in Parliament and not the excellent work that is done, especially in committees. I thank the House for the opportunity of speaking on the report "Sexual Violence: The Hidden Crime", which was supported by all members of the committee. We are all very proud of it.

The Hon. D. F. MOPPETT [10.57]: The report "Sexual Violence: The Hidden Crime" is a great achievement of considerable significance to the broad community. As other speakers have said, the report is a worthy testament at this time to the capacity of the Legislative Council to conduct empiric research. That is an unfulfillable dream for members of the Legislative Assembly because they are strongly driven by political motives to survive in their electorate or for their party to retain or aspire to government. This almost precludes a rational and clear examination of any particular subject of public importance. The report has tremendous integrity, is thoroughly worth while and is timely.

For some obscure reason the issue was not pursued. Sexual violence is an issue uppermost in the minds of people at this time. However, although Legislative Council committees should consider the political dimensions of any issue they should not be overwhelmed by ideas of good currency. That statement is relevant to this inquiry and to related inquiries on violence that the committee is undertaking. The term "ideas of good currency" was coined by an author whose name I regret to say I have forgotten, who spoke at an Australian Institute of Political Science seminar some years ago. He used the term to describe a wave motion that he had discovered in American politics which could be transposed to Australian politics. Issues surge up in the public mind, reach a certain crescendo and then tail off. We can all think of many examples. This is more substantial. Nevertheless the issue of violence in our society, and crime generally, tends to be dynamic and could properly be referred to as an idea of good currency. There are gross misconceptions

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about the rate and prevalence of crime generally and particularly of sexual violence, violence at schools and violence in the community.

Honourable members know that I have a particular interest in the incidence of crime, most of which is related to violence in many northwestern communities. Although there is extreme concern about the high rates of violence, assault and other offences against both the person and property in the northwest, occasionally we need to consider these sporadic outbreaks in a wider context - beyond the immediate though temporary sensationalism of newspaper, television and other media reports - to take into account development over a long span, perhaps going back into history.

This valuable report gives quantitative analysis to the alarming overseas report that suggested that Australia's record was poor compared with the record of other countries. The committee's report tackled that accusation effectively and thoroughly demolished the report's conclusions. Criticism recently published in our only tabloid journal was wide of the mark. The alarm and disquiet that could have been generated in our society had the report gone unchallenged could be defused effectively only by the overseas study committee members undertook.

It is significant that committee members spoke to people who were involved in the commissioning and conduct of that study. The organisation conducting the study attempted to compare various countries without having a proper statistical basis for its analysis or properly and objectively examining its conclusions. The report gives perspective to an issue that has great currency in the community. The Parliament and its members should address the report with the same sincerity that the committee chairperson and other speakers have demonstrated by their remarks.

Unfortunately the perception seems to be widespread that we are in a period in history when society is in a state of decay and we are facing a tremendous onslaught from elements in society that have abandoned the rule of law and order and seem to be preying on vulnerable elements in society. A

statistical analysis shows that is not the case. A comparison of statistics on the incidence of crime shows that it is steadily decreasing. Some of the people who came before the committee's allied inquiries made valuable contributions. It was hypothesised that violence is growing like a bushfire out of control, but when that assumption is demonstrated to be wrong it seriously devalues the theories put forward. The committee will carefully examine the material put before it in that light.

To illustrate my point, I should like to read from Dickens' *A Tale of Two Cities*, which is his only novel based on strong historical research. In most of his other novels he used satire to get his point across. In *A Tale of Two Cities*, set in the late eighteenth century, Dickens tried to come to grips with facts that to him were already history. It is interesting to reflect on Dickens' comments about disorder in 1775. He commenced by describing the period as follows:

It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to Heaven, we were all going direct the other way - in short, the period was so far like the present period, that some of its noisiest authorities insisted on its being received, for good or for evil, in the superlative degree of comparison only.

More specific to my point, in describing law and order in England he wrote:

In England, there was scarcely an amount of order and protection to justify much national boasting. Daring burglaries by armed men, and highway robberies, took place in the capital itself every night; families were publicly cautioned not to go out of town without removing their furniture to upholsterers' warehouses for security; the highwayman in the dark was a City tradesman in the light, and, being recognised and challenged by his fellow-tradesman whom he stopped in his character of "the Captain," gallantly shot him through the head and rode away; the mail was waylaid by seven robbers, and the guard shot three dead, and then got shot dead himself by the other four, "in consequence of the failure of his ammunition:" after which the mail was robbed in peace; that magnificent potentate, the Lord Mayor of London, was made to stand and deliver on Turnham Green, by one highwayman who despoiled the illustrious creature in sight of all his retinue; prisoners -

We have talked on many occasions about unrest in our prison system:

- in London gaols fought battles with their turnkeys, and the majesty of the law fired blunderbusses in among them, loaded with rounds of shot and ball; thieves snipped off diamond crosses from the necks of noble lords at Court drawing-rooms; musketeers went into St Giles's, to search for contraband goods -

We do not know whether it was marijuana or heroin:

- and the mob fired on the musketeers, and the musketeers fired on the mob, and nobody thought any of these occurrences much out of the common way.

I could have quoted many authors, but the purpose of our reading for today was to illustrate the significant fact that we have been on an inexorable progression from disorder to greater levels of civilisation. I have great faith in our continuing progress through the enlightened moves that government may make, but far more particularly through the rejection by ordinary citizens of the alternative of disorder and the other things that happened in 1775. In this context, we will progress through education and the rejection by ordinary people of the attitudes to women and to violence that so many members have spoken about.

This inquiry and the associated inquiries are very important in that they intend to look into the very complex factors that underlie violence in our society and, more significantly, the interaction of those factors, which is even more difficult to gauge at times. I shall illustrate that in a moment with another

quotation, because we are misled so often. I know from direct experience that people looking at many of the northwestern towns immediately gather all the statistics associated with the northwest and say, "There is a large Aboriginal population, high levels of unemployment and a lot of drinking. They are the contributing factors that we have to do something about. If we eliminate those, voilà, the problem will be solved".

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unemployment and a lot of drinking. They are the contributing factors that we have to do something about. If we eliminate those, voilà, the problem will be solved".

I read with interest the other day an anthropologist's description of a community, the whereabouts of which I will reveal after I have read from the book *Sick Societies Challenging the Myth of Primitive Harmony* by Dr Robert B. Edgerton. I believe that will be far more illustrative of what I have to say. I may paraphrase slightly. I believe Dr Edgerton was quoting largely from a study conducted by the anthropologist Rena Gazaway when he described the community - which, as I see it, has all the elements that one would assume would produce violence and all sorts of other problems. Dr Edgerton said:

The inhabitants of this remote mountain valley lived in ramshackle wood and tarpaper shacks along a one-mile stretch of a polluted stream. Their houses had no indoor toilets, and only a few had functioning privies. Most people simply defecated on the ground, leaving their faeces to be eaten by their emaciated dogs or to be carried to the river by the frequent rains.

The Hon. J. F. Ryan: I think the other quotation was more uplifting.

The Hon. D. F. MOPPETT: Yes. Nevertheless, this is a sobering one that I am sure will edify the honourable member's mind. The diet of these people was described as follows:

[The residents of this community were] . . . dependent on grossly inadequate governmental food allowances. There was little protein available to them; in fact, there was little food of any kind, and most . . . were perpetually hungry. Their children were so malnourished that all were very thin and small. Some six-year-olds had achieved only half the growth that is normal for children their age, many were anaemic; and all were chronically ill with endemic diseases.

Although several children and adults slept piled together in the same bed, they were perpetually chilled during the long season of cold weather. Their health was also threatened by the cockroaches, insects, and rats that infested their houses. Their few cooking utensils and bowls were rarely washed, and neither were the tin cans they used as cups; when they were washed, they received only a cursory rinse in contaminated stream water. There was no soap. The [people] . . . who ate with their fingers, rarely washed themselves either. Their clothes were as dirty as they were ragged, and their hair literally throbbed with lice.

The anthropologist said about the sexual proclivity of the community:

Although [these people] . . . tried to reckon kinship - their principal social tie - it was often difficult because sexual relations were indiscriminate (girls began to have sexual intercourse as early as the age of six) and illegitimate births were commonplace. Perhaps as a result, children had little interest in the identities of their fathers. When Gazaway asked one boy if he was not curious about his father, he answered "Hain't worth knowin'," a common sentiment.

The publication talked about the community's lack of knowledge of money and its value:

. . . a bill of any denomination was called a "skin" - and they were frequently victimized by shopkeepers as a result.

The illustration was that they did not know the difference between a \$1 bill and a \$100 bill. They simply passed the note across and accepted whatever was returned to them. Dr Edgerton continued:

Parents opposed formal schooling, and school attendance was not enforced by school authorities. But parents did nothing to educate their children either. Not only could these unschooled children not perform rudimentary tasks of reasoning, when asked to do so they were unable to draw a circle or a square, raise their right or left arms, extend their fingers, or spell their names. . . . "I showed them a series of pictures pasted on cardboard; cat, raccoon, rabbit, otter, rat, squirrel. 'What are they?' I enquired. 'Reckon they's cats,' they decided."

I do not think it is necessary to quote further from the book to illustrate the difficulties that the community experienced. The extraordinary thing is that the study was conducted in 1960 in an area of the United States of America that has often been associated with rural people cut off from civilisation. It is astounding to think that those people suffered such conditions. The important thing is that Gazaway, who came to admire the people very much, observed in the people a tremendous feeling of kinship for their community, a sense of honesty and integrity, a very low level of crime or violence against each other, other than the totally unordered sexual relationships, and also a great loyalty to the place. Even the very rare child who had had an opportunity to be educated elsewhere had a yearning to return to the community. If honourable members were interested, I could tell them where the place is, but I do not believe it will serve any purpose to describe the actual locality.

The point I wanted to make is that anyone who makes a sweeping statement about the causes of violence in our society will inevitably be wrong. The cause is very complex and very much dependent on the attitude of the people who live within communities under adverse circumstances. I know that members of the social issues committee who travelled to New Zealand with me on the juvenile justice inquiry will remember the very revealing interview they had in Wellington, where a number of social workers were gathered. They were not involved only in juvenile justice. As it was a federal department, all the social security elements were built into the same organisation. I may have referred to this before.

The Hon. Elisabeth Kirkby asked a question that was almost leading, "Of course, you would have a lot more juvenile crime here, would you not, because your social security system is not as generous as ours?" A Maori girl responded sharply, "We do not believe that is true. We look at each of these instances of lawbreaking and say, 'There are 100 other families in your circumstances. What is your excuse for breaking the law?'" The family group conferences, which are so successful and of which I have spoken on so many occasions, consider the deed. In a subsequent process they consider the needs of the person and the family. I believe that is the way to go.

In summary, I believe this report is an excellent document. It is a testament to the good work that can be performed by the Legislative Council. It will be

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part of a series of reports that in total will be immensely significant. I believe the committee has the capacity to conduct an objective examination and will take into account some of the reasons advanced for sexual violence and violence generally that the Hon. Ann Symonds mentioned. I am sure they will bear with my theories. I am confident that out of it all a very enlightening and constructive final report will be tabled. It was most important for the committee to lay on the table for public examination this very important statistical analysis of the totally misleading report that was given such publicity in the Australian media. I congratulate the staff, the chairperson and the deputy chairperson on their collaboration with other members of the committee that has enabled publication of the report in such good time.

The Hon. J. F. RYAN [11.19]: I wish to make a few short but forceful remarks about crime surveys. This Parliament needs to draw attention to the damage that is done to people's lives by the highlighting in the media of irresponsible crimes surveys. The effects of those surveys and the panic they cause can be extremely damaging. Before I elaborate on those remarks, I join with other members of the committee in expressing horror at the crime of sexual violence. Perhaps the best way I can make that point as strongly as possible is merely to refer to the dedication that appears at the front of the committee's report. The dedication reads:

This report is dedicated to those women whose lives have been altered by sexual violence, yet have found the dignity and strength to survive.

Each and every member of the committee was moved by the strength and dignity with which the survivors of sexual assault reconstruct their lives. They were, of course, all horrified by the alarming rate of sexual violence in our society. Sexual violence is a serious crime that must be dealt with constructively. We must ensure that sexual violence occurs less and less frequently in our society. As I have said, each member of the committee warmly endorses the dedication that appears at the front of the report. Each of them intended the report to be dedicated as strongly as the terms in which it is written.

Turning to the ways in which crime surveys cause enormous damage, I need only remember the time I worked for the Hon. E. P. Pickering as his research officer. I recall a survey that received the endorsement of the Australian Institute of Criminology and was publicised for days in the media, particularly in New South Wales. The survey purported to be a comparison of crime rates across the various States of our country. It had been prepared by a researcher from the Australian Institute of Criminology, Mr Satyanshu Mukherjee. After taking the raw crime statistics published by various police jurisdictions across each of the Australian States, the survey concluded that crime rates in New South Wales were significantly higher than the rate in any other State and that the clear-up rates of crime by the New South Wales Police Service were significantly lower than in any other State.

The publication of that survey denigrated the excellent work of the New South Wales Police Service. I was exposed to police services across Australia from the time I commenced working for the Hon. E. P. Pickering. Today I am more than ever convinced that New South Wales has a first-class Police Service that is likely to be one of the best in the world - warts and all! I have referred previously to problems in the Police Service. Nevertheless, I warmly endorse the opinion that New South Wales has a switched-on Police Service that is in touch with the community and seeks to serve it in the best way it can.

The survey denigrated police officers. But far worse than that, the implication that crime was significantly on the increase generated panic in our society and created the belief that if one walked the streets at night, one would be confronted, more likely than not, with an act of violent crime such as rape. Surveys such as the one to which I have referred that beat up crime rates make people terrified to leave their homes. The fact is that one's chances of being a victim of crime are not high. Despite the fact that New South Wales society, particularly in Sydney, is highly sophisticated and urbanised and hotels and business houses tend to operate for almost 24 hours a day, one is not likely to become a victim of crime provided one takes certain responsible precautions.

It would seem from the research done by the New South Wales Bureau of Crime Statistics that so long as one keeps away from hotels around closing time, one is highly unlikely to ever become a victim of crime when walking the streets of Sydney at night. I frequently walk through the streets of Sydney at night, either for recreational or business purposes. Politicians must often remain in this place until the late hours. When I was a member of the State executive of the Liberal Party, I often remained in the city until the late hours of the night. On many occasions politicians tend to find themselves in the city late at night. I have been able to walk about the city in complete freedom, and I have been impressed by the level of safety in Sydney, which is far greater than the level in almost any other city in the world. That is probably one of the reasons why Sydney was successful in gaining the Olympic Games.

The crime statistics in the survey to which I have referred were irresponsibly put together and received an enormous push from the media. They generated an unjustified level of panic in the community. The survey was deeply flawed because it dealt simply with raw data. It took no account of the fact that the methods by which each of the police jurisdictions logged particular incidents of crime were highly different. Police jurisdictions record clear-up rates in different ways. For example, if a stolen vehicle was located, the matter was regarded as being cleared up. Other States regard a crime as having been cleared up when someone is arrested. Enormous differences may emerge when clear-up rates are based on either of those criteria.

Different police services have different ways of reaching out to the community. It is a sad fact that some people feel less confidence in their police service than the people of New South Wales. A police service that is in tune with the community and responding to its needs is more likely to receive complaints about crime. People have more confidence in a responsive police service than one that is remote and not meeting the needs of the community. It was totally irresponsible of the author of the survey to take the raw data published by various police jurisdictions and try to compare the extent of crime and the level of clear-up rates. It came as no surprise that this particular survey was launched and published at the beginning of a convention organised in Brisbane by the Australian Institute of Criminology. I believe the survey was released for the specific purpose of gaining publicity for its author and to promote the Australian Institute of Criminology convention in Brisbane.

I do not believe that those who produced that survey had the best interests of the community at heart. I became more convinced of that after I had the opportunity to speak to Dr Mukherjee and confront him with a fairly detailed response of the Police Service of New South Wales to his report. He conceded that almost every point in the response was true, but he was totally unprepared to make any qualifying statement to the media that would have lessened the level of public panic. The following day he released another couple of pages of his report that had not received attention on the day the report was launched. That revved up the debate even further. I am tempted to believe that the international crime survey generated the same sort of panic. That survey was used by its author to gain a certain level of notoriety and a reputation as a researcher of some note. He presented to his own home town, as it were, a report that concluded that rates of sexual violence in Australia - a crime about which people are obviously justifiably enormously concerned - were the worst in the world. Yet the committee interviewed a number of experts and criminologists who adopt far more cautious methods of study than this researcher. To illustrate the value that they placed on the international crime victims survey, one need only turn to page 66 of the report and read the three quotes, giving conclusive remarks in terms of the value of the report. One says:

In sum, then, sceptics have room for argument about the quality of the data from the ICS, and these cannot be readily dismissed.

That is an understatement. Rod Broadhurst from the University of Western Australia said:

I don't give any credence to the assertion that Australian society is more sexually violent than any other country on the basis of this data.

It could not be more straightforward or openly stated. Although the committee did not assert it so strongly, it would not be an understatement to say that the reporting of the ICS survey was dangerous and irresponsible. I accept that the researcher was attempting to compare rates of sexual assault across various cultures - a reasonable exercise - but the responsible conclusion that Mr Walker and the other people who put together the survey should have drawn is that they were attempting an impossible task. That would have been a fairly reasonable conclusion to draw, and one that would have been useful to the research community and the community that studies criminology - but unfortunately it probably would not have gained the same headlines as the other conclusion they attempted to draw.

Unfortunately, colour and motion are what newspapers look for. In this Chamber we have experienced exactly that in the past few days with reports in the *Daily Telegraph Mirror* about the Legislative Council. Unfortunately, newspapers look for colour and motion to make their particular journals more exciting to read. That is not a responsible way in which to deal with crime statistics. Apart from the headline, one has to consider how beating up stories can damage perceptions about safety, as this survey has done. That is not to say that sexual assault and sexual violence in our community are not enormously serious problems - they are. The damage done to the individuals concerned is a reason

for any government or Parliament, and this committee, to revisit the issue to ensure that the strategies in place in the State and across the country are the best possible strategies to meet this gross and damaging crime. It is a legitimate cause that should be pursued through the Parliament.

As a member of Parliament I do not need any excitement based on making people feel frightened, which is the effect the survey had to gain its author the so-called Warhol 15 minutes of fame. I believe the authors of the survey have done long-term damage to the issue of dealing with sexual assault within the community. It would be far better to listen to researchers such as those to whom the committee had exposure, for example, Dr Don Weatherburn of the Bureau of Crime Statistics and Research. I learned what valuable resources we have in the Bureau of Crime Statistics and Research and Dr Don Weatherburn. His studies are world-class and extremely useful, but cautious.

I remember during the time I was working with the Hon. E. P. Pickering that he handed over responsibility for the reporting of crime statistics from the Police Service to the Bureau of Crime Statistics and Research. That reporting process is unique to New South Wales. No matter where the Minister went, he was complimented on the quality of the research and on the fact that the crime statistics were kept not by the Police Service but by an independent bureau. We were well aware of the quality of work done by Mr Weatherburn. I remember that he gave advice to the Police Service and said that one cannot compare last year's crime statistics with this year's crime statistics and come up with reasonable conclusions. It has to be done over a long period of time and one needs to investigate the quality of the data before one can produce reliable statistics. I am the first to admit that my party, in its quest to gain

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election in 1988, probably beat up the issue of crime in an irresponsible manner, as is likely to happen in the runup to an election.

The Hon. Dr Marlene Goldsmith: Less than responsible.

The Hon. J. F. RYAN: Maybe it was less than responsible. It was, nevertheless, fair to say that feelings about crime within the community were strong and the Liberal Party was right to respond. Perhaps the manner in which it and the media manipulated those statistics is not one of the proudest moments of political history in New South Wales and I urge that it not be repeated. Don Weatherburn has taught us a great deal about how to report, record and draw conclusions from crime statistics. At the University of Western Australia the committee found a wonderful person in the form of Mr Rod Broadhurst, who was full of common sense and was cautious and methodical in the manner in which he undertook his research. I have read his comments about international crime statistics. It is true that the methods of researchers such as the two I have mentioned take longer, but their methods are thorough. They involve comparing one survey with another and using long time frames. But those methods produce conclusions that are statistically sound and of the best possible use for policymaking in New South Wales.

I look forward to the forthcoming report of the Standing Committee on Social Issues dealing with emerging issues, such as services to people who have experienced sexual assault, how the legal system affects victims of sexual assault and the need to rehabilitate sexual assault offenders. Those issues will be well worth the research. I am sure the Parliament will appreciate that the forthcoming report of the Standing Committee on Social Issues into sexual violence in New South Wales will be of lasting benefit to the community of New South Wales and, to some extent, will attempt to live up to the dedication that appears at the front of the report, namely, to the victims of sexual assault. I look forward to doing more work in this area and to demonstrating that the Legislative Council is capable of doing the best possible work for the community and leading the world in the production of parliamentary reports on serious issues that eventually governments of all political persuasions act upon. Legislative Council committees produce quality reports that serve the community of New South Wales and, possibly, the nation, thus making every minute we spend in this place well worth the time. [*Time expired.*]

FEMALE GENITAL MUTILATION

The Hon. FRANCA ARENA [11.38]: I move:

That this House:

(1) Recognises that female genital mutilation has been occurring in New South Wales and that there is no specific law to ban this practice.

(2) Acknowledges that there is no extensive education program to inform communities that this practice is unacceptable in our society.

(3) Notes that the problem was widely discussed for over a decade at the United Nations Women Conference in Mexico City, Copenhagen and Nairobi, where all Governments, including Australia, undertook to support the International Declaration from the United Nations General Assembly on violence against women and the Convention on the elimination of all forms of discrimination against women.

(4) Expresses its concern that despite all the discussion and deliberations on this problem, very little progress has been made and millions of women in many countries, including Australia, are still suffering genital mutilation.

(5) Calls on the Federal and State Governments to make funds available as a matter of urgency to ensure that education programs are implemented in schools and the community regarding the atrocious practices of female genital mutilation.

(6) Calls on the Government to introduce legislation to ban such practices in our community.

I will give the House some background information about female genital mutilation and the knowledge of it in Australia. As I said in my motion, in the early 1970s the United Nations declared that the decade 1975 to 1985 would be the decade for women. There were to be three conferences at which government and non-government bodies would be invited to document what the position of women was in their countries and in what programs they would institute improvements. The first conference took place in Mexico City in 1975.

Australia sent a delegation led by Margaret Whitlam. I vaguely remember a demonstration of Aboriginal women sitting in the foyer of old Parliament House protesting because they had not been included in the official delegation. No Australian woman of non-English speaking background was invited. Even though many of us were bitterly disappointed, we were not organised enough to arrange a demonstration. The subsequent events of 1975 - the constitutional crisis and constitutional coup - made the debates of Mexico City secondary to the events at home. It was in Mexico City in 1975 in both official and non-official government forums that the issue of female genital mutilation was raised. This was confirmed by Margaret Whitlam only a couple of days ago when I rang her. She said that Susan Ryan would be a better contact and would be able to give me a better explanation. Unfortunately, I was not able to contact her.

Mrs Margaret Whitlam confirmed that it was the first time an international forum raised the issue of female genital mutilation. For women who came from countries where the practice was not known it seemed incredible that such a practice was common in many countries. Somehow it did not touch us closely because it looked like it would never happen in Australia. The whole issue was put on the back burner. The feminist movement had more pressing issues in Australia, such as equality of opportunities, equal pay, child care, etcetera.

In 1979 I was Deputy Chair of the Women's Advisory Council to the Premier. Together with Wendy

McCarthy, I co-chaired the New South Wales response to the documents to be sent to Copenhagen
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in 1980 by the Australian delegation. Wendy and I, and officers of the Women's Advisory Council, had consultations all over New South Wales. We had a huge conference at the Sydney lower town hall for nearly 800 women. Many issues were dealt with, but female genital mutilation was not one of them. I did not go to Copenhagen but I received all the papers. It was apparent that women from all over the world were demanding that this barbaric practice be outlawed.

I was asked by journalists and academics whether I could safely say, according to my knowledge of various groups in the country, that female genital mutilation was not practised in Australia. I affirmed that. At that time there was absolutely no evidence that this practice was carried out in Australia. But as the years went by one started to hear that problems were arising, but it was all anecdotal evidence. My view then, as it is now, was that female genital mutilation is an assault and should be treated as such by the law.

In 1985 I was a government delegate at the third and final conference of the decade in Nairobi, Kenya. Australia stood proud on its achievements on behalf of women in that decade, but it was obvious from reports from many countries that little or nothing had changed there. Female genital mutilation was discussed again at length in official and non-government forums. Many women from those countries did not want us white, middle-class, feminists interfering with their old traditional customs. They told us in no uncertain terms that it was a problem that they would deal with themselves. I could never agree with this proposition as it was evident from all the discussions that it was women who were perpetrating and imposing this barbaric practice on other women.

Female genital mutilation became a very hot issue in Nairobi and in Australia. Despite some discussion on the problem, we were still hoping that it would never happen here. But it has, and does, happen here. We have a duty and a sacrosanct obligation to stop it. We have seen evidence recently from doctors and magistrates with respect to two young girls from Melbourne who were infibulated. I quote from a *Sydney Morning Herald* article of 1 March:

Two sisters aged four and two have been put under a Health and Community Services Department supervision order for 18 months because of their circumcision.

Honourable members will see that it was not just a circumcision. The article continued:

The Children's Court in Melbourne was told yesterday that the girls had been infibulated - the severest form of female circumcision - and their health needed close monitoring.

Under the department's order, the children's parents were ordered to obey all directions from the department on the care of the children.

Their father will be allowed to visit them only under departmental supervision and will not be allowed to discipline them physically.

As well as undergoing regular check-ups, the girls will have to provide urine samples every three months to check for urinary tract infections and vaginal discharges.

A lobby group which was allowed to sit on the case, Women Lawyers Against Female Genital Mutilation, said these problems were caused by infibulation.

This is horrific stuff; we cannot ignore it any longer. I put on record what female genital mutilation is all about. I quote from a discussion paper from the Family Law Council issued on 31 January. It states that there are four types of female genital mutilation:

Ritualised circumcision

This is the least severe form and may be wholly ritualised. It consists of cleaning and/or application of substances around the clitoris. In other forms of ritualised circumcision the clitoris is scraped or nicked. This causes bleeding, but results in little mutilation or long term damage.

Sunna

Circumcision or "sunna" (which in Arabic means tradition), involves the removal of the clitoral prepuce - the outer layer of skin over the clitoris, which is sometimes called the "hood". The glands and body of the clitoris are meant to remain intact. However, it often involves removal of the glands of the clitoris.

Clitoridectomy

Excision or clitoridectomy is said to be the most common form of Female Genital Mutilation and involves removal of the glands of the clitoris, but usually the entire clitoris, and often parts of the labia minora as well.

Infibulation

The most severe form is infibulation or "Pharaonic" circumcision which involves removal of virtually all of the external female genitalia. The entire clitoris and labia minora and much of the labia majora is cut or scraped away. The remaining raw edges of the labia majora are then sewn together with acacia tree thorns and held in place with catgut or sewing thread. Sometimes a paste of gum arabic, sugar and egg is used to close the vulva. The entire area is closed up with just a small opening the size of a match stick left for passing urine and menstrual fluid. A straw, stick or bamboo is inserted in the opening so that as the wound heals, the flesh will not grow together and close the small opening.

The procedures are generally performed by traditional midwives using unsterilised knives, razors or glass. No anaesthetic is used and several women may assist in restraining the girl while the procedure is performed. The procedure can be carried out on girls from a few months old to puberty, depending on local custom. Even if this procedure is now carried out by doctors, it is still barbaric and should be outlawed. Unfortunately, there is evidence that doctors in London are performing this procedure. It is absolutely dreadful.

The vaginal opening in infibulated women remains small until marriage when, on the day before the wedding, women from the groom's family visit and examine the bride. They check to ensure that infibulation has been done and that the woman is still a virgin. The genital area should be as smooth as the palm of one's hand. To make intercourse easier the vulva may be cut open slightly, otherwise during the wedding night the groom widens the opening with his organ, which is painful for him as well as for the bride. This tailoring of the vagina to the size of the husband's organ is done to ensure monogamy by the wife. Mr President, I realise that it is difficult to listen to these horrific details. In view of what the women must feel when this procedure is done to them, I think we can put up with the difficulty of listening to the details.

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Let us look at the origins of female genital mutilation. It is generally accepted that female genital mutilation predates Islam, Christianity and other major religions. It is sometimes incorrectly thought that female genital mutilation has its origin in Islam. However, there is no Islamic religious basis for the practice. I want to emphasise this because many people, especially women, in the Islamic community are not prepared to bring the problem into the open because they think it will be used as an attack on their religion. I emphasise that it has nothing to do with Islam. There may be some section of the

Islamic religious community which uses the practice, but after all there are fanatics in every religion. Not long ago I saw a film from the Philippines which showed that during Easter the Catholics in the Philippines flogged themselves until they were bathed in blood. That must do nothing for the Catholic religion, or the people concerned, and is condemned by the Catholic Church. There are fanatics in the Muslim religion and in other religions. Certain practices of the Buddhist religion would not be condoned by many people. There are examples in every religion. We must condemn fanatics wherever they are.

The Koran does not contain a specific call for female genital mutilation. It has been claimed that as many as 80 million women around the world are affected by this practice. Female genital mutilation is most common in Africa and is also found among certain ethnic groups in the Middle East and Far East. In 1985 the Working Group on Traditional Practices Affecting the Health of Women and Children, a body associated with the United Nations Commission on Human Rights, revealed that 54 per cent of persons practising female genital mutilation advised that "tradition . . . religion and diminution of women's sexual sensitivity were the most popular reasons for the practice. Other reasons given were reduction of women's sexual urges, increased sexual performance for men and protection of the health of babies". Can you believe it? It is absolutely unbelievable that it could be considered to be beneficial to the health of babies. It is horrific.

Some people advanced reasons of hygiene for the procedure, believing female genitalia without this practice to be unsightly or unclean. In our society some still make the same argument for male circumcision. After I came to Australia I had twin boys. My doctor was an eminent gynaecologist, a Macquarie Street specialist. He said to me, "We will have to have the babies circumcised". I said, "I am not Jewish, doctor". He said, "Oh, it has got nothing to do with religion; it has got to do with hygiene". So I had both my boys circumcised because I did not know any better. I would not do it now but that was the prevalent thinking in Australia in 1966.

The Hon. Elisabeth Kirkby: At that time. It is fashionable. It goes in waves.

The PRESIDENT: Order! The Hon. Franca Arena has the call. This is not a discussion group.

The Hon. FRANCA ARENA: As the Hon. Elisabeth Kirkby said, it was fashionable in those days. I was here by myself without any family or anyone to advise me. The only good advice I could get was from my specialist. He gave me advice and I thought I was doing the right thing for my children. The more radical procedures may be associated with a series of beliefs relating to psychosexual aspects. Some believe that the clitoris can be dangerous, with the potential to grow during pregnancy to the size of a male organ and damage a baby by obstructing its birth. It is just unbelievable. Female genital mutilation is believed to increase the likelihood of virginity at marriage by reducing sexual desire and controlling overaggressive female sexuality. It is also believed to permit proof of virginity at marriage, although this is questionable as infibulation may be repeated after disruption by intercourse. It is also believed that the practice increases fertility, though the converse is true.

The corollary of all this is that a woman who has not had female genital mutilation is considered to be unclean and to have uncontrollable sexuality which is likely to lead to promiscuity, disgrace and prostitution. Without the procedure she is likely to be stigmatised, ostracised and unmarriageable. Given the role of women and the availability of work in many societies in which the procedure is carried out, economic necessity is likely to drive such a woman into prostitution, fulfilling the prophesy of the consequences of her intact state. Thus, a girl who resists or parents who choose not to have female genital mutilation for their daughter face alienation and rejection by their cultural group. The practice comes from old African traditions - and European traditions, for that matter - under which a woman was looked at as an object.

Recently I was in Taipeh for an international conference. African women there said that in their society the situation still exists that if there is a piece of meat in the home, the piece of meat will go to the husband and the male children first. The women will get meat only if there is some left over. If there is

money for education, it will always be the boys who get education. The secondary position of women in society is a deeply ingrained cultural feature. We must give notice that it is not acceptable in our society. It is claimed that as many as 80 million around the world are affected by this practice. The health effects of female genital mutilation are enormous. One does not need to be a medical expert like the Hon. Dr B. P. V. Pezzutti to understand this. Let me read from the briefing note on female genital mutilation by Sharon Rose, a research officer in the Parliamentary Library. It is an excellent paper.

The Hon. M. R. Egan: The library produces some very good material.

The Hon. FRANCA ARENA: Absolutely. I quote:

The literature available on the possible health effects of female genital mutilation is in general agreement that the procedures involved may lead to significant adverse physical and psychological effects. Physical effects include pain, haemorrhaging, urinary infection, tetanus, septicaemia, painful menstruation, bloating and impaired sexual response. In addition, there can be particular complications for

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infibulated women during childbirth and it has been suggested that it is common for infibulated women to under eat during pregnancy so that they will have smaller children. In addition, relationship difficulties and resultant anxiety and depression may be expected to occur.

Let me read from the experience of a young girl:

My legs were tied together from my waist to my feet. I stayed bound like that for nearly three weeks so my vulva would heal shut. Urinating was excruciatingly painful. I had to be turned on my side so the urine could drip out the opening.

Honourable members should remember that this atrocious practice is carried out on girls as early as seven days of age and as late as 20 years of age. It is important to realise that this is attributed to tradition and not religion. This practice has absolutely nothing to do with Islam, even though it is carried out in many Islamic countries. People with knowledge of the Koran, of whom I am not one, say that it is not even mentioned in the Koran. The practice is not acceptable to the majority of people in the Islam religion.

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

QUESTIONS WITHOUT NOTICE

PRESIDENT OF BOARD OF STUDIES DISMISSAL

The Hon. M. R. EGAN: My question is directed to the Minister for Education, Training and Youth Affairs. Given the Minister's claim to have taken advisings before sacking Mr Lambert, why did she not consult Professor Tony Gibbs from Macquarie University, Professor Dame Leonie Kramer, Associate Professor Terry Gagen of the mathematics syllabus committee, the Federation of Parents and Citizens Associations, the Teachers Federation, or members of the Board of Studies, its staff or syllabus committees, all of whom oppose the Minister's decision?

The Hon. VIRGINIA CHADWICK: The answer is simple. The advice sought was about the powers of the Minister. The correct form of words and the legal advising of the form of words and the

relevant sections to be utilised could not have been provided by those people. If a matter of this nature was being considered by me, widespread canvassing amongst individuals and groups would not have been appropriate. It was a matter between Mr Lambert and me.

PROBATE CLEARANCE

The Hon. Dr B. P. V. PEZZUTTI: My question without notice is directed to the Attorney General, Minister for Justice and Vice President of the Executive Council. In past years it has taken months to obtain probate clearance. Is this still the case?

The Hon. J. P. HANNAFORD: I know the honourable member has an interest in this matter. I recall several years ago when he came into this House that he purchased a unit and was lamenting to me for ages that it was taking such a long time to get that purchase finalised because of probate. The question is important because it will concern everyone at some time, or at least every family at some future time. Probate is the process by which a deceased's will is formally approved by the Supreme Court and by which executors are appointed. When someone dies and leaves a will the family must obtain probate in order for the estate to be administered.

Prior to 1989, during the administration of the Labor Government, the process of applying for probate from the court was such that it took up to nine months to obtain a grant of probate. That was due to a lack of consistent policy to apply resources in the probate division. Since 1989 as a result of the Supreme Court allocating more resources - primarily people but also new computer systems - the turnaround time between receiving the application and formally granting probate is now two days for the formal parchment papers to be printed and despatched to the applicants.

The court's principal registrar has set time goals. Performance was measured in accordance with those time goals. The time standard, which is a management tool totally embraced by this Government, has contributed to a dramatic backlog reduction in the New South Wales court system, of which probate is but one example. In the International Year of the Family this should be applauded. If members learn that families are experiencing any delays past five days in probate matters, solicitors should be consulted. An unfortunate problem is that some practitioners are not passing on as fast as they should to their clients the benefits of this dramatic reduction. In fact, some practitioners still complain that the court system is causing delays. In the probate division, it should now take two days from the time the document is lodged to the time the parchment is received. Complaints should be made if that process is taking up to five days.

FEDERAL DEPARTMENT OF HEALTH AIDS EDUCATION KIT

Reverend the Hon. F. J. NILE: I ask the Minister for Education, Training and Youth Affairs a question without notice. Has the Board of Studies and or the curriculum director of the Department of School Education assessed the suitability of the new Federal Government Department of Health Aids Education kit "Friends for Life" produced by Kangaroo Creek Gang Pty Limited? If not, why not? The kit is designed for primary school children aged from five years to 11 years. Recent critical statements were made about the kit's contents, which concern the use of condoms, et cetera. If so, what was the result of the investigation concerning the suitability of the AIDS kit for New South Wales primary schools? If reports are available, will the Minister make them public?

The Hon. VIRGINIA CHADWICK: I am very much aware of two important factors: first, to ensure that all people in our community, especially young people, have high self-esteem, are proud, have respect for themselves and their bodies, and are informed of the dangers involved in not having that high

esteem and self respect. In particular, this is brought into sharp focus when considering the risks involved and the results of infection related to HIV-AIDS. Allied to that is another need: to ensure that any materials used are sensitive to a number of factors; the most important to my mind is that the material should be agreed to by the school community of parents. It has been of concern to me to ensure that in the use of any sensitive material of this nature the community is first consulted and has the right either to have a majority or unanimous view or have modifications made. Parents will have the right, at the end of the day, to say, "It may be the school's intention to introduce such material, but not for my child". Different needs must be considered. It is hoped that schools will find common ground. It is a sensitive matter and finding common ground may not be always achieved.

The second aspect is to ensure that any material used is appropriate to the age of the child. All these factors must be taken into account. I assure Reverend the Hon. F. J. Nile that that is certainly the case with any material developed by the Board of Studies or the Department of School Education. Recent support material for year 11 and year 12 students includes teaching strategies that may assist teachers in this regard. A primary resource kit called the "Friends for Life" was developed and produced by the Commonwealth Government in 1993. Apparently there are two versions of the kit, one of which refers to condoms.

Recently a video has been made, entitled "Mates", which deals with the HIV-AIDS discrimination issue among students, aimed at year seven to year 10. That video won an industry award in the category of public welfare-community service, demonstrating the highest quality and production values. It is my department's view that it would be suitable material for secondary schools. However, the honourable member's question refers specifically to the Commonwealth developed primary kit. There are two versions of that kit - one that deals with condoms and one that does not. I am unaware whether it deals with oral sex. I will make inquiries in regard to that. I am happy to give an assurance to the honourable member that I will report to the House on the assessment by my department of that material.

PRESIDENT OF BOARD OF STUDIES DISMISSAL

The Hon. B. H. VAUGHAN: I direct my question without notice to the Minister for Education, Training and Youth Affairs, Minister for Tourism and Minister Assisting the Premier. Does the Minister agree with the editorial in the *Sydney Morning Herald* this morning, entitled "Why single out Mr Lambert"? In particular, does the Minister agree - and I quote from the editorial - "There are too many unanswered questions concerning the decision of the Education Minister to sack the President of the Board. What are the irretrievable differences that the Minister referred to? Why was the decision taken now when an investigation was at the same time taking place?" The article went on to say, "Mrs Chadwick has failed to deal adequately with this matter".

The Hon. VIRGINIA CHADWICK: It will come as no surprise to honourable members to find that I am not in agreement with the editorial in the *Sydney Morning Herald*. Sadly, it has confused two separate but - in the minds of some people, I suppose - related issues. First, as I announced in this Chamber a week ago, there will be an inquiry into the structure and operations of the New South Wales Board of Studies. It will be a full inquiry. In my view, it will be an independent inquiry, although I well recognise that, for its own good reasons, the Opposition takes a differing view about the fullness and independence of the inquiry.

It will be an inquiry into the structures and administration of the Board of Studies and, in part, flows from the stringent criticisms of those structures and mechanisms of the Board of Studies that were outlined so succinctly in the report of the Ombudsman into the Barnes affair. I would remind honourable members that at that time the Opposition, including its own Leader and the Opposition shadow spokesperson on education, echoed the sentiments of the Ombudsman's report. In fact, the Opposition expressed stringent criticism of the board, its operations and its structures and, I would have thought, therefore supported the inquiry.

It is to state the obvious that the Head of the Board of Studies is clearly a person responsible for the operations of the board, and that person is Mr Lambert. There is a connection between those two matters and other matters that have accumulated over time, some of which have been a matter of public record, such as the K-6 English handbook. Reasons are readily available for the termination of Mr Lambert's contract. I suggest that the Deputy Leader of the Opposition read the Ombudsman's report into the Barnes' affair, a matter upon which members of the Opposition made a number of pronouncements only a week ago but appear now to have somersaulted. Therein, one will find many of the answers that the honourable member and the *Sydney Morning Herald* seek. To elaborate further, it is the prerogative of a Minister to terminate the contract of a chief executive officer. That has been done appropriately. The documentation was forwarded to the Executive Council on Wednesday and in that sense it has been completed.

HOMEFUND RESTRUCTURE

The Hon. PATRICIA FORSYTHE: My question is directed to the Minister for Planning and Minister for Housing. Can the Minister inform the House what progress has been made in implementing
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the HomeFund restructure legislation which was passed in December 1993? What relief can HomeFund borrowers expect from the restructure?

The Hon. R. J. WEBSTER: The honourable member's question is timely, given the rather feeble attempts of the Opposition to keep the HomeFund issue alive as a political issue, despite the \$400 million package which passed through Parliament last December, following much debate and considerable input of a positive nature from all members of Parliament, all political parties and outside groups who are concerned with the issue. Mrs Grusovin is a very persistent woman, as honourable members know, and having seen the HomeFund issue - her personal crusade, her *raison d'être* - somehow slip through her fingers with, with what I believe, and I think most members of Parliament believe, was a fair and affordable restructure package, she is now attempting to keep the issue alive; trying to keep the light burning, if you like, and at the same time pushing the barrow of her own particular allies and friends.

The restructure package will assist people in genuine difficulty. It is a compassionate solution to a problem which has vexed not only Mrs Grusovin but also those of us who know anything about the package. While Mrs Grusovin may consider herself the sole arbiter of justice and injustice, and the sole champion of the HomeFund borrowers - whom she likes to portray as victims of a rapacious government - of course she is not and the borrowers know it.

The Hon. Ann Symonds: How do you portray them?

The Hon. R. J. WEBSTER: I had intended to address this at the end of my prepared answer but I will do it now, as the Hon. Ann Symonds has interjected. I have just been outside with my colleague the Minister for Consumer Affairs, Wendy Machin, to meet the representatives of HOB, a group of people that represents dissatisfied HomeFund borrowers. There would have been between 50 and 100 people outside and it is fair to say that they were very concerned about the restructure package. But I have decided, having spoken with a representative group of borrowers for approximately half an hour, that much of that concern has been provided to them courtesy Mrs Grusovin and her staff. The Hon. R. S. L. Jones was there, and I was pleased to see him there because he is also someone who has taken a keen interest in HomeFund.

The Hon. R. S. L. Jones: Only three of us were there.

The Hon. R. J. WEBSTER: That is right. The honourable member saw Wendy Machin and me there and heard what the people had to say. These cases are complex and involve people's lives.

There will never be enough money to fully satisfy the financial losses that many of these people have sustained. Many of those financial losses were caused not by the HomeFund scheme but because those involved had lost their jobs, or their businesses went bad, or whatever. It was a compounding problem and honourable members know that.

Every inquiry into the HomeFund scheme has found that the biggest single cause of the problems with HomeFund was the recession. I expect that all honourable members would acknowledge that the recession caused the problems. Having met a delegation of these people - and I understand Minister Wendy Machin is still meeting them - we have discovered that there have been communication problems between the various advisory services. I will refer to those problems later. However, those problems are not insurmountable. The names and addresses of those in the representative group have been taken. The problems of those people will be dealt with individually. The HomeFund package was passed by this Parliament last year. It was not the Government's legislation; it was this Parliament's legislation. It was amended after input from just about every member of this Parliament who had an interest in the scheme.

The Government will help these people. However, it is absolutely no help to HomeFund borrowers to have Mrs Grusovin and her staff member, Peter O'Keeffe, running around and giving these people bad information or egging them on to think that the Government is not fair dinkum about helping them. To try to discredit the independent advisory service which was set up under the Ministry for Consumer Affairs and which is composed of independent people recruited from the community - retired bank managers, lawyers, et cetera, who are employed to give that advice - is mischievous indeed. I want every honourable member to understand that so far as I, the Minister for Consumer Affairs, and the Government are concerned, we will do everything in our power to ensure that every one of these borrowers who has a concern or inquiry is able to be accommodated individually within the restructure package that was passed by this Parliament.

If the honourable member in another place has problems - she keeps talking about these problems - I assure this House that she is neither bringing them to me nor to the Minister for Consumer Affairs. If she has a list of complaints, it is time she brought that list to the people who are employed to deal with HomeFund, instead of trying to beat up trouble. She is not helping these people find a solution to their problems. We have gone beyond that. She has kicked a few goals politically on this issue. It is about time she started to get fair dinkum about it. The Government and this Parliament have put this package together. The restructure essentially is needs based.

The Hon. M. R. Egan: There would not be a package if it had not been forced before the lower House.

The Hon. R. J. WEBSTER: The Leader of the Opposition seeks to make a point. The fact is that when John Fahey became Premier in 1992 one of the first things he did, when he asked me to become
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Minister for Housing, was to ask me to deal with the HomeFund issue, which he had discovered was a problem.

The Hon. M. R. Egan: The Government tried to adjourn the Parliament last year without any HomeFund restructure.

The Hon. R. J. WEBSTER: I reject that interjection because it is plainly wrong. Garry West and I negotiated the agreement that adjourned this Parliament. That set up what became a full week of Parliament that dealt specifically with this package. The Leader of the Opposition would not know because he was asleep in his bed when it happened.

The Hon. M. R. Egan: I was here all night.

The Hon. R. J. WEBSTER: I did not see you. The restructure is essentially needs based and offers assistance to borrowers in four categories. I remind honourable members that category A comprises borrowers who are able to refinance their loans with a commercial lender such as a bank or building society; category B comprises borrowers who are not able to refinance with a commercial lender but could pay off their loans with a government interest subsidy; category C comprises borrowers who the authority determines are unable to pay off their loans even with an interest subsidy; and category D comprises borrowers who are in serious arrears.

On 11 and 14 February information packages were mailed to 25,000 HomeFund borrowers outlining the options available for their housing mortgages. The packages are made up of the following: an invitation to participate in the restructure, notification of preliminary category, a detailed booklet on HomeFund loan restructuring in plain English, an assessment form to be completed, a statement of the borrowers' loan account as at 31 January 1994, and multilingual information. To further assist borrowers, a HomeFund restructuring information centre has been established. The information centre provides a free telephone service to borrowers on general information about the restructure, impartial financial and legal advice and a multilingual interpreter service.

The information service, which is located at level 15, 33 Bligh Street in the city, commenced operations, as planned, on Monday, 14 February, at 8 a.m. We obviously had the silly season to deal with. It is not even a month later and Deirdre Grusovin is already moving amendments to the restructure package. The package must be given a chance to work. It has not even been given a month to work. I will say a little more about that in a moment. The toll-free telephone information service operated from 8 a.m. to 8 p.m. seven days a week during the first two weeks. From Monday, 28 February, the centre was open from 8 a.m. to 6 p.m. five days a week. To date the centre has received more than 16,000 calls from borrowers. It was pleasing to note that the multilingual interpreter service has handled more than 700 calls. As call volumes are now starting to trend downwards, it is believed that the initial and ongoing communication with borrowers through the centre has been extremely successful.

Impartial financial and legal advice is available free of charge from the HomeFund advisory service, managed independently by the New South Wales Department of Consumer Affairs. This advisory service commenced operations on 14 February at 8 a.m. The legal and financial counsellors work in parallel with the hours of the information service so that people can be cross-directed to both. Further resources are being added to the area, they being additional counsellors. More than 2,000 borrowers have taken advantage of the impartial financial and legal advice provided for HomeFund borrowers affected by the restructure. Though inquiries to the advisory service have been handled initially by telephone, personal interviews with borrowers will be possible once suburban and country locations have been arranged.

Based on borrower information currently available the authority has made a preliminary determination on each borrower's categorisation under the restructure. To consider the assistance available to them, borrowers are encouraged to provide the authority with relevant details to enable confirmation of their relevant category. The preliminary categorisation will then be confirmed or corrected and borrowers will be advised of the options available to them. More than 2,000 assessment forms have been returned by borrowers to date. The HomeFund Restructuring Act does not formally apply to rent-buy, State partnership and aged persons home update loan borrowers. In the case of the aged persons update loan, the interest rate was reduced on 11 February to 8.75 per cent per annum, backdated to the commencement of the loan.

In future the interest rate will be the lower of the interest rates charged by the Commonwealth Bank or its successor on its standard variable rate for owner occupied loans and the interest rate currently specified in the mortgage. In other words, the mortgages have been subsidised right back to the beginning and will be subsidised in the future. Nothing could be fairer. The authority is presently considering options to provide restructuring assistance to rent-buy and State partnership borrowers. These loan products require special consideration from a legal and financial viewpoint. The authority has

written to these borrowers informing them of the current position. A detailed restructure offer is expected to be made to the rent-buy borrowers within the next few weeks. The implementation of the restructure by the Home Purchase Assistance Authority is proceeding on schedule and will, in due course, provide meaningful solutions to the problems that have been experienced by HomeFund borrowers in genuine difficulty.

Let me repeat: the whole purpose of HomeFund was to achieve home ownership for people on lower incomes, people who could not obtain access to the traditional financial sector. The bottom line is that as a result of the implementation of this restructure more than 40,000 of the original 54,000 HomeFund borrowers will achieve home ownership. There will be substantial subsidies of government funds to those

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HomeFund borrowers who fall into categories C and D. The options of those borrowers who have already exited the scheme to make claims under the HomeFund Restructure Act either to the HomeFund Commissioner or the courts have been dealt with by the Act.

The Government has committed \$400 million of taxpayers' money over the next 20 years to deal with the HomeFund restructure. There will never be enough money to compensate every person affected for his or her entire loss and certainly not for the type of mental anguish many may have experienced because of difficulties in their lives caused by the HomeFund scheme or other events that have occurred within their lives. I made that point very strongly to the people I met today. The one thing that came across in the meeting I had with representatives of the HomeFund groups was their sincerity, their genuineness in trying to achieve solutions to their problems and their genuine desire to get information from the Government. What they do not need is the Australian Labor Party, and particularly Deirdre Grusovin, playing politics with their lives.

As a result of the small demonstration today and the contact made directly by me and Wendy Machin with representatives of the HomeFund groups, I hope that the Government can deal adequately with their individual problems and within the terms of the restructure the Government has put in place. I appeal to honourable members opposite to ask their colleague to stop playing politics with people's lives.

REDFERN ABORIGINAL COMMUNITY

The Hon. ELISABETH KIRKBY: I ask the Attorney General, Minister for Justice, and Vice President of the Executive Council whether it is a fact that 50 Aboriginal families are to be moved from Redfern to Broken Hill before the Olympic Games in the year 2000? Is it a fact also that other Redfern families are to be moved to other towns in western New South Wales? If these rumours are true, how will such forced removal be carried out? If they are false, will the Government lay them to rest as soon possible to allay the concerns of many Aboriginal people?

The Hon. J. P. HANNAFORD: I have not heard any such rumours. I can say categorically that the Government will not be involved in any forced removal of people from any place to any place. Any suggestion that members of the Aboriginal community would be forced to move from Redfern to Broken Hill or the western part of New South Wales is totally without any foundation. I know that the Hon. Elisabeth Kirkby would say exactly the same as I am saying: that such a suggestion would not be countenanced in a modern society, or even in a civilised society. I have little doubt that the honourable member has asked me the question so that I can categorically deny the suggestion on the record. That will enable her to repeat such a categorical denial in any community or to any person who would raise such a suggestion.

I know that some communities feed on rumour - and honourable members know that this House is not such a place. Sometimes when a rumour is circulated or a suggestion is laughingly made at a pub, a categorical denial is required to quell such a rumour. I know that the honourable member works

extensively in the Aboriginal community. She knows that within that community sometimes a laughing suggestion escalates rapidly to become a statement of fact. I thank the honourable member for raising the issue so that it can be quashed. She can use my categorical assurance to quash it.

JUDICIAL APPOINTMENTS

The Hon. R. D. DYER: Will the Attorney General and Minister for Justice tell the House whether he is considering making major changes to the methods traditionally adopted to appoint judges? Do the proposed changes include placing advertisements in newspapers calling for expressions of interest from persons wishing to become a judge? How does the Attorney see these changed procedures operating in practice? What are his reasons for proposing them?

The Hon. J. P. HANNAFORD: Yes, I am proposing to publish a protocol on the way in which I will make judicial appointments.

The Hon. Franca Arena: We want more women.

The Hon. J. P. HANNAFORD: More women will be appointed. I hope that another such appointment will be made shortly. When I assumed the office of Attorney General I was concerned about the differing stories prevalent in the profession about the way in which influence is exerted in the making of appointments. I suppose it goes back to the comment I made in answer to the last question: that where there is no clearly enunciated statement people will fill the void with stories. My attention was drawn to a statement issued by the Lord Chancellor in the United Kingdom as to a practice he was adopting in the making of appointments. I took the view that it was desirable to put in place such a written document.

I prepared a draft protocol, which I circulated to the legal profession and to the judges. Shortly thereafter I noted that Attorney-General Lavarch issued a discussion paper in which he raised questions about the way in which appointments should be made. Many of them reflected some of the points in the draft protocol I had circulated. The barristers' profession was incensed at some of the proposed changes and was strongly opposed to some of the issues. I received a number of submissions, some from other States, on the way in which appointments should be made. I have finalised a protocol, which I circulated in the past couple of days to the Bar Council, the Law Society of New South Wales and judges for further final comment.

The protocol contains a proposal under which I will be placing public advertisements asking for people to notify me of a desire to be considered for

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the making of appointments. Some members of the legal profession - particularly those at the bar - take the view that the only way they could ever be considered for appointment to the bench is to be well known among the club. They have used that expression to me; it is not an expression I have used.

The Hon. Virginia Chadwick: That is how one is currently elected to the Parliament if one is a Labor person.

The Hon. J. P. HANNAFORD: Perhaps it is part of the Labor Party club-like system. Some people took the same view in relation to appointments of Queen's Counsel - unless one was part of the club, one would not be appointed. I took the view that I should issue a statement and that I should allow people to come forward. Some barristers even said to me that the bar did not regard it as appropriate for anyone at the bar to let the Attorney General know that he or she might like to be considered for appointment and that the appropriate protocol was to inform the President of the Bar Council of the day. I do not think it can hurt people to let the head of the Attorney General's Department know they would be interested in an appointment. I take the view that that information should be kept confidential and should

be used only for the purposes of making appointments.

I have indicated in the protocol that the information would be made available to the chief judges or the heads of jurisdiction when vacancies occur so that their views can be made known to me. We are therefore broadening the information base from which decisions can be made. When I have received the comments from the heads of jurisdiction, the Bar Council and the Law Society of New South Wales I will publish the protocol so that the approach I will take to judicial appointments is available publicly.

A fortnight ago, in accordance with the direction in which I am going, I placed an advertisement in the newspapers that called for people to indicate their desire to be appointed as a magistrate. Having placed the advertisement and having sent a copy to the Law Society, I was surprised to learn only two days ago that the Law Society did not think it necessary to let solicitors know, by way of its publication, that I was interested in such appointments. I suppose that reflects the attitude in the profession at this time. As a result of my direct approach, the Law Society will now let solicitors know through its publication that they should contact me if they are interested in appointment. That will assist me in my future deliberations.

TAPED TELEPHONE CONVERSATIONS

The Hon. J. F. RYAN: Is the Attorney General and Minister for Justice aware of claims by some members of this House that their telephone conversations with members of the media representing the *Daily Telegraph Mirror* may have been taped without their permission and knowledge? Could this represent a breach of the law? What is the law relating to the taping of telephone conversations, including practices such as holding tape recorders in close proximity to phones whilst people are speaking?

The Hon. J. P. HANNAFORD: A number of members from both sides of the House have raised this issue with me. I have sought advice from the Attorney General's Department. The advice I have received is as follows. Pursuant to section 5 of the New South Wales Listening Devices Act it is an offence for a person to use a listening device to record a private conversation to which the person is a party without a warrant or the consent of the other party to the conversation. There are exemptions to this, which include using the device - including a hand-held tape recorder - to obtain evidence or information in connection with an imminent threat of serious violence to persons or substantial damage to property or in relation to a serious narcotics offence.

In relation to phone tapping, interception of telecommunications, including telephone conversations, is a matter dealt with under Commonwealth law. State law has no application to that activity. It may be a breach of the State listening devices legislation if a telephone conversation is taped from one end of the conversation without in any way intercepting the call electronically. To put it in layman's terms, if a person holds a tape recorder near the telephone, it is a breach of the Act.

If what is of concern here is that members of Parliament have been taped without their knowledge but not in the context of a telephone conversation, it may be a breach of the New South Wales Listening Devices Act. If members of Parliament fear that they were taped over the telephone it may be either a Commonwealth or State offence depending on the circumstances. In either case it is a matter that should be referred to the police for investigation. It should also be noted that there is provision in the Listening Devices Act that prohibits publication of private conversations unlawfully listened to. This may be of relevance in the present circumstances. If members are concerned, they should take the matter to the police.

MARIJUANA HEALTH RISKS

The Hon. ELAINE NILE: I address my question without notice to the Minister for Education, Training and Youth Affairs, Minister for Tourism and Minister Assisting the Premier, representing the

Minister for Health. Is it a fact that the Newcastle coroner, Mr Cole Elliott, stated on 17 February 1994 that marijuana use was a major factor in the teenage suicide of Bradley Stark in May 1993? Is it a fact that the coroner stated that regular marijuana smoking once or twice a week is a major factor in the increase of schizophrenia, which sometimes results in teenage suicides, with at least 5 per cent of users becoming psychotic or schizophrenic? Has the Department of Health confirmed this alarming report? Will the Department of Health issue urgent health warnings through the mass media to combat the false impression that marijuana is a harmless recreational drug?

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The Hon. VIRGINIA CHADWICK: I have certainly noted the articles in the media about marijuana use and the coroner's findings in this case. I come from Newcastle, where this case has been the subject of much public debate and considerable media comment. I know that even within this Chamber there are different views about the legal acceptance of marijuana. There are those more qualified than I to make medical or scientific judgments on the matter. I make the simple observation that in my terms as shadow minister and then Minister for Community Services I spoke to a large number of people who ran community services refuges, places for homeless teenagers and the like. Many of them raised with me their concern that it was the view of a number of non-medical professionals working in the community services sector dealing with these young people that there was a connection between aberrant behaviour and substance abuse of marijuana. That was a matter of concern to me.

I have no qualifications at all in this area, and I do not purport to. I confirm that there was a view in certain sectors of those who service troubled youth that there was a link. I do not know whether we know enough scientifically or medically to prove or disprove that. That is not just a narrow view of an individual or one section of the community. Given that there is that concern, there is absolutely no way that this Government would support any changes to the laws governing marijuana use. I say that in the knowledge that members in this Chamber and people in the broader community hold a different view. I am also conscious that only in recent decades have we been made aware of the harmful effects of other substances that for many generations the community had found harmless. With the knowledge we have today we know that those social habits have harmful side-effects.

[Interruption]

I acknowledge the interjection of my colleague the Hon. R. S. L. Jones. It clearly refers to substances such as alcohol and tobacco. Decades ago we did not see their harm. It has taken us this long to show that these substances are injurious to health. That sort of knowledge reinforces my view and the view of the Government that there would be absolutely no way that this Government would consider any changes to the law in relation to marijuana. I know that my colleague the Hon. Ron Phillips, the Minister for Health, in addition to trying to manage the resources of the Department of Health in relation to the operation and procedures in hospitals in this State - and a fine job he is doing, too - has done everything possible to put money into health education and preventive medicine. Clearly, the harmful effects of substance abuse, including marijuana, would fall into that category.

BARREN BOX SWAMP ALLIGATOR WEED INFESTATION

The Hon. K. J. ENDERBURY: I direct my question to the Minister for Planning and Minister for Housing, representing the Minister for the Environment. Is the Minister aware of a serious outbreak of alligator weed in Barren Box Swamp near Griffith? Is the Minister also aware that Griffith Council's concern is so great that it has moved to have the swamp closed? Given that the Government has rejected a National Parks and Wildlife Service task force recommendation to close this weed-infested swamp, what will the Minister do to prevent the spread of the weed - and the potential destruction of the \$200 million rice industry of the Murrumbidgee Irrigation Area?

The Hon. R. J. WEBSTER: If I did not know better, I could swear that the Hon. J. R. Johnson was behind this question. I am keenly aware of the existence of the weed. The honourable member's question is a serious one and it deserves a serious answer, which I am sure my colleague in another place will provide promptly.

OFFICE OF YOUTH AFFAIRS OPPOSITION POLICY

The Hon. R. T. M. BULL: Will the Minister for Education, Training and Youth Affairs, Minister for Tourism and Minister Assisting the Premier inform the House how youth organisations have responded to threats by the Australian Labor Party to shut down the Office of Youth Affairs?

The Hon. VIRGINIA CHADWICK: This saga appears endless. As I reported to the House only days ago, the Youth Action Policy Association came out in astonishment, despair and fury at the announcement by the Opposition of what I suppose could be called its youth policy, which involved abolishing the Office of Youth Affairs. Since the announcement there has been nothing but consternation from youth organisations across New South Wales. I seriously suggest that those people of good mind who care about the interests of a quarter of our State's population, the youth -

The Hon. R. J. Webster: Who is the spokesperson on youth?

The Hon. VIRGINIA CHADWICK: Apparently Bob Carr, because he is the one who said he was going to abolish it. Perhaps it is Mr Aquilina. I do not know. That is a very good question. It is hard to -

The Hon. J. P. Hannaford: Perhaps they do not have a shadow minister responsible because they are not going to have an office.

The Hon. VIRGINIA CHADWICK: Precisely. Why would an Opposition need a shadow minister if it was going to abolish the Office of Youth Affairs? Consternation has come from most unusual quarters. A gentleman by the name of Tony Keating refers to himself as an ALP media officer. Those of us from the Hunter know what the real activities in life of Tony Keating are. They have absolutely nothing to do with being other than a self-promotion ALP media officer. Someone should have a look at whether he was selected for the job on merit and just how he got that ALP media officer appointment.

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The Hon. J. P. Hannaford: He did not stop the domestic violence unit at Maitland from being closed down.

The Hon. VIRGINIA CHADWICK: Indeed. I suspect that Tony Keating is known on both sides of this Chamber. I was gratified and encouraged to note that the Maitland *Mercury* reported that ALP media officer Mr Tony Keating said that the helping early leavers program provides an invaluable link to employment or study for many disadvantaged young people. He said, "The HELP program is their one chance of getting a secure job and getting off the unemployment scrap heap". What he omitted to say was that it would probably be the last helping early leavers program, in the unfortunate event that we had a Labor government in this State, because HELP is a program of the New South Wales Office of Youth Affairs. It would be abolished by Mr Carr if ever he were to assume government. Another group full of disquiet is called Kickstart, from Byron Bay. It runs a helping early leavers program. Mr John Hildebrand, the project manager of Kickstart at the community centre in Byron Bay, may be known to the Hon. R. S. L. Jones. Mr Hildebrand wrote to me as follows:

Following some of the comments made by various people . . . I feel compelled to comment.

For the past 18 years I have been involved in a range of youth projects funded by various levels of government. Over the past 5 years I have been employed by Byron Youth Services to manage a Helping Early Leavers Program. More recently . . . I have also been involved in a pilot Time Out Program operating in conjunction with Mullumbimby High School.

I believe these OYA funded programs to be the most effective education based programs I have seen in my 18 years experience working with young people. These comparatively inexpensive programs are most efficient in addressing the needs of those most disadvantaged &/or at risk.

These programs have the flexibility to allow communities to respond to local needs. They allow workers to develop strategies for individuals, and achieve appropriate outcomes for young people.

The HELP Program has had some truly amazing results. A young 20 year old who 4 years ago lived on the street as a prostitute and IV drug user is this year attending University as a 2nd year Arts student and 1st year Law student. This transition was not an easy one -

I think we would all agree with that:

- and involved returning to YR 10 High School after completing a HELP program. The young person also received ongoing support through her High School studies and has returned to live in her home town to be with family.

What a wonderful success story. The letter continues:

Another young person -

The Hon. Ann Symonds: In volume two.

The Hon. VIRGINIA CHADWICK: No, page 2.

The Hon. Ann Symonds: Volume three, page 2.

The Hon. VIRGINIA CHADWICK: It is quite unlike the Hon. Ann Symonds -

The PRESIDENT: Order! The Minister should be allowed to complete her answer without interruption.

The Hon. VIRGINIA CHADWICK: I would have thought that the Hon. Ann Symonds was a supporter of community based organisations and applauded community programs. I am quoting from the project manager of Kickstart at the community centre in Byron Bay. He stated:

Another young person who was escorted out of her family home by police after domestic violence was given support and encouragement to return to school and complete YR 12 and gain University acceptance.

What a wonderful result. The letter continues:

Another state ward and runaway who lives in a wheelie bin! is currently enrolled in and attending a HELP program to improve his literacy and numeracy skills.

Time Out is a program to improve behaviour and attendance of young people at school. Locally it has received favourable responses from young people, parents, teachers and other government departments (D.O.C.S., Juvenile Justice etc.). It assists participating students to address issues which are inhibiting their performance within the school. It works positively to curb violence in schools and

provides an alternate form of education for the same group of young people who do not fit into the mainstream education system.

Of the 24 people assisted through this pilot program in 1993 23 are known to still be at school in 1994. The location of the remaining past participant is unknown.

It is difficult to understand and comprehend the criticisms levelled at programs funded by the Office of Youth Affairs. It is suggested that those responsible for the criticism are out of touch with what is happening with early school-leavers. Certainly those critics have not spoken to some of the many young people who have found the HELP and Time Out programs to be such a positive influence on their education and personal growth. These programs will be destroyed if Bob Carr ever has the opportunity to abolish the Office of Youth Affairs in this State. I assure the House that from time to time I will produce further information about these programs at risk.

OLD GROWTH FORESTS AND WILDERNESS FUNDS

The Hon. R. S. L. JONES: I ask the Attorney General, Minister for Justice and Vice President of the Executive Council, representing the Premier and Minister for Economic Development, the following question. Did the Federal Minister for the Environment write to the New South Wales Minister for the Environment on 22 December 1992 offering funds for assessment of old growth forests and wilderness? Did Chris Hartcher write back on 18 May 1993 saying that he was unable to provide advice on priority for assessment in New South Wales? Did the Prime Minister then write to the Premier on 24 August 1993 saying that the Commonwealth considered the survey of old growth forests and wilderness a matter of high priority and that substantial funding was available to do this?

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Did the Federal Minister for the Environment also write to the Minister for Land and Water Conservation on 31 May 1993 asking him to give support for the undertaking of old growth studies as a matter of high priority? Did the Minister also write to the New South Wales Minister for the Environment on 9 September 1993 stating that the Commonwealth would welcome substantive assessment proposals from New South Wales? Why is it that after all these requests since December 1992 the Commonwealth still has not received any proposals for old growth forest and wilderness surveys from this Government? Is it a fact that if this Government had taken up the offer of substantial funding for old growth forest assessment, there would have been absolutely no need to extend the Timber Industry (Interim Protection) Act? Can the Minister explain this Government's failure to take up the offer of funding?

The Hon. J. P. HANNAFORD: I will convey the honourable member's questions to the Premier and provide his answer to the House.

WILCANNIA ARREST STATISTICS

The Hon. J. P. HANNAFORD: Yesterday the Hon. Elisabeth Kirkby asked a question concerning arrests in Wilcannia. In 1992, 298 intoxicated persons were in prison, which was reduced to 55 in 1993. In 1992, 58 people were arrested for offensive behaviour, reduced to 40 in 1993. Persons arrested for resisting arrest in 1992 totalled 60, reduced to 32 in 1993. However, I regret to advise the House that during the period 1 January 1993 to 31 December 1993 police officers and Aboriginal community liaison officers in the Wilcannia police patrol conveyed 20,500 intoxicated persons to their homes.

[The President left the chair at 1.3 p.m. The House resumed at 2.30 p.m.]

FEMALE GENITAL MUTILATION

Debate resumed from an earlier hour.

The Hon. FRANCA ARENA [2.30]: Before question time I informed the House that it is estimated that between 80 million and 100 million women and female children in more than 40 African and Middle Eastern countries, as well as Malaysia, have been circumcised in one way or another. Female circumcision is another barbaric version of the chastity belt that our European forefathers imposed on our female ancestors. We always have regard to what other people do, but we should not forget that until a few centuries ago the chastity belt was very much approved of all over Europe. All countries have atrocious practices. From the start of the Sung dynasty in China in A.D. 960 until recently, many Chinese women had their feet broken and tightly bound in early childhood to form the famous golden lily feet. The feet were much reduced in size and deformed in shape, but they matched what the Chinese thought were beautiful feet. The binding of the feet resulted in a teetering walk that was considered sexually attractive and indicated that those women did not need to work. I bought the shoes I am holding in China a little while ago. The women with bound feet had to wear this kind of shoe.

The Hon. Dr B. P. V. Pezzutti: That has nothing to do with genitals.

The Hon. FRANCA ARENA: I am talking about the fact that women all over the world have been brutalised. These shoes are an example of that brutality to women. Chinese women had their feet broken at the toes. The foot was then doubled up and bound with material, and these shoes indicate the size of the feet. Honourable members can imagine how difficult it would be for a woman to walk with her feet in that condition. Only the women of the high class, of course, who wanted to marry a mandarin or someone in the court, did such a thing, because they could not work. Working women in the fields and everywhere else had normal feet. I ask honourable members to consider the suffering Chinese women must have undergone when they were wearing these shoes.

The Hon. D. F. Moppett: It was referred to in the book *Wild Swans*. Absolutely horrendous!

The Hon. FRANCA ARENA: Absolutely. I visited China in 1972 and 1988 and I saw elderly women walking around who had obviously been affected by this practice. The President has told me that in 1981 he saw a woman in Kunming who was walking with lotus-shaped feet. I have also seen such women hobbling around, because they cannot really walk. Fortunately the practice has been done away with. If the Chinese had brought that practice to Australia and if we had seen young children with their feet broken and bound together, what would we have said? We would have been outraged.

The Hon. Virginia Chadwick: Horrified.

The Hon. FRANCA ARENA: Horrified, as the Minister has said, absolutely horrified. Legislation would have been passed immediately to ban the practice. But because genital mutilation involves a part of the body that is not visible and people do not know much about it, we leave it to these women. These practices have in common the subjugation of women and the treatment of women as objects. Much has been written about this barbaric practice and I commend to the House the two documents from which I have been quoting, the Family Law Council discussion paper and the paper prepared by a parliamentary researcher, Sharon Rose. An excellent article by Helen Signy about this practice appeared in the *Sydney Morning Herald* on 26 February. I should now like to refer briefly to international declarations, conventions and protocols relevant to female genital mutilation. The International Declaration of Human Rights of 1948, which is supported by Australia, reads:

Article 3. "Everyone has a right to life, liberty and security of person"

Article 5. "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Clearly the practice of female genital mutilation breaches those articles. There are many conventions and protocols, and I will name them all. One is the International Declaration of Human Rights, to which I have referred. Others are the Convention on the Elimination of all Forms of Discrimination Against Women, the Declaration of Violence Against Women, the 1951 Convention and 1967 Protocol relating to the Status of Refugees, and the Convention on the Rights of the Child. Honourable members must ask: if Australia signs international conventions and protocols, what is it doing about these rights?

The Hon. D. F. Moppett: Stop signing them and do something about it locally, that is what we want.

The Hon. FRANCA ARENA: There is also an obligation upon Australia as a civilised society to do something about these issues on an international level. We must make our voices heard. As I have said, Australia is a party to the Convention on the Elimination of all Forms of Discrimination Against Women, which was signed in 1979. It contains a number of articles of relevance. Female genital mutilation is not a procedure which is medically necessary and in many countries it is performed in conditions which place the health of the girl concerned at grave risk. In the circumstances the following articles of the convention are relevant. Article 10 reads:

State parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on the basis of equality men and women:

. . .

- (h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

Article 12(1) states:

State parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those relating to family planning.

These are all related to this barbaric practice. Article 12(2) says:

Notwithstanding the provisions of paragraph 1 of this Article, State parties shall ensure to women appropriate services in connexion with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

I have made it perfectly clear that these women cannot have a proper pregnancy through fear that their orifices are not big enough and because it hurts the child during birth. It is a very complicated procedure. Article 16 states:

State parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and, in particular, shall ensure on the basis of equality of men and women:

- (a) The same right to enter into marriage;
- (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;

- (c) The same rights and responsibilities during marriage and at its dissolution;
- (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the rights of the children shall be paramount.

It is important to think about these rights and the convention. In many countries marriages are still arranged. Young girls are very often forced to marry really old men. That even happens among our neighbours in Papua New Guinea where, unfortunately, this practice is very much in use. But most important is the Declaration on Violence Against Women which the United Nations General Assembly adopted in December 1993. Australia supports the declaration, which contains a number of provisions of relevance, including the following:

1. For the purpose of this Declaration the term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in private or public life.

2. Violence against women shall be understood to encompass, but not limited to, the following:

- (a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;

That is important. It is included firmly in the Declaration on Violence Against Women that we, as Australians, have subscribed to. The declaration continues:

- (b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

Honourable members will remember that I said that if a girl was not subjected to female mutilation she was often told that she would become a prostitute. That prophesy was fulfilled by the fact that she could not get work, she could not get married and, therefore, the only way of making a living and supporting herself was by becoming a prostitute. The declaration continues:

- (c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

4. States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:

...

- (c) Exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons;

...

- (j) Adopt all appropriate measures, especially in the field of education, to modify the social and

cultural patterns of conduct of men and women and to eliminate
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prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women;

It is important to put on the record these international protocols and conventions that Australia has signed. All of them speak at length about the rights of children and women. Honourable members will be ignoring their obligation if they fail to act. In times when it was practically offensive, or at least not popular, I advocated a multicultural society. Many of those people today who favour a multicultural society were, years ago, murmuring about the terrible consequences multiculturalism would have on this country. I have always believed that we, as Australians, have an obligation to the rest of the world to show that it is possible to live in peace and harmony on this vast continent, as people come from 140 different countries and speak 80 different languages. If we cannot make it in Australia, what hope is there for the rest of the world?

In our multicultural society we have learned to tolerate, accept and understand differing customs and cultural practices, but female genital mutilation is abhorrent and cannot be accepted in any civilised society. I will never be found on the side of people who feel it is better to hide these practices - to wash one's linen in private. No, no, and again no. This issue affects us all. It could be my daughter. It could be your daughter, your sister, your grandchild married to a man who demands circumcision. Would honourable members allow it then? I know that some groups would prefer an approach softer than legislation. They are fearful that if the practice is banned it might go underground. I do not support that theory and ask all reasonable people to speak loud and clear against these barbaric practices. I congratulate Louise M. Steer of Sydney who wrote the following letter to the *Sydney Morning Herald* on 26 February:

I was appalled at the appeasing tenor of your editorial on female genital mutilation.

In Australia, we are free of many malignant cultural practices endured elsewhere - such as the stoning of adulteresses (not the male adulterers), a practice so old it is mentioned in the New Testament, amputation of the hands of thieves, flogging and caning, the death penalty, polygamy and polyandry, slavery and inherited bonded servitude.

Could it be that immigrants from "the trouble spots of Africa" and elsewhere come here to enjoy living in a society which tolerates and even encourages the celebration of benign cultural practices, while enabling the population to live in peace and freedom?

The child welfare and family laws in Australia - both Federal and State - express that the welfare of the child must be paramount. This means that it may be necessary to intervene to prevent behaviour by the parents which is not in the best interests of the children. The purpose of such legislation is to provide sanctions to underline the seriousness of such behaviour, as well as supporting the educational programs recommended by your editorial.

In NSW, it is an offence to leave your children unsupervised in motor vehicles so that they become emotionally distressed or their health is impaired.

This is an important point we should remember: it is unlawful to leave a child in a car by itself but it is not unlawful to do this atrocious mutilation of young girls. The letter continues:

If it is necessary to remind parents not to leave their children in locked cars by enshrining this in legislation, why should we not use the same means to remind parents to refrain from mutilating their children in the name of cultural practice?

Louise M. Steer,

Sydney.

I congratulate this person. I do not know who she is, but if I am able to find her address in the telephone book I intend certainly to write to her to congratulate her on her letter. I support the provision of educative programs to go hand in hand with legislation. But notice must be given that this mutilation practice is unacceptable in our society. I thought of the struggle we had in the mid-1970s to convince people that there was need for legislation to end intolerance, prejudice and discrimination in our community. It was only due to the enlightenment of Premier Neville Wran that the Anti-Discrimination Bill was passed in this Parliament. I refer to the second reading speech of Mr Wran on that bill; it has relation to what is being done to young girls in our community. I refer to the *Hansard* of 23 November 1976. Mr Wran stated:

The protection of fundamental rights and freedoms of the individual is of paramount importance to governments. The principle that all human beings are born equal, have a right to be treated with equal dignity, and a right to expect equal treatment in society is a principle firmly upheld by my Government.

One of the greatest contributions to the world unrest is the conflict of people of different races, the intolerance that has prevented the peaceful co-existence of people of different nationalities and the prejudice which has blighted their mutual respect as human beings, each for the other. These intolerances and prejudices are reflected today in confrontations taking place in different parts of the world. This bill is an attempt, as far as legislation can, to end intolerance, prejudice and discrimination in our community.

I am sure that in the long term these bodies -

He was referring to the Ethnic Affairs Commission and the Women's Advisory Council -

- will achieve a great deal in effecting positive improvement for the underprivileged and influencing societal attitudes . . . It is my firm view that the pervasiveness of discrimination in our society can be eradicated only by positive action, particularly in the field of education.

The Hon. Dr B. P. V. Pezzutti: What does this have to do with discrimination?

The Hon. FRANCA ARENA: It has a lot to do with discrimination. We are talking about female genital mutilation. We are talking about the fact that this Parliament has passed legislation to outlaw discrimination against most minority groups, but we are allowing this atrocious, barbaric practice of female genital mutilation to continue.

The Hon. Dr B. P. V. Pezzutti: No, we are not.

The Hon. FRANCA ARENA: Yes, we are. We have for a long time. The Anti-Discrimination Act has been amended several times to cover other groups in our community. Today when I went to my office during the lunch break I found a magazine on
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my desk from the Anti-Discrimination Board of New South Wales. On the front page of that magazine is the heading, "Age discrimination and homosexual vilification are now against the law in New South Wales". Everything is now against the law except mutilating children. Shame on the people who put forward such a proposition, and shame on this House and the Attorney General if he delays legislation which is already long overdue. Legislation to protect these innocent victims has been passed in Canada, Britain and France.

It is time for Australia and New South Wales to legislate against this atrocious, barbaric practice and against those who take children out of Australia to ensure that this practice escapes Australian laws. It is very important that we recognise that not only must State legislation be passed, but Commonwealth

legislation also must be passed. A lot of parents are apparently taking their children out of Australia to have them circumcised - mutilated.

There is support for legislation from the Family Law Council, which also supports Commonwealth legislation; the Australian Medical Association, Dr Brendan Nelson has been very supportive and has spoken out loudly on such practices; and other important bodies include Women Lawyers Against Female Genital Mutilation. I refer to the conclusions of the Family Law Council with respect to female genital mutilation. The council is seeking public comment on its discussion paper, with the closing date of 31 March. Its final paper and conclusion have not been issued yet. It is important to put on record what the council thinks about female genital mutilation. Its preliminary conclusion states:

- The Family Law Council views female genital mutilation primarily as a practice which aims at dominance of the women and girls on whom it is practised. For reasons discussed in the paper, council has formed the preliminary conclusion that female genital mutilation is a practice which should not be accepted in Australia.
- The Family Law Council has reached the preliminary conclusion that the law should be clarified to make it clear that female genital mutilation is a crime and that it constitutes child abuse in Australia. That legislation should make it clear that all forms of female genital mutilation, including ritualised circumcision, are not acceptable in Australia.
- There are serious doubts about the capacity of the law to cope with the issue of removal of a child from Australia for the purpose of female genital mutilation. In the circumstances, and having in mind the serious consequences for the children concerned, Council has reached the preliminary conclusion that legislation should be passed to put these issues beyond doubt.
- Council has reached the preliminary conclusion that the simplest, most effective and quickest way to achieve its legislative aims is for one Act to be passed which builds in existing State legislation and services. In Council's view, this could be done by the Commonwealth Parliament using its external affairs power. The legislation would employ the existing reporting, investigation and protection facilities of the States/Territories in much the same way as is presently done for the purposes of investigating child abuse allegations under the *Family Law Act 1975*.

The report states that:

- (a) Commonwealth legislation should cover the following:
 - * Legislation should put the issue beyond doubt that female genital mutilation, in all of its forms, is a criminal offence;
 - * It should be made clear that female genital mutilation, in all of its forms, constitutes child abuse under Australian law;
 - * There should be severe sanctions for professionals who perform female genital mutilation;
 - * Appropriate sanctions should apply to non-professionals who perform the procedure and on those who aid and abet such persons as well as those who arrange for their children to be genitally mutilated;
 - * There should be mandatory notification to State/Territory authorities of prospective or actual incidences of female genital mutilation; and
- (b) There should be a targeted education campaign about female genital mutilation.

- (c) Australia should participate in international forums aimed at eliminating the practice of female genital mutilation globally.

As I said before, it is important that this practice should be condemned and abolished in Australia, and our voice should be heard internationally. We should put money into education programs so that women in Africa, Malaysia and a lot of other countries can be told that this practice is not acceptable in any civilised society.

The Hon. Virginia Chadwick: You could have done that if you had got to the Senate.

The Hon. Dr B. P. V. Pezzutti: Tell it to Belinda Neal.

The Hon. FRANCA ARENA: I am absolutely disgusted at the comments made by the Minister for Education, Training and Youth Affairs and the Hon. Dr B. P. V. Pezzutti. They think this is an amusing subject; they think they can make jokes about it.

The Hon. Virginia Chadwick: On a point of order: I take very strong exception to the comments of the Hon. Franca Arena. She knows very well that the interjection I made in no way belittled the seriousness of the matter before the Chair. She is deliberately trying the twist my interjection to suit her own purposes for recording in *Hansard*. I take strong exception and I ask that she withdraw that comment.

The Hon. Dr B. P. V. Pezzutti: On the point of order: I echo the comments of the Minister. I ask that the Hon. Franca Arena withdraw the imputation that she has made about me as well.

The Hon. Franca Arena: On the point of order: the Minister for Education, Training and Youth Affairs and the Hon. Dr B. P. V. Pezzutti were continuously making facetious comments about this very important issue. They were laughing between themselves and making very facetious remarks.

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The Hon. Virginia Chadwick: Further to the point of order: to make the matter clear, as well as asking the Hon. Franca Arena to withdraw, it would be helpful to clarify that my interjections and those of my colleague the Hon. Dr B. P. V. Pezzutti were suggestions to the Hon. Franca Arena that she may be able to encourage her Senate colleague Belinda Neal to take up this matter. The Hon. Franca Arena was suggesting that this is a matter needing national and international exposure. The Hon. Franca Arena has the opportunity to dispute that.

The Hon. I. M. Macdonald: On the point of order: I was sitting in the Chamber when I heard the interjections. The Minister is trying very hard to put a gloss of reasonableness on the series of interjections she made from the table. She might act as though full of indignation about the comments made by the Hon. Franca Arena but I heard the series of comments she made. Some I will not repeat. The interjections were an attempt to ridicule the Hon. Franca Arena when she was talking on a very serious topic. The Minister is endeavouring, when sprung, to gloss over the fact that she was sitting there smugly carrying on and having a beaut old time while the Hon. Franca Arena was speaking.

The DEPUTY-PRESIDENT (The Hon. Beryl Evans): Order! The whole matter has been misinterpreted. The debate should continue with less interruption from the Government side.

The Hon. FRANCA ARENA: Thank you, Madam Deputy-President.

The Hon. Dr B. P. V. Pezzutti: On a point of order: I have asked the Hon. Franca Arena to withdraw the imputation that -

The DEPUTY-PRESIDENT: Order! I have ruled that there was misinterpretation of what was said. I heard what was said. The Hon. Franca Arena should, when emotional issues are being dealt with, continue with her speech and disregard other matters. I did not hear anything that required a withdrawal.

The Hon. FRANCA ARENA: Thank you, Madam Deputy-President. The Family Law Council has issued an important discussion paper which I commend to all members of the House. It is seeking comment before the closing date of 31 March. Today is 10 March. All of us will have an opportunity to respond to the discussion paper. We must emphasise community education targeting, especially doctors, midwives, nurses, teachers, police, journalists, courts and families. Above all, it is imperative that we protect our girls. Let us defend them, give them protection, self esteem and freedom from barbaric practices which have nothing to do with Australia, the Australian way of life - or, for that matter, with the precepts of civilised society anywhere in the world.

The Hon. Dr MEREDITH BURGMANN [3.5]: I shall be extremely brief in supporting the motion. For some time I have been involved with groups seeking to bring about cessation of the practice of female genital mutilation, not just in Australia but all over the world. It is important to point out that the practice is not attached to any religious teaching; it is a cultural practice stemming from various countries, many in sub-Saharan Africa. There is no call in the Koran for female genital mutilation, although many of the areas in which it is practised are in Islamic countries.

The Hon. D. F. Moppett: Even if there were, it would not be acceptable.

The Hon. Dr MEREDITH BURGMANN: That is exactly so. Female genital mutilation is simply part of a sexist culture which seeks to deny women sexual pleasure, and in its most severe form - that of infibulation - seeks to deny women any form of sexual activity until the men in their lives decide otherwise. Honourable members who read the briefing note prepared by the New South Wales Parliamentary Library will be as horrified as I was at the descriptions of the four forms of female genital mutilation. I found myself unable to continue to read some of the descriptions of some of the severe forms of mutilation. There have been two main arguments within the community as to why legislation should or should not outlaw the practice of female genital mutilation. Within certain parts of the health community there is one perception that we should not move to legislation; we should aim to educate the people who are carrying out this practice and discourage them from doing so.

Though I would normally accept that education and socialisation are very important tools to achieve change of attitudes, in a situation such as this I take the view that legislation is necessary to hasten the process of education in the communities involved. Legislation has a significant effect on social practices. If racial discrimination is outlawed racial discrimination is less likely to occur. If racial vilification is outlawed racial vilification is less likely to occur. Social changes follow proscriptive legal procedures. Although I am opposed to sending people to gaol - anyone who has been to a gaol recognises that gaols only make people worse - I believe not only that there should be legislation but that the final sanction for people who carry out genital mutilation should be gaoling. I am almost an abolitionist in regard to gaols, but if anyone deserves to be in gaol it is the infibulator.

Another argument against legislation is that we do not have the right to interfere in the practices of another culture. This has long been an area of discussion. About 20 years ago there was much discussion about whether a white Australian community had the right to talk about Aboriginal practices in the Northern Territory, such as tribal marriage of young girls to very old men. This issue is not about a cultural practice; it is about human rights. Human rights are universal. It cannot be said that it is not acceptable in our culture but it is acceptable in others. Female genital mutilation is not a human right; it is a vicious assault on children who cannot defend themselves. Unless we legislate

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quickly and make it clear that it is unacceptable, it will continue in our country. More should also be done to make certain that the practice is stopped in the countries where it is most prevalent.

In order not to be hypocritical I must refer to the practice of male circumcision. Male circumcision, in common with female genital mutilation, is a barbaric practice. I did not allow my own child to be mutilated when he was born. Unfortunately, at four years of age he had to be circumcised for medical reasons. It was at that time that I became totally convinced that it is a hideous operation. It is extremely painful and should not occur except for medical reasons. Then it should be carried out under anaesthetic with all the appropriate medical procedures. After the operation my child lay in bed for a fortnight unable to move, crying continually because of the agony. This barbaric practice is performed on our little Australian boys. At the age of three days they are whipped off for an operation that is totally unnecessary.

The Hon. J. H. Jobling: There is a great tendency and reluctance to do it in Australia.

The Hon. Dr MEREDITH BURGMANN: I shall come to that. It is a cultural hangover from the 1950s. The fad came from the United States of America in the 1950s because it was thought to be clean. It did not occur much in Europe or England. Doctors are now reluctant to perform this operation on three-day-old boys without anaesthetic. The circumcised schoolboy today is the exception rather than the rule. Clearly, the practice is dying out. However, we still allow it to happen to our poor boys. We make laws about what children can watch on television but we sit back and allow people to cut the foreskins off little boys without anaesthetic and for no good reason.

The Hon. Dr B. P. V. Pezzutti: It is a completely different argument.

The Hon. Dr MEREDITH BURGMANN: So the Hon. Dr B. P. V. Pezzutti believes it is all right to -

The Hon. Dr B. P. V. Pezzutti: Male circumcision? The simple answer is yes. I support male circumcision.

The Hon. Dr MEREDITH BURGMANN: If a male at the age of 18 years or over wishes to undergo a medical procedure such as circumcision, he should be allowed.

The Hon. Dr B. P. V. Pezzutti: Did I use the word neonatal?

The Hon. Dr MEREDITH BURGMANN: Is the Hon. Dr B. P. V. Pezzutti supporting adult male circumcision, if requested?

The Hon. Dr B. P. V. Pezzutti: No. You jumped in and assumed something that you should not have assumed. There is no comparison.

The Hon. Dr MEREDITH BURGMANN: If adult males wish to be circumcised in the same way they might wish to have their ears pierced, it is their prerogative. To continue the practice on three-day-old children is uncivilised. I am interested to hear the opinion of Reverend the Hon. F. J. Nile because he has strong views on moral issues.

The Hon. D. F. Moppett: What about inoculation? Do you think everyone should wait until they are adults before they get inoculations?

The Hon. Dr MEREDITH BURGMANN: I do not know about the Hon. D. F. Moppett but I would much prefer to be inoculated than circumcised. Until I started taking this stand within this Parliament, it never occurred to me how many adult males feel threatened by circumcision. I have had extraordinary discussions in the lifts in this building. It seems that some people are prepared to put three-day-old children through a nasty, brutal practice just because they went through the same procedure. They want our little boys to suffer because they suffered.

The Hon. J. H. Jobling: The honourable member is making a presumption without the evidence.

The Hon. Dr MEREDITH BURGMANN: I hope the honourable member's remark has been recorded by Hansard. It is hypocritical to talk about the incredibly serious issue of female genital mutilation and not consider the very analogous situation of male genital mutilation. As members of society we should be looking at ourselves as well as the societies we seek to criticise.

The Hon. ELISABETH KIRKBY [3.15]: I support the motion moved by the Hon. Franca Arena, although honourable members will discover during the course of my remarks that I have some reservations about the necessity for legislation. Having said that, I make it absolutely clear that I believe that the practice of female genital mutilation is barbaric and should not be permitted in any country. Indeed, in Vienna last year when I attended the conference for the decade of women, several seminars were held on female genital mutilation. Women, particularly those from North Africa who had suffered genital mutilation in their youth, told the conference some of the most terrifying stories. They gave graphic details of how their lives had been ruined by this practice to the audience which comprised not only women, but also men. They called on women from other parts of the world to support them in their fight to have the practice suppressed in their country.

It is important to place on the record the international instruments that Australia is bound to obey. The international instruments believed to be relevant to the practice of female genital mutilation were listed in the Family Law Council discussion paper. They were the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination Against Women, the Declaration on Violence Against Women, the 1951 Convention and the 1967 Protocol relating to the

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Status of Refugees, and the Convention on the Rights of the Child. Female genital mutilation appears to violate certain clauses and objectives of relevance in all those international instruments. Australia is a party to them all.

Female genital mutilation is illegal in Canada and the United Kingdom, where specific legislation has been enacted. As the Hon. Franca Arena said, this excellent discussion paper, prepared by Sharon Rose of our Parliamentary Library, appends copies of the legislation in force in Britain and Canada. In addition, she has included a section on laws of some other countries, including many African countries. In certain African countries female genital mutilation is condemned. In 1982 Kenyan President Moi condemned female genital mutilation and called for the prosecution of those who practised it. Kenya passed legislation banning female genital mutilation, but, regrettably, although that law was passed in 1990, various forms of the practice are still carried out.

A most outspoken and distressing experience was related to me in Vienna by a Sudanese delegate. In 1946 in the Sudan, the Ministry of Health launched a campaign against female genital mutilation and succeeded in having a law passed prohibiting infibulation. The law was passed primarily as a response to pressure from the British colonial power. Unfortunately, little action was taken to enforce it. In 1991 the Ivory Coast advised the United Nations that existing provisions of that nation's criminal code could be used to prohibit the practice, but that it did not believe it was necessary that there be separate legislation as the Government believed the criminal code made the practice a criminal activity. It was also pointed out that in Egypt the position is not clear. Members of the educated community regard the practice as having been banned by President Nasser in 1958. However, others say that clitoridectomy is still allowed. Confusion still exists and both clitoridectomy and infibulation are practised in Egypt to this day. The section concludes:

For the most part, legislation has not been effective in eliminating or reducing the practice of female genital mutilation in Africa, but this appears to have been due to problems of enforcement.

We should turn our minds to that. If the motion of the Hon. Franca Arena is successful and the Government then moves to introduce legislation in New South Wales, how will we ensure that it is enforced? The problem may very well be the problem that related to abortion before the abortion laws

became more liberal. It was a criminal act to have an abortion carried out. Medical practitioners who carried out such a procedure risked criminal sanction. In those days, of course, women went to backyard abortionists. Many of them died because of the terrible procedures. If they got to hospital, they were either on the point of death or so severely infected that many of them later died, even after the intervention of modern medical and surgical treatment.

If New South Wales has a piece of legislation and ill-advised women believe they have a duty to make sure that their daughters are genitally mutilated because it happened to their grandmothers and great-grandmothers and happened to them in their childhood, I am concerned that they would attempt to approach a backyard operator or, as I believe is the case, have the operation performed by an absolutely unskilled member of their own family.

The Hon. Franca Arena: Does the honourable member not think that we must give them notice that it is unacceptable?

The Hon. ELISABETH KIRKBY: I think we should give them notice. An extensive media education campaign should commence in the schools. It should be as extensive as the campaign we have at the moment against domestic violence. Honourable members will have seen the posters displayed in the street, which are part of the campaign mounted by the Federal Government. That campaign is one of the most important chances we have to re-educate men about the total and absolute unacceptability of ever using violence against women. When I was in Vienna I bought a book published by the United Nations, *Women and Human Rights*. It contains a section which deals with female genital mutilation and includes a table that summarises a survey of 400 women in Sierra Leone. It was co-ordinated in 1985 by a researcher paid by the United Nations.

Women were interviewed at family planning centres, hospitals and nursing homes and the majority of those interviewed - that is, 369 out of the 400 - had been circumcised. Reasons given were that it was tradition, 257; that it was accepted in their society, 105; for their religious beliefs, 51; that it would increase their chances to marry, 12; the preservation of virginity, 11; female hygiene, 10; prevention of promiscuity, six; enhancement of fertility, three - though I do not know how such a barbaric practice could ever be suggested to enhance any woman's fertility; to please their partners, their husbands, two; and one - I am delighted that it was only one out of 400 women - said it would maintain good health, which shows a total lack of understanding of the terrible situation that the practice had placed them in as women.

Chapter 8 contains a most horrifying description of female genital mutilation and the way it was carried out on a child. I shall not read it in full. It is extremely harrowing. It talks about a tiny girl who was nude and had her arms tied behind her back. She was immobilised by two older women and then, with a razor, she was circumcised by a member of her family. She was howling and writhing in pain and the other members of the family just held her down while it was happening. The three women then verified the result of their work by putting their forefingers into the bleeding wound. The wound was brought together by the use of acacia thorns - instead of stitches, which would be done surgically, they used thorns. The thorns were then sown in with pieces of horse hair.

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Then the little girl was dressed and put to bed. It is said that the operation lasts from 15 to 20 minutes, depending on the ability of the old woman and the resistance put up by the child.

It is one of the most terrifying pieces on this hideous practice that I have ever read. However, honourable members will perhaps be happier to hear that, as far back as 1979, cartoons were being shown in the eastern Mediterranean to make all women aware that female genital mutilation is a barbaric practice and should stop. The cartoons, which were pretty nasty, were erected on large billboards. They depicted a bleeding woman and a knife with blood dripping from it. A sign in Arabic and English read, "Stop female circumcision". One of the things I discovered after the Hon. Franca Arena advised me that she proposed to bring on this debate today was the unconscionable length of time it has taken us to

adopt the stand that we have adopted in this Chamber today.

As far back as 1958 ECASOC, the Economic and Social Council of the United Nations, invited the World Health Organisation to undertake a study of the persistence of customs that subject girls to ritual operations, the measures adopted or planned for putting a stop to such practices and to communicate the results of that study to the Commission on the Status of Women before the end of 1960 - that is, more than 30 years ago. The Twelfth World Health Organisation Assembly in 1959 rejected the request and said, "The ritual operations in question are based on social and cultural backgrounds and this is outside the competence of the World Health Organisation to take on board".

The World Health Organisation was again asked to undertake this study by African participants at a United Nations seminar in Addis Ababa about the participation of women in public life. The request was repeated by ECOSOC. Twenty years passed and nothing happened. The first opportunity for discussion provided by the World Health Organisation was a seminar on traditional practices affecting the health of women and children held in February 1979. That seminar condemned female circumcision as a health hazard, and that constituted the first international step towards formulating a policy against it. In 1977 20 non-government organisations, including the Arab Lawyers Union, the International Alliance of Women, the International Commission of Jurists, the International Council of Women, the International Federation of Women Lawyers, the League of Red Cross and Red Crescent Societies, Radda Barnen International, and Soroptimist International formed a working group to co-ordinate their action.

In 1984 a committee on traditional practices was formed at a seminar in Dakar. In 1981 non-government organisations raised traditional practices as a human rights problem before the working group on slavery. So it went on. In 1984 two experts were nominated to assist the working group on traditional practices. The working group issued its first report in 1986. The Human Rights Commission then requested a further report, and that report was submitted to the United Nations Human Rights Commission in 1991. It is terrible that so many years have gone by and so many dedicated women of all races and religions have worked so hard, yet we know that female circumcisions are still carried out.

I do not know how widespread the practice is in Australia, but I am aware that the west of Sydney, particularly the area beyond Parramatta, has a large Arab population. I have anecdotal evidence, and perhaps the Minister also has anecdotal evidence, of schoolteachers being aware that girls attending their schools are collapsing because of bleeding. The teachers then become aware that these operations have been carried out. I do not know whether they have been done by registered medical practitioners or by an old relative in the home, but a wide debate on this matter is certainly necessary. That is why I welcome the present debate. We need to strongly encourage the belief that this practice is totally and absolutely unacceptable. Perhaps the Office on the Status of Women and the Office of Youth Affairs could assist in that regard.

The Hon. Virginia Chadwick: Does the honourable member support the abolition of the Office of Youth Affairs?

The Hon. ELISABETH KIRKBY: No, Minister, I do not. The widest possible campaign should be undertaken. The young woman is helpless if the older women in her family are trying to persuade her that circumcision is an appropriate procedure. Therefore an education campaign is needed in schools so that girls have a different perspective of their rights and of what is proper in a civilised country rather than the views and ideas that are promulgated to them by women of their own families who are possibly less well educated but who are certainly more traditional and ignorant. As I pointed out earlier, legislation has been introduced overseas to prohibit female circumcision. In the United Kingdom the Prohibition of Female Circumcision Act 1985 was extremely specific. It provides:

... it shall be an offence for any person -

(a) to excise, infibulate or otherwise mutilate the whole or any part of the labia majora or the labia

minora or clitoris of another person; or

- (b) to aid, abet, counsel or procure the performance by another person of any of those acts on that other person's own body.
- (2) A person guilty of an offence under this section shall be liable -
 - (a) on conviction on indictment, to a fine or to imprisonment for a term not exceeding five years or to both; or
 - (b) on summary conviction, to a fine not exceeding the statutory maximum (as defined in section 74 of the Criminal Justice Act 1982) or to imprisonment for a term not exceeding six months, or to both.

The Hon. J. R. Johnson: Where is that Act in force?

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The Hon. ELISABETH KIRKBY: In Great Britain. However, section 2 of the Act makes it clear that the Act does not render unlawful a surgical operation which is necessary for the physical or mental health of the person on whom it is performed. In determining whether the operation is necessary for the health of a person, no account is to be taken of any belief of that person or any other person that the operation is required as a matter of custom or ritual. That legislation contains very specific provisions. Canada has also passed legislation recently to amend the Canadian Criminal Code and the Young Offenders Act, possibly because Canada also has many migrants from Mediterranean countries or from Africa and the problem of female genital mutilation has surfaced there.

That prompted a review in 1992 by the Canadian Department of Justice. The review concluded that such practices were clearly against several provisions of the Canadian Criminal Code. However, the review also raised the concern that the law did not prohibit the removal of a child from Canada for the purpose of having genital mutilation performed on that child. Bill C-126 was drawn up in response to those concerns. Because New South Wales now has many migrant women from South-east Asia, it will be necessary for any legislation to contain a provision that would make it an offence to take one's child to South-east Asia, Indonesia or Kuala Lumpur to have the operation carried out if it could not be done in Australia.

I lived in Malaysia for 14 years and worked on a day-to-day basis with women belonging to the Muslim faith and of the Malay race. With the exception of prostitutes I had never heard of any women in Malaysia having this operation carried out. It was a common practice for some prostitutes to undergo a certain procedure to heighten the pleasure of their clients. However, the procedure was not permanent. It was done by inserting a piece of bamboo, usually sterilised, to make the vaginal opening smaller, but the prostitutes were able to take the bamboo out.

The way the procedure was explained to me, I presumed it was a little like having one's ears pierced and putting in pierced earrings. Whenever the prostitutes wished to take the bamboo out, they could do so. That procedure did not involve the grossly horrible, mutilating and destructive operation described so graphically by the Hon. Franca Arena and so graphically described in the discussion paper. Whether that was a common practice, I really do not know, but that is the only case I have ever heard of.

Many of the old women in the villages, particularly in the villages on the east coast of Malaya where a number of fundamentalist Muslims live, may have practised it ritually and it would certainly not come to the notice of any European person living there. In reply I should like the Hon. Franca Arena to address another issue. If the New South Wales Government decides that legislation is necessary, such legislation should include as an offence the taking of a child overseas for the operation, then returning to Australia,

otherwise we will not achieve what we are endeavouring to achieve.

In the section dealing with Australian law it has been suggested that many other provisions of the Crimes Act make it unnecessary in New South Wales to legislate against female genital mutilation and I think this is why it has been suggested that legislation is not necessary. For example, the provisions of the Crimes Act 1900 are relevant: section 61 deals with common assault, section 59 deals with assault occasioning actual bodily harm and section 35 deals with malicious wounding or inflicting grievous bodily harm. Any person who appeared before the court charged with carrying out such a practice could be prosecuted under those provisions of the Crimes Act.

The law of assault is defined as any intervention that interferes with a person's bodily integrity through the use of force, no matter how small, and is in law a trespass to the person. It can be punished under State criminal law and it can be a tort or civil wrong - assault and or battery - for which, under State law, the person injured can claim damages or compensation from the person who committed the trespass. I wish also to bring to the attention of the House that the operation would be an offence under child welfare legislation. If it were performed on a young child, it would be an abuse of that legislation and it would be possible for civil action to be taken because it constitutes a civil wrong. It would, therefore, be possible to seek compensation for any injuries that the woman or female child might have suffered.

I suppose it is because all States have similar legislation that the Family Law Council's preliminary conclusions stated that it did not believe there was a need for legislation on the question of jurisdiction of the courts in relation to female genital mutilation. It is seeking public comment on the issues raised in its discussion paper. Public comment can be made to the Family Law Council until 31 March. Perhaps it would be a good thing if the contributions to this debate and the wide-ranging views that have been canvassed throughout it were brought to the attention of the council by 31 March by the women of this Parliament. Perhaps the Hon. Franca Arena would like to think about that. Time is available and the council has drawn up only preliminary conclusions. If further information is brought to its notice, perhaps the recommendations in its final report will change.

Of course, the council is talking about Commonwealth legislation and states the necessity for severe sanctions for professionals and appropriate sanctions for non-professionals who perform the procedure, together with mandatory notifications to State authorities of prospective or actual incidents of female genital mutilation. It states also that there should be a targeted education campaign about female genital mutilation and that Australia should participate in international forums, aimed at eliminating the practice globally. The council has made some extremely good recommendations and I believe the Parliament should support those recommendations.

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I should like to support some of the remarks made by the Hon. Dr Meredith Burgmann when she queried why we are not talking also about male circumcision if we are talking about female circumcision and female genital mutilation. Strangely enough, when I knew this debate was coming on today I mentioned it to a male friend of mine who said, "I am sick of this. Why are we always fighting for the prevention of cruel and barbaric acts on women? Why aren't you going to argue that there needs to be legislation to prevent an equally mutilating operation on a male?" I, too, was tempted, as the Hon. Franca Arena was finally persuaded, that it was necessary for my male children to be circumcised. I was very lucky at the time because I was married to a medical practitioner who certainly did not approve of it and, consequently, my sons were not circumcised.

As I said earlier, by way of interjection, it goes in waves. One can almost tell the date when any Australian man was born by whether he was circumcised. For many years it was going out of fashion. The majority of the major teaching hospitals do not insist upon it and, in fact, it is frowned upon by the majority of leading gynaecologists in New South Wales. I believe it should be outlawed. It is a totally

unnecessary operation unless, as the Hon. Dr Meredith Burgmann pointed out, it is performed for medical reasons. I place on record that when we are talking about mutilating procedures we should not be gender specific. These operations are being performed on both men and women and they both should be condemned. I applaud the Hon. Franca Arena for bringing on her private member's motion today. I look forward to making a good presentation to the Family Law Council.

The Hon. ELAINE NILE [3.47]: I support the motion of the Hon. Franca Arena, which recognises that female genital mutilation has been occurring in New South Wales and that there is no specific law to ban the practice, especially paragraph 2 of the motion that states:

(2) Acknowledges that there is no extensive education program to inform communities that this practice is unacceptable in our society.

The motion goes through to paragraph (6), which states:

(6) Calls on the Government to introduce legislation to ban such practices in our community.

I agree wholeheartedly. I believe that the articles produced - the briefing note by Sharon Rose and the discussion paper by the Family Law Council - should be compulsory reading for all males in the State so that they can understand exactly what occurs. I first read about female genital mutilation in a novel about 30 years ago. As a young woman and a young mother I was horrified. In western society, especially in Australia in those days, we never dreamed that this sort of thing was actually happening in our community. Much has been covered by the previous speakers, so I will not go through it all. I think the infibulation method is absolutely abhorrent and barbaric. I will read from the discussion paper of the Family Law Council dated 31 March 1994, especially for Christian people. Sometimes we put people from other cultures aside and think only of ourselves. The infibulation method is described as follows:

The most severe form is infibulation or "Pharaonic" circumcision. This involves removal of virtually all of the external female genitalia. The entire clitoris and labia minora and much of the labia majora is cut or scraped away. The remaining raw edges of the labia majora are then sewn together with acacia tree thorns and held in place with catgut or sewing thread. Sometimes a paste of gum arabic, sugar and egg is used to close the vulva. The entire area is closed up with just a small opening, about the size of a match stick, left for passing urine and menstrual fluid. A straw, stick or bamboo is inserted in the opening so that as the wound heals the flesh will not grow together and close the small opening. It is understood that in recent years in some areas, some doctors who perform the procedure sew together the labia without cutting.

I believe that if most Australians read that and knew what happened they would call it barbaric as well. Who performs female genital mutilation? It is believed to be performed almost entirely by women. It is hard to understand how a woman could do that to another woman. The procedure is generally carried out by midwives or older women. In the book I was reading it was carried out in a village environment on a very young girl. In the village environment women who perform the operation are often paid for their services and have a position of respect and authority within the community. The money earned from female genital mutilation is an important source of income for them. There is some evidence that health personnel in Somalia are carrying out these procedures on health service premises. Many are also now advocating that the procedure be done in hospitals to reduce some of the risks involved. This is believed to be happening in some countries.

A survey conducted in Cairo in 1985 indicated that female genital mutilation procedures were carried out in the girl's home in 79.3 per cent of cases. The survey also indicated that 13.5 per cent of operations were performed in a clinic; 4.1 per cent in street booths - imagine what a street booth would be like so far as public health was concerned - where a public declaration of the daughter's circumcision is desired by the family; and 3 per cent in hospitals. Persons performing the operation include midwives, called "daya", in 60.9 per cent of instances; physicians in 22.9 per cent of instances; and barbers in 16.2

per cent of instances.

When is female genital mutilation performed? It is usually performed between the age of one week and 14 years, before the onset of menstruation. In most cases female genital mutilation occurs when the girl is about three to eight years of age. In some areas where infibulation is practised women are re-infibulated after they have each child, after divorce or on the death of their husband. I could imagine the fear and terror an eight-year-old child would go through while this so-called procedure was performed on her. Female genital mutilation is generally accepted as having predated Islam, Christianity and
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other major religions. It is sometimes incorrectly thought that female genital mutilation had its origins in Islam. There has been debate about this in certain communities.

The Hon. Dr B. P. V. Pezzutti: This practice started 2,000 years ago and Islam did not exist 2,000 years ago, so it could not have had its origins in Islam.

The Hon. ELAINE NILE: That is what I am saying. However, I have been told that there are four different thoughts in theology in Islam. Apparently one of the four theologians agrees with this mutilation. I do not know whether that is correct; that is what I have been told. However, there is no Islamic religious basis for the practice. The Koran does not contain a specific call for female genital mutilation. Both Muslim and non-Muslim religious leaders overseas and in Australia have emphasised the absence of a religious foundation for the custom. It may not be a religious custom.

The Hon. Dr B. P. V. Pezzutti: It is not religious; it has nothing to do with religion.

The Hon. ELAINE NILE: It is a cultural thing.

The Hon. Dr B. P. V. Pezzutti: Yes, it is cultural.

The Hon. ELAINE NILE: Exactly - we agree for once. The principal authority ruling on Islamic practice stated in 1976 that female genital mutilation is not an Islamic practice or teaching. In Australia some Muslim religious leaders have come out strongly against female genital mutilation, but it is understood that some fundamentalist groups may not be against the practice. Al Naggari points out the status afforded the woman in the Koran and asks how, in the light of this high status, parents could harm their female children "by removing parts of their body without this being necessitated by sickness or bad health, namely by performing excision".

As with the Koran, neither the Bible nor the Jewish Torah make specific mention of nor advocate female genital mutilation. It is said that the only Jews known to practice female genital mutilation are the Ethiopian Falashas. Part of the discussion paper talks about anecdotal evidence. Information on the incidence of female genital mutilation in Australia is mainly anecdotal. Information gained by the Department of Immigration and Ethnic Affairs lists a number of sources, including hospitals. How many women would actually report this offence? Paragraph 2.31 of the discussion paper states:

An official inquiry which took place in NSW in recent years concluded that the incidence of female genital mutilation in NSW was low.

As I said, what woman is going to come forward, when she lives with a husband and perhaps a mother-in-law, and report it? The media campaign has to start with very young children in schools. Paragraph 2.32 of the discussion paper states:

In Victoria in 1987 there were calls for an investigation into alleged child abuse in Melbourne which specifically referred to female genital mutilation. Claims were made that babies were being circumcised by Melbourne doctors and that -

The Hon. Dr B. P. V. Pezzutti: There was no evidence that doctors were involved.

The Hon. ELAINE NILE: I am reading from the discussion paper.

The PRESIDENT: Order! The Hon. Dr B. P. V. Pezzutti will have an opportunity to speak later in the debate.

The Hon. ELAINE NILE: Doctors are protected in a sense, such as in the case where women were recently infected with AIDS. That doctor's name did not appear in the media. The report says:

. . . no cases appear to have been brought before the Courts to test the adequacy of the criminal. There are also doubts, in Council's mind, over whether the general community, particularly those most likely to practice female genital mutilation, would be aware that the practice constitutes assault and is regarded by Australian authorities as "child abuse" for the purposes of child protection legislation.

The discussion paper continues:

Council is of the view that female genital mutilation is undoubtedly "child abuse" -

And that it is; no one in this House would deny it, or should deny it. The report continues:

- and that existing child protection mechanisms are appropriate for dealing with cases that come to notice. However, Council is most concerned about the general lack of awareness of female genital mutilation in the community.

I believe that is the view of white Anglo-Saxon Protestants. The discussion paper continues:

Council also is of the view that possible offenders will not see this particular cultural tradition as child abuse or be aware that it is an offence in this country unless this is made clear in the law. There may also be doubts in the minds of child protection workers and of those mandated by child protection legislation to notify suspected abuse.

The council's preliminary conclusions are as follows:

The Family Law Council has reached the preliminary conclusion that the law should be clarified to make it clear that female genital mutilation is a crime and that it constitutes child abuse in Australia. That legislation should make it clear that all forms of female genital mutilation, including ritualised circumcision, are not acceptable in Australia. Council is interested in hearing views and comments on this conclusion.

I wonder who will come forward. Will the women come forward? It would not be a fair hearing unless they did. Appropriate sanctions should apply to non-professionals who perform the procedure and to those who aid and abet such persons, as well as those who arrange for their children to be genitally mutilated. In relation to education, the council considers that any strategy for the elimination of female genital mutilation which does not include education of families from countries which traditionally practise female circumcision, as well as professionals and others within the general community, will not succeed. Female genital mutilation is a long-

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established tradition which will be difficult to eradicate and education will need to be at the basis of any program which seeks to eliminate it. Fear plays a major part in that for women. Legislation is part of the strategy to educate and promote change in culture and attitude.

Awareness campaigns usually require the dissemination of help information about the practice and basic sex education. Health professionals, social and community health workers, midwives and

maternity personnel would need to be targeted. They in turn can educate the communities about the practice. Of course, they should be people from those communities. The support of the ethnic media would need to be enlisted. Education campaigns would need to inform migrants and intending migrants that female genital mutilation is illegal in Australia. There should be a big campaign on this. People who come to Australia want to carry on with their traditions and it should be made perfectly clear that this practice will not be allowed to occur in this country and that it is a criminal offence. In the council's view the education program will need to be aimed at a number of target groups - care providers, doctors, midwives, nurses, teachers, police, the courts, families and the general community.

I turn to work necessary at the international level. The Hon. Elisabeth Kirkby spoke about parents taking children out of the country to have the procedure performed somewhere else. Australia should participate in international forums on female genital mutilation and should continue to be involved in work by international organisations designed to eradicate female genital mutilation globally. In this regard the council notes the work done in Australia on the declaration on violence against women. The practice has been described - with small children being held down, going through the whole procedure and having their legs tied together for so long afterwards. It is horrific. Every male, especially every member of this Chamber, should read the reports. I support the motion moved by the Hon. Franca Arena and I look forward to the New South Wales Government's legislation covering this area in due course.

The Hon. ANN SYMONDS [4.5]: The speakers list for this debate was well filled with competent people and I had not intended to enter the debate but I am pleased that sufficient time remains for me to join my colleagues in congratulating the Hon. Franca Arena for bringing this matter forward for consideration today. Although there was plenty of notice of the motion I am distressed that not one male member of the House from any of the parties has put his name down to contribute to the debate. This is a singularly fine example of two things: first, that women should be in every aspect of society, particularly within our parliaments, to raise issues publicly and vigorously to act together, in all parties, in the best interests of other women in the community.

Second, if we are to become more successfully involved in true reform to give equality and dignity to all members of society it will not be achieved until men and women agree to support the elimination of practices such as that which we are considering today. I had hoped that people such as the Hon. Dr B. P. V. Pezzutti who are dedicated to their profession might have been moved to participate in the debate rather than simply carping from the sidelines, as he has been. Seemingly, he has expressed much more fervour in his area of interest regarding this matter, the reputation of doctors, than in the excruciating indignities that have been perpetrated on women.

The Hon. Dr B. P. V. Pezzutti: What a joke!

The Hon. ANN SYMONDS: I can assure him that I am not joking and I do not find it a joke. I am sure that on reflection on this matter he would wish to be presented in a much more collaborative way.

The Hon. Dr B. P. V. Pezzutti: You wait until my contribution.

The Hon. ANN SYMONDS: Does that mean that you are going to put your name forward to speak in the debate?

The Hon. Dr B. P. V. Pezzutti: I am going to speak in the debate.

The Hon. ANN SYMONDS: I am extremely pleased to hear it. It did not occur to me, because your name was not on the list, that you were going to spring up at some later date.

The Hon. Dr B. P. V. Pezzutti: My name was on the list from the very opening of the day's business.

The Hon. ANN SYMONDS: I do not see it on the paper that the President has as the speakers list. Had the honourable member's name been on the list I am sure that he would have been given a call. As I said, my name was not on the list but I took advantage of sufficient time being available in the debate to rise in support of my colleague. The motion is extensive. Whilst acknowledging the existence of the practice and the absence of any law to prevent it in Australia, it notes three other issues that are worth commenting on. One is that she has drawn to our attention the fact that this very serious issue of mutilation to girls and women has been the subject of discussion by the United Nations Womens Conference in Mexico City, Copenhagen and Nairobi where on each occasion everyone has undertaken to act against it by acknowledging the practice is barbaric.

The Hon. Franca Arena: And it will be discussed next year in Virginia.

The Hon. R. B. Rowland Smith: Why did you not put on a motion?

The Hon. ANN SYMONDS: I do not know whether the Hon. R. B. Rowland Smith is addressing his question to me or to the Hon. Franca Arena but, during the International Year of the Child in 1979, I was not a member of this Chamber, I was a member of Mr Fraser's national committee for the celebration of the International Year of the Child. At that time this issue became the subject of a broad campaign first raised publicly in this country. I am sure the

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honourable member will understand that I have been involved in attempting to raise this matter in the past. Having been convinced by those forums - and I believe the men and women attending would have been fervent in their desire to eradicate this practice - we still have not achieved any substantial inroads into its elimination. It is a question of noting that perhaps too many of the people who are powerful advocates in society generally are those who are entrenched in comfortable white-dominated western societies.

The Hon. Dr B. P. V. Pezzutti: It is better late than never.

The Hon. ANN SYMONDS: Absolutely. However, although those people may have the conviction on returning to their own countries from those forums, perhaps the immediacy of the problem and the need to act urgently is dissipated. In all these campaigns, which are sensitive and difficult, there is a critical time where a level of information and awareness is reached that means a concerted action can be carried out. It must be acknowledged that the Australian Medical Association has publicly joined in the debate. In February its president, Dr Brendan Nelson, who seems to be a most energetic young president, said in Canberra that doctors were aware that in Australia various ethnic groups were asking doctors to circumcise women and girls. The matter has been brought to the attention of the AMA because of the concern of Australian doctors who have been approached to perform this practice.

In publicly commenting on this issue at the launch of the AMA's women's health policy at that time Dr Nelson said, "We do not support this and we will be encouraging the Government to introduce and pass legislation which prevents this". He acknowledged that in this country we have a general agreement about, and acceptance of, cultural rights of others. Multiculturalism in Australia is the envy of the world. It is within our grasp to demonstrate to the world that we can live in tolerance of differences within our community. However, we must all soundly state that that multiculturalism rests on the basis of very clear common principles of the dignity of each human being within society, as the primary consideration of society will be the governing principle of our multicultural society. Therefore, when confronted with the argument that perhaps an acceptance of a cultural practice should prevail, we must remind ourselves that the dignity of human beings surpasses any cultural practice, particularly when it entails an assault against an individual.

The PRESIDENT: Order! It being 4.15 p.m., pursuant to sessional orders debate is interrupted to permit the Minister to move the adjournment of the House should he so desire.

SOUTH EAST FORESTS PROTECTION BILL

Restoration

Message seeking restoration of the South East Forests Protection Bill received from the Legislative Assembly and, pursuant to Standing Order 201, bill restored on motion by the **Hon. R. S. L. Jones**.

GOVERNOR'S SPEECH: ADDRESS IN REPLY

Fourth Day's Debate

Debate resumed from 9 March.

The Hon. ELISABETH KIRKBY [4.17]: I am delighted to support the motion of the Hon. Dr B. P. V. Pezzutti that the Address in Reply be adopted and presented by the whole House to the Governor in reply to the Speech His Excellency made to both Houses of Parliament. I am also delighted to discover that over the past 10 days there was unnecessary speculation in the media about the future of the Governor, that he was possibly to be replaced without the opportunity of serving a further length of time. That speculation has now been firmly and truly laid to rest. As honourable members may be aware, I believe that in due course Australia will become a republic. However, we have not yet reached that stage. While we have a Governor of the status, dedication and fine personality of the present Governor, he should be allowed to continue in office without unnecessary media speculation about who his successor is likely to be. I am pleased that that speculation has been laid to rest.

I turn now to my remarks in reply to the Government's package of legislation and future policy as laid down in the Governor's Speech. The Government's legislative and financial proposals for this year are a mixture of welcome initiatives, bland general statements and, regrettably, inaction. In this International Year of the Family we have the chance to review the very nature of the most basic support unit in society and the way that a government can help families perform their functions of caring and nurturing. The National Council for the International Year of the Family has adopted the theme, "Supporting the many faces of families". This is an acknowledgment of the diversity of family life and the need to promote social justice and responsibility. I wholeheartedly agree with these two principles.

The ability of families to sustain their responsibilities depends on their access to resources and supportive infrastructure. It has always been my belief that the Government has a role in helping to provide this infrastructure. I also agree with the Council of Social Service of New South Wales that the International Year of the Family should not only be about how to make the functions in the family unit stronger, but also about how to assist family members who have been failed by their society. This was referred to at page 29 of the Council of Social Service of New South Wales pre-Budget statement 1993-94. I shall deal first with family services. After much public outcry at the neglect of family support services in last year's Budget I was pleased to hear that the Government has provided additional recurrent funding in this area.

This money is to be directed particularly to families with young children, to ongoing training and a general parent advisory line. I welcome the Government's review of policy and programs that support families. I draw its attention to the need for

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an overhaul of the role of preventive services across all programs to ensure that children will not need to come into care and that the problems faced by the disadvantaged will never deteriorate to that extent. All members should be aware that community services have suffered from a failure to maintain cost supplementation, funding cutbacks, freezes, defunding, lack of growth funding, increased fees to users, increased demand for services and increased pressure on all non-government organisations.

One program that has suffered much is home and community care. In the ninth round of HACC funding last year no money was made available to assist providers to develop new services or to support the expansion of existing services. The only small increase in funding was for superannuation payments for home care, cost supplementation for all HACC services and, for the third year in a row, the State Government failed to match Commonwealth funding.

It is all very well for the Government to talk about supporting families, and about initiatives to assist the ageing. However, HACC services, which cater to people with disabilities and to older people, have been under increasing strain over the past two years, with growing numbers of people trying to access such services. It is ironic that older people at the Premier's Forum on Ageing last year stated that increased growth funding to HACC was their highest requirement. I urge the Government to reconsider its position on this program. I will be extremely interested in the outcome of the new Commonwealth-State supported accommodation assistance program which will come into effect from 1 July this year following a national evaluation of SAAP.

I am very concerned about the removal of target groups from the program objective, emphasis on restructuring, proposed performance measures, linking of funding to outcomes, and generally a more interventionist approach. The Council of Social Service of New South Wales, NCOSS, has questioned the viability of this interventionist approach to SAAP. Adequate resources are crucial to making restructuring a success. There must be consultation to ensure that the proposed changes are viable. I call on the Government to ensure that adequate consultation takes place prior to the agreement coming into effect - although I am very well aware there is not much time for that to happen.

I turn next to education. In addressing the Minister's professed commitment to the early years of schooling, I draw attention to the neglect of primary schools within the system and the need for more concrete measures, not merely lip-service. At a forum held last year by the Board of Studies - and it is interesting to reflect on what has happened to the Board of Studies since that time - it was pointed out that, although New South Wales has a K-12 Board of Studies, its operation is more 12-K. The entrenchment of subject centred curricula runs against the integrated nature of primary education. The strengths of primary education should contribute to developments in post primary education.

There is a dearth of early childhood expertise; there is increasing pressure for more formal learning in the early years of schooling when there is a need to recognise the importance of active learning and play in early education. K-6 teachers must schedule an overwhelming number of learning experiences into each week. Finally, the Board of Studies said that reduction in class sizes is needed, particularly in kindergarten. In 1984 the Schools Commission recommended that primary maximum class sizes should be as follows: kindergarten, 15; years 1-2, 20; and years 2-6, 25. However, the current situation has the student-teacher ratio closer to 30. The Minister must address these concerns in a meaningful way.

I welcome the Government's reform of the vocational education and training system, and particularly the Government's attempts to smooth the path between school and work force, or between higher education and training. Many studies have shown that young people want the last years of secondary school devised in a way to help them make the transition not only to higher education but also into the workplace and possible further education in TAFE. However, the majority of students still choose subjects for years 11 and 12 according to criteria for tertiary education.

In a paper delivered to the 1992 Conference of the Australian Economic and Commercial Teachers Association, Richard Sweet found that the present dominance of only one set of criteria for valuing learning in the curriculum of upper secondary schooling suggests a ready explanation for the apparent paradox of increased school retention coinciding with school leavers appearing to have a decreased interest in the major vocational pathways available to them. An additional two years, measured against the criteria valued by higher education, implicitly teaches students to undervalue their ability to actually do something in the real world, and to do this by working as a team with others in a way that is more typically valued in the labour market. Sweet went on to point out that it was common in colonial times to value a

range of cognitive, social and practical skills in Australian schools. He stated:

It was only when the new Australian universities brought to the colonies the dominant values of an Oxford or Cambridge classical education that the school curriculum began to focus more narrowly upon areas of knowledge and modes of learning that had fewer points of connection with the real world.

It is essential that more varied ways of valuing learning are recognised by the New South Wales school system. For the sake of all students we cannot perpetuate a system that works only for the academically gifted. I heartily agree with the women's policy statement that was launched late last year, and I look forward to genuine results of adequate funding for all the initiatives that have been outlined by the Premier. The policy development and research activities which have been promised focus on violence against women and the experiences women have in their contacts with the legal system and were outlined in the report which has just been released by

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the Australian Law Reform Commission, "Equality Before the Law - Women's Access to the Legal System". Stories abounded in the report about violence against women by their partners and attitudes taken in the judicial system to women alleging violence. In fact, in many instances the judicial system trivialised or disbelieved women's accounts of violence perpetrated against them.

The Australian Law Reform Commission found that many police still fail to see domestic violence as a crime, so obviously further education of police is needed. Some lawyers are not giving accurate advice in domestic violence and family law matters. Insufficient legal aid money is being given to women to fight for custody of their children or for their share of their property. There have been many worthwhile reforms, especially the recent amendments to the domestic violence laws; however, there is only so much that black letter law can do. Education is just as important. Legal remedies are useless if people are unwilling to use them. Unfortunately, there are still women unwilling to report, some police who still do not respond adequately, and there is a gender bias in the legal system, whether conscious or unconscious. I hope that these problems will be addressed in the Government's strategy.

I look forward to the Government finally addressing the major issues of drug security, the handling of complaints against police officers and a comprehensive review of the police discipline system. The issue of drug security is of the utmost importance, because it strikes at the very ability of the public to have confidence that seized drugs are not siphoned off by police. The people of New South Wales have waited long enough for rectification of the current law, which does not require that drugs seized by police be analysed as to weight and chemical composition. The theft of drugs with an estimated value of \$20 million from the Federal Police a few years ago and the revelations of drug use by police officers at Frenchs Forest clearly show that we cannot afford to be complacent about the security of drug exhibits.

Breaches of drug security have been brought to the attention of the House by the Hon. E. P. Pickering on many occasions and his assertions were confirmed by the recent ICAC report. I agree with the honourable member that legislation should permit both qualitative and quantitative analysis, that there should be a proper random audit of drugs at the point of destruction, again involving a full qualitative and quantitative analysis. Above all, there is a need for effective civilian oversight of drug audit and drug security. My work on the Joint Select Committee upon Police Administration also led me to the conclusion that the integrity of the internal investigation of police must be improved. That can be done by establishing an independent police internal affairs unit under the control of the State Crime Commission. Honourable members will be aware that the powers available to the State Crime Commission are greater than those available to the police. Those powers include the ability to compel witnesses to give evidence in camera, the ability to compel the production of documents and the power to apply for special search warrants.

In relation to law and justice initiatives, I await the speedy introduction of legislation to prohibit discrimination on the ground of mental illness and HIV status. This initiative was announced in the Governor's Speech last year, so surely it will become a reality soon. I also applaud the Government's

apparent embracing of more enlightened justice policies following the gross excesses of the Yabsley era. Although I was most disturbed by the passing of the Government's amendment to the Sentencing Act last year, under which a person could be imprisoned for the remainder of his natural life, I am perhaps more disturbed by the draconian and simplistic law and order policies which have been trumpeted by the Australian Labor Party in the belief that it will win votes in this way.

Mr Carr's back to basics policy platform, with its review of the Crimes Act so that there would be harsher treatment for murderers who plead diminished responsibility on the basis of psychiatric opinion, seeks to overturn centuries of legal tradition. Other Carr proposals such as tougher bail conditions and stringent discipline programs in schools make me think that possibly this ALP policy document had been written by Bronwyn Bishop. Since when has the leader of the Australian Labor Party been to the right of Liberal dries?

Government figures indicate that the farming sector is now experiencing a modest recovery. Farm costs rose just 1.1 per cent in the past two years because of lower interest rates and low inflation. Prices for agricultural produce are also increasing, with wool prices rising by 9 per cent over the quarter. The Government's campaign, farming for the future, could probably be classified as a form of adjustment policy, adjustment as defined by the Industry Commission in 1984 being the numerous ways in which farmers respond to change in the economic, technical and institutional environment. Richard Stayner, senior project director of the rural development centre at the University of New England, pointed out in a recent paper, "Adjustment on family farms", that until now adjustment policy has tended to focus on reducing or offsetting perceived imperfections in markets, particularly the finance market. However, he states:

It is necessary to take a broader perspective on matters that affect adjustment performance.

In particular he argues that it is necessary to pay attention to the characteristics of farms as family businesses and, therefore, take note of family life-cycle factors, the changing demands for family and household income, occupational and lifestyle factors, and the integration of family members into off-farm economy and into farm business planning. He goes on to make the point that farming is so volatile that the categorisation of farmers into categories such as "non-viable", "can be made safe with some help" or "movers and shakers" is of very limited value.

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Instead there should be close, integrated attention to the issues of retirement, managerial succession and asset transfer on farms. The revised rural assistance scheme is a step in the right direction in that it goes beyond merely assessing the farmer's immediate financial position to look further into the future. I hope that the Government's program will treat farm adjustment within the framework that recognises regional, social and economic systems.

I eagerly anticipate major reforms to the Building Services Corporation. These reforms have been long promised. The Gyles royal commission, the Dodd inquiry and the Trade Practices Commission have all confirmed complaints that the Building Services Corporation has not served consumers adequately. I have received many letters from distraught home owners over the years informing me how their lives have been destroyed by their inability to have conflicts with errant builders resolved satisfactorily. As Professor Alan Fels said on the release of the Trade Practices Commission report:

Home owners get more consumer protection buying a toaster than in buying or extending their homes.

That was reported in the *Sydney Morning Herald* on 21 December 1993. The Dodd inquiry found that the Building Services Corporation was fundamentally flawed in its structure as a one-stop shop responsible for all matters relating to the residential building industry. There is a fundamental conflict between the BSC's functions of industry regulation, dispute resolution, the provision of consumer advice, its role in industry development and the management of the two insurance schemes. On the issue of its

dispute resolution, at page 37 of the report, Commissioner Dodd said:

I believe that the integration of the licensing and dispute resolution functions has the potential for abuse. There is opportunity for the process to involve a lack of objectivity and a potential for corruption to emerge.

But on page 5 of the report he said:

There is a lack of transparent processes and an overlap of functions in the current system. This is further compounded by insufficient rights of appeal.

Dodd also had this to say about consumer advice and education being provided by the Building Services Corporation:

The impression I have gained is that in relation to consumer education, the BSC is primarily a reactive organisation and that these projects were developed in isolation and not from a comprehensive, ongoing consumer education program . . . A specific consumer advice service was not established within the BSC until 1992.

That is five years after it replaced the Builders Licensing Board. I am heartened by the fact that the current General Manager of the Building Services Corporation seems to acknowledge the validity of many of these criticisms levelled at the BSC, and I hope that changes will occur soon. I know that already my constituents are very angry and very frustrated that these necessary changes have taken so long. I should now like to turn to the subject of and the problems with the delivery of health care in New South Wales. It is ironic that the Governor's Speech should contain the statement:

My Government is committed to building on the significant gains that have been achieved in delivering a high quality customer focused health service to the people of New South Wales.

It is ironic because of the problems facing Westmead Hospital, the southwestern Sydney hospitals, the Port Macquarie base hospital, Coledale District Hospital, Kiama District Hospital and other hospitals in the south of the State. The Australian Council on Health Care Standards recently downgraded the accreditation for Westmead Hospital from three years to one year because of the conditions in the accident and emergency unit. The council found:

The Unit is inappropriately designed for standard patient care. The receiving room has a resuscitation area with an inadequate screen, leaving it exposed to the seriously ill and surrounding patients.

There are unexpected delays in the unit. Cases were reported where patients were held for 11 and 14 days.

Patients waiting admissions were poorly supervised.

There is a shortage of staff. The medical staff consisted of one director of the adult service with an accident and emergency qualification and five advanced trainees providing 16 hours per day cover. The remaining eight hours were covered by residential medical staff and the ward registrars. There is only one director responsible for administration, clinical supervision and teaching. It has been recommended that one additional staff specialist, four registered nurses and two clerks be appointed.

There is no quality assurance activity on X-ray reporting.

Budgeting between adult and paediatric accident and emergency is untidy and is a source of some conflict.

These are direct quotes from the accreditation report. I believe that inadequate government funding has contributed to these results. There are only 2.8 beds per 1,000 head of population in that area served by Westmead, in comparison with 3.5 beds per thousand head of population generally in New South Wales. Whatever excuses the Minister may wish to advance, a decision to close Parramatta hospital has led to there being only 1,000 beds to serve a population of 33,000 people in western Sydney. It is estimated that 200 more beds are needed if western Sydney is to be adequately serviced. For reasons best known to the Government, it was decided that Westmead Hospital would be both a tertiary referral hospital and a community hospital. This flawed decision has meant that Westmead Hospital cannot look after community patients properly - there is a lack of beds, a lack of staff, a lack of space and a lack of money.

Whatever the Government may believe, even when Liverpool has been upgraded there will still be a need for Mount Druitt and Auburn District hospitals. The health needs of the region are very daunting. Many Asian migrants who have arrived under the family reunion scheme suffer from hepatitis, parasitic infections, carcinoma and tuberculosis. There was a time when migrants suffering from tuberculosis were not accepted by the Australian

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health authorities. Apparently this no longer occurs. It would appear that the Department of Immigration and Ethnic Affairs is more concerned about intending immigrants who are overweight according to their standards, and they are denied entry.

There has been an increase of hospital patients suffering from hepatitis A and hepatitis B, most noticeably among people west of Parramatta, particularly those coming from the Middle East and north Africa. Medical specialists in the area are aware of the problems and, I am quite certain, have brought them to the attention of the area health authority, but it appears that the Government is ignoring their expert opinion. Problems with emergency services in the Southern Sydney Area Health Service have also been highlighted by a clinical services review. At St George Hospital there is a major problem with exit block. Apparently 10 to 15 patients a day wait a very long time for admission to a ward bed. I quote from the review:

This situation seems to have been compounded by the upgrading and redevelopment of the hospitals inpatient services, the changing demography and epidemiology of the population in the area and by the relative paucity of acute inpatient beds in South Sydney . . . This problem can only be alleviated by implementing strategies that bring about a more appropriate balance in the utilisation of inpatient beds for elective and emergency cases.

It was found at St George Hospital that in the morning 28 patients were waiting in a department designed for 20 patients, but by the evening the total number of patients waiting in the department had reached 37. St George Hospital also has major problems with staffing. At night the hospital is staffed only by resident medical officers, which has significant consequences for the reception of major trauma and the early management of all presentations. It has been suggested by the review that there must be 24-hour care with at least a registrar at advanced training level seven days a week. Furthermore, the St George Hospital social worker is currently shared by the emergency department and the division of surgery, but the emergency department needs a full-time social worker.

Other problems identified include an inordinate amount of time spent by medical and nursing staff negotiating the transfer of patients within the hospital and between institutions. There is also a total absence of an integrated unit medical records system. Considering the number of health administrators employed by the Government who are being paid very high salaries - far higher salaries than qualified doctors - if a teaching hospital such as St George Hospital does not have an integrated unit medical records system, something is very wrong with the administration. Sutherland Hospital also has inadequate staffing. The director of the hospital does not have a full-time secretary. There is no triage nurse after hours. How any emergency unit can function without a triage sister is beyond me!

According to the clinical services review the only clerk - that is one clerk - available to receive patients and oversee the waiting room is required to collect case records from the medical records department, which means that frequently the reception area is not staffed. Patients arrive at reception, but no one is there to ask them what they want, or explain to them the proper procedure. They are waiting in a reception area that has no staff on duty. There has also been a reduction of nursing staff full-time equivalents in the emergency department, to the extent that 1.4 FTEs appear to have gone missing.

Major difficulties are also being experienced at Canterbury Hospital. The closure of the Western Suburbs Hospital has led to a 45 per cent increase in ambulance attendances compared with the 1992 workload. Transfers from the emergency department have almost doubled in the past three months, and there has been an increase in the average length of stay within the department. Exit block is also a problem at Canterbury Hospital because of its relatively small complement of in-patient beds. There is also the appalling situation where staff are required to escort patients to St George Hospital from Canterbury Hospital for routine CT scans because Canterbury Hospital does not have any modern radiological equipment. When nurses are not available doctors escort the patients. Can honourable members imagine anything more stupid than that? A doctor who is required to work within the hospital in which he is employed has to take patients to another hospital - admittedly in the same region but a fair distance away - so that they can have scans.

There is a need for a second staff specialist to provide clinical and administrative support to the director and to facilitate the conduct of teaching and research activities. It must not be forgotten that Canterbury Hospital is a teaching hospital. However, the main problem is the threat of closure hanging over Canterbury Hospital. The review team has pointed out that whatever happens 20,000 patients per annum, with more anticipated in the future, will still require emergency medical care. This defined, predominantly ethnic, low socioeconomic population will find it very difficult to obtain this care in other hospitals, as they are unlikely to be able to afford private transport or easily negotiate a deficient public transport system. Staff morale is definitely being affected. I call on the Minister to reconsider his decision to close the hospital when the inner west hospital is built.

Significant problems remain in relation to Port Macquarie base hospital. It is now more than two years since we discovered that the coalition Government was going to break its promise on a new public hospital for the people of Port Macquarie. I spoke out then against the privatisation of public hospitals, and I continue to do so. Equal access to basic health care is one of the fundamental rights of a just society. This fundamental right is being put at risk by the privatisation of the Port Macquarie base hospital. The nature of the population in Port Macquarie highlights the injustice that the coalition Government intends to perpetrate. The age and income level of many people in Port Macquarie means that not only are they more likely to need health care; they will also be less likely to be able to afford private health insurance and private health care.

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One of the most disturbing things about the proposed new private hospital is that only 40 per cent of the beds will be for public patients. That means that about 75 per cent of the people in the area will queue for 40 per cent of the beds. In 1992 the Hastings District Hospital had a current surgical booking list of 582. I have been told that the list now stands at 1,000, and that it will increase to 2,000 by the middle of this year - in three months' time. If these figures are correct, the situation must be addressed urgently.

At a recent meeting the people of Port Macquarie called on the Minister to provide forthwith the funds necessary to reduce the waiting list for elective surgery to the level of the State average prior to the commencement of the operation of Port Macquarie Base Hospital Pty Limited and to continue to operate the Hastings District Hospital until that level of waiting is achieved. The Minister was also called upon to account to the citizens of the Hastings as to the quantity of services for public patients contracted to be

delivered by Port Macquarie base hospital and to require continuously through the period of the contract that the level of services be maintained so that access for public patients will not involve a waiting period that is longer than the shortest waiting period existing at any one of the peer hospitals for a similar service.

The people of Port Macquarie also called on the Minister to determine forthwith to maintain public control and management of community health services and to provide promised enhancement funding. Finally, they requested that the Minister retain so much of the present site of the Hastings District Hospital as is necessary to house community health services, including the retention of the hydrotherapy pool for public use. I ask the Minister to respond to these demands. That meeting was held more than 10 days ago, and the people of Port Macquarie have had no response in that intervening period.

I have received the results of a survey into people with an intellectual disability living with an aged parent. This survey was carried out by the Eastern Disability Interagency Research Project in July 1993. They found 67 people with an intellectual disability living in the area. They were aged between 35 and 60, and they were living on the pension. Only 6 per cent were employed; 35 per cent had no activity outside the home; 48 per cent attended workshops, outside activity or training; 12 per cent received respite care; 80 per cent needed 24-hour or daily care; and 20 per cent needed some care or support. All these people are still being cared for by their parents, who range in age between 50 years and 79 years. Of the carers, 42 per cent are aged 70 years and over, with 59 per cent living on the pension, 53 per cent receiving support from family or friends, 82 per cent having no information to plan for the future and 70 per cent believing that the Government should provide accommodation for their adult children with intellectual disabilities.

The survey proved beyond doubt that there is an urgent need for group homes. There is an immediate need for three group homes for this one group alone. Many of these families are not known to the Department of Community Services disability services. Unless something is done to deal with the situation, the older carers - those over 70 - will die and these people will have to be placed in crisis care in one of the few respite care beds. I think it would be remarkably shortsighted of the Government to ignore the problem, particularly in view of the improvements in housing options for people with a mental illness and other people with long-term support needs that were promised in the Governor's Speech. There is nothing in the Governor's Speech to suggest that the intellectually disabled will get a look-in with respect to these new housing options.

I draw the attention of the House to the recently released report of the task force on private for profit hostels. The task force was established in April last year by the Minister for Community Services in response to allegations of abuse, exploitation and substandard conditions at the Carynia Oaks licensed hostel near Cooranbong. The hostel, now housing 176 people, is still operating. It is operating under a changed name, but that has not changed the situation. Many of the residents were moved out of the old so-called mental hospital at Morisset in an attempt to get them out of an institution.

I fail to understand what a hostel with 176 people is if it is not an institution. That is not community living; it is going from one form of institutional care to another. It is also going from the Morisset Hospital, where at least the carers were skilled in the care of intellectually disabled people and had been trained to do that sort of a job, into a situation where there is no true control of the management of the hostel or the people who are employed by the licensee. The Burdekin report on mental illness highlighted the appalling nature of conditions in many boarding-houses. Commissioner Burdekin stated:

The evidence presented to the inquiry in all States indicated that the physical conditions in many boarding-houses are depersonalising, depressing and completely unconducive to a dignified, moral life . . . personal hygiene is frequently disgusting.

On the New South Wales licensing system he said:

These principles are excellent - on paper, however it is obvious that in practice they may as well not exist at all. The prevailing conditions in boarding-houses demonstrate that these standards are routinely breached or ignored. One major difficulty is the shortstaffing of licensing and monitoring agencies.

There are now 178 boarding-houses in New South Wales, licensed to accommodate 3,752 residents. Therefore, none of them can be described as group homes. A resident profile survey covering 16 licence services indicated that 65 per cent of all residents are older than 50, 42 per cent are older than 60, and only 3 per cent are younger than 30. Thirty-nine per cent came to their current boarding-house from psychiatric institutions, 6 per cent from a Department of

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Community Services disability unit and 24 per cent came from the family home. Forty-four per cent of residents were said to have a psychiatric disability, 28 per cent an intellectual disability and 19 per cent a disability related to substance abuse. Only 2 per cent were said not to have a disability.

Residents of boarding-houses are vulnerable to neglect, abuse and exploitation. They are generally unassertive. Only a very small number have social contacts outside the boarding-house. Only a very small proportion have a case worker. The current system of Government intervention is not working. Current licensing provisions do not contain a clear statement of standards that should be offered by boarding-houses. There is no independent monitoring of boarding-houses. Only a small proportion of boarding-house residents have case workers provided by either the Department of Health or the Department of Community Services to monitor their situation. There is a lack of alternative accommodation for residents of a boarding-house that DOCS might otherwise wish to close down. Boarding-house proprietors and staff are not offered training to develop or update their skills, and there has been insufficient co-ordination between licensing and other agencies.

The task force found that the boarding-house industry is fundamentally inconsistent with the principles and applications of the new Disability Services Act in the following ways. Services are dictated by rules and routines rather than by individuals' wishes and needs. Few residents have access to skills development and other day programs. Residents have very little choice in their daily lives and little privacy. Psychotropic medication and practices such as the rationing of cigarettes are often used as control devices. If this happened in another country we would abuse that country for contravention of human rights.

The task force put forward eight major proposals to reform the system. These were: a new set of licensing standards based on a requirement that boarding-houses conform as closely as possible with Disability Services Act principles; a four-year process of transition; an accountable licensing system, which will mean access to protection offered under the Community Services (Complaints, Appeals and Monitoring) Act 1993; a joint enterprise service initiative; a proposal for a system of regional committees with the responsibility for boarding-house residents; an expanded right of entry to ensure reasonable access by local services to boarding-house residents; additional day programs for boarding-house residents; improved referral and admission procedures; and restrictions of size and location.

There is also a very real need to fund alternative housing options. These may be public housing, disability supported accommodation and traditional accommodation funded under the supported accommodation assistance program. Apparently Minister Longley has asked for an interdepartmental committee to look at the implementation of the boarding-house task force report, but my understanding is that the departments involved - health, housing and community services - still cannot even agree on who should co-ordinate the meetings. This ignores the fact that the report was extremely detailed in its recommendations on who should be responsible.

These proposals need to be implemented immediately. They do not need to be sent off to yet another committee, particularly a committee whose members are squabbling among themselves. We cannot allow the human rights of people with disabilities to be sacrificed to bureaucrats. I call on Minister

Longley also to give a commitment that mental health services will be developed and planned in conjunction with primary consumers so that different and more appropriate models will be available. I believe that Minister Phillips should give the same commitment. This will need action; lip-service is not enough.

An important area of policy that requires the attention of the Minister and the Government relates to deaths in custody. The February 1994 edition of the serial "Deaths in Custody in Australia" published by the Australian Institute of Criminology shows that while there has been a reduction in the number of Aboriginal deaths in custody flowing from the recommendations of the royal commission, Aborigines are still overrepresented in custody and they are more likely to die in custody. The six Aboriginal deaths in custody in 1992-93 represented 8 per cent of all custody deaths even though Aboriginal and Torres Strait Islanders make up only 1.6 per cent of the population. The risk of death to Aboriginal and Torres Strait Islander people during 1992-93 was more than 8½ times that of non-Aboriginal prisoners. The risk of death of Aboriginal and Torres Strait Islander people in police custody during that same period was six times that of non-Aboriginal people.

Though there has been some implementation of the recommendations of the royal commission, they have not yet been implemented in full. The amendment to the New South Wales Summary Offences Act last year so that people would not be imprisoned for abusive language was welcome. However, Aborigines are still being enmeshed in the justice system. This was highlighted by the Minister's figures in reply to the question I asked yesterday to which he replied today at the end of question time. The release of the coroner's report into the death in custody of Ms Phyllis May late last year revealed that Ms May was kept overnight in a category B station where prisoners were to be detained for only a short period under supervision. The cells were unsafe. They were considered to be below the standards recommended by the royal commission into deaths in custody. There was no justification for taking Ms May there.

She was held because of a practice of transferring sentenced prisoners from corrective services custody into police custody. The renovation of the cells at Macquarie Fields where Ms May
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hanged herself has been a priority since 1991. Patrol commanders were required to remove all features from cells that might encourage any suicide attempt. However, at Macquarie Fields no action was taken until after the further tragedy of Ms May hanging herself. I fear that this is the reality of the situation. We know the changes that need to be made to prevent deaths in custody, yet there is still a lack of urgency in implementing these changes, and it appals me. Last year was the International Year for the World's Indigenous People but these issues were still not addressed. Again, this is an area in need of immediate action.

Finally I wish to place on the public record my thanks and admiration for those who fought the bushfires in January this year. I reside in the lower Hunter. Many fires were burning in the State forests surrounding the valley. I was delighted and overwhelmed by the professionalism, determination, community spirit and heroism shown by the people of that valley, the local bush fire brigade and the emergency services. They put themselves on the line in some of the most fearsome conditions that we have ever experienced. They were called to other fires in the area and again went willingly. They were tireless in their efforts and I cannot praise them too highly.

However, the January bushfires highlighted some real deficiencies in firefighting strategies. We have some important lessons to learn. Those lessons must be learned and further discussion must take place in an atmosphere of co-operation and on a non-partisan basis. I hope that the review of fire management in New South Wales and legislation to be considered by a Cabinet subcommittee will prove fruitful, but I trust that when the review has been finalised and presented to Cabinet it will be made available to the Parliament. Were that to occur it would be possible for members to debate what happened. As elected representatives of the people of this State we would have the opportunity to fully understand the findings of the review and to add our voices to those who put submissions to the Cabinet

subcommittee so that necessary measures can be taken. Again I urge that that occurs without delay.

The Hon. ELAINE NILE [5.11]: I am pleased as a member of the Call to Australia group to support the motion for the adoption of the Address in Reply to the Speech delivered by His Excellency Rear Admiral Peter Ross Sinclair, A.C., Governor of New South Wales, which states:

May it Please Your Excellency -

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

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

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

I think back to the days in 1990 during the aftermath of the Nyngan floods. I had a son serving in the police force in Nyngan at that time and my husband and I visited the town. The Governor also visited Nyngan in his capacity as head of the flood review. Of course, this was at a time prior to his appointment as Governor. The town was absolutely putrid with water rising in the houses and animals left in the streets. The Governor cut through the red tape and got things moving. He gained the admiration of the people of Nyngan. Proceedings are afoot in the Supreme Court seeking damages following those floods. At least the local people, whose families have lived in the area and by the river for a hundred years, knew when the Bogan River was rising, yet some people said that the silly old so-and-sos did not know what they were talking about.

I strongly commend, congratulate and support the Governor of New South Wales, who has performed an excellent job carrying out his duties in the most commendable way, in company with Mrs Sinclair. He deserves reappointment in August 1994 so that he can continue to serve the people of New South Wales for a further four-year term. If no action is taken to reappoint him - although the tradition has been to reappoint previous Governors - it will place the Government in a difficult position because it will give the false and misleading impression that the Governor has failed in his duties.

I also support the tradition in New South Wales of appointing experienced service officers from the army, navy or air force to carry out the duties of Governor. I have with me a list of Governors from the beginning of settlement. The first Governor was Captain Arthur Phillip. He was ably followed by Major Francis Grose, Captain William Paterson, Captain Philip Gidley King, Lieutenant-Colonel George Johnson, Lieutenant-Colonel Joseph Foveaux, Lieutenant-General Ralph Darling, Major-General Sir Richard Bourke, Lieutenant-Colonel Kenneth Snodgrass, Lieutenant-Colonel John Francis Kempt, through to 1957 with Lieutenant-General Sir John Northcott, Lieutenant-General Sir Eric Winslow Woodward, Sir Kenneth Whistler Street, Sir Arthur Roden Cutler, Air Marshall Sir James Rowland, Rear Admiral Sir David Martin and presently Rear Admiral Peter Ross Sinclair. All other States have had Governors of that calibre. New South Wales Governors carried out their duties with efficiency and dignity whilst maintaining the common touch with the people of New South Wales.

The duties of the Governor involve many ceremonial events that former servicemen can carry out calmly and coolly because of their service experience and previous responsibilities. The Governor's position is not one to be treated as a reward for party loyalty, or as a measure of female tokenism or even racial tokenism. Those appointed to that high office should also be sincere, genuine supporters of our present constitutional monarchy and uphold and demonstrate that loyalty and allegiance to the Crown as represented by Queen Elizabeth II until such time as the people of Australia, by a majority of

votes and States, vote to remove the Queen and replace her with a republican president - I believe and pray that will never happen.

Support for our constitutional monarchy is increasing throughout Australia among young people, the aged and those from ethnic communities. The Federal Labor Government is to be condemned for its deceptive attempts to bring about creeping republicanism - or slithering republicanism, just like a snake - by scrapping our historic Australian citizenship oath and deleting the words "Almighty God and Queen Elizabeth II". The Labor Party rammed its final disloyal bill through the Senate by only two votes, thanks to the betrayal of the Australian Democrats, known as the fairies at the bottom of the garden, and the woolly-minded greens. The ALP republicans replaced a meaningful oath with a wishy-washy, sentimental sop with no real meaning, no noble sentiment and no sense of history and tradition.

I congratulate two brilliant, courageous, patriotic Australians - Bronwyn Bishop and Tony Abbott. They enthusiastically defend God, Queen, country and our flag. Bronwyn Bishop is a woman and a half and I believe she puts many men in the Liberal Party to shame; that is why they are frightened of her. Their preselection victories show that the power of the trendy group in the Liberal Party has been broken and that further change will occur with Liberal candidates for the New South Wales Legislative Assembly and Legislative Council. The grass roots members of the Liberal Party will now let their voices be heard in support of our constitutional monarchy, the traditional Australian family, and traditional Christian values. They will totally reject the Young Liberals' support for homosexuals, for so-called same sex marriages, for legalised marijuana and for a republic.

Call to Australia shares the Governor's praise of the excellent efforts of all the firefighting units during the recent bushfire disaster, the efforts of the volunteer bush fire fighting units, the New South Wales fire brigade, the State Emergency Service, the Police Service, and many other volunteers and groups who were magnificent and demonstrated a wonderful community spirit. That incident caused letters to be written to newspaper editors on the North Coast, the South Coast and in the mountains area. People were very hostile about the lack of backburning and control burning, and a lot of the blame was placed on the greenie groups. We were very grateful for the successful efforts of the firefighters as our eldest son, together with his wife and two children, were required to evacuate their home at Winmalee because of the bushfire threat. Thankfully their home was not damaged.

Earlier today there was reference in this Chamber to the media. We were in New Zealand at the time of the bushfires and the media reporting of them was amazing. There were reports that Sydney was burning - "Sydney burns" were the headlines. New Zealanders who had relatives here asked us if Enmore or Strathfield were on fire. The power of the media can cause much heartache, as it did in that situation. I believe that a number of people telephoned Australia from overseas to inquire about the safety of people and property. During the second world war we had a pianola at home and we played all the military marches. We also had the fire brigade march, and I am sure the Hon. R. B. Rowland Smith would remember it. When the parade was held recently through the streets of Sydney and the bands were playing I was disappointed that the fire brigade march had not been brought back to life. The lyrics are beautiful and I will read them into *Hansard*, because it really says what those men are:

So here's to those brave men who guard us when the fire alarm is rung
And with a spirit bold, courageous
Without a thought or fear when duty's to be done.
They are never known to fail or falter
Though the task be wrought with danger.
Gallant men, they're heroes
Our stalwart, fearless fire brigade.

Call to Australia shares the Governor's praise of this State's successful effort to win the bid to host the Olympic Games 2000. Everyone associated with the successful bid is to be congratulated, especially the

Minister for Transport and Minister for Roads who spearheaded the bid effort. In many ways the Olympic preparations, even before Sydney won the bid, were running parallel with the preparations for Atlanta 1996. I thought it was beautiful to see the headlines in the paper, "Good as gold in Blacktown, the western suburbs". It says here:

Bronzed Aussies in their golden moment . . . Kieran Hansen, Steven Bradbury, Andrew Murtha and Richard Nizielski with their medals yesterday.

When Australia won its historic first Winter Olympics medal yesterday the loudest cheers were on the other side of the world in Sydney's sweltering western suburbs.

Two members of the relay speed skating team, which claimed bronze in the 5000m relay, are from Blacktown Ice Racing Club - in every respect the global opposite of Lillehammer, Norway.

Andrew Murtha and Kieran Hansen learned most of what they know on a tiny patch of ice in Blacktown, which they only had access to a couple of hours a week.

But, according to their celebrating families, their determination drove them to beat the Northern Hemisphere, where many towns have their own ice rink.

"These boys are pure western suburbs - kids with a one-track mind," Helen Hansen, Kieran's mother, said yesterday.

That must have been a thrill because so often the western suburbs have been put down in the media. Yet here we have these young men who took part in international competition and won a medal for Australia. The Governor, when outlining the Fahey-Armstrong Government's future legislative program said:

My Government is committed to improving the services which are available to assist families and communities . . .

The Government is continuing to improve coordination in the provision of these services, and the International Year of the Family provides an excellent opportunity to focus on the importance of the family as the foundation of our Australian community.

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On the last occasion that I referred to the importance of family life, the *Sydney Morning Herald* attacked me by printing an article on the back page under the heading, "Fred and Elaine reinvent the family". That is the *Sydney Morning Herald* for you. We did not invent the family; God the creator invented it. He created the family and we need to remember that for the best results we must follow the maker's instructions. However, we have to ask the question once again: if we do not know what the family is, how can we have a positive year of the family? How can we improve the provision of services for the family? Instead of the year of the family, 1994 is rapidly becoming a year of confusion. What has happened to the year of the family?

The International Year of the Family has been declared by the United Nations in the year of our Lord 1994. The pro-family international organisations lobbied for this special year to acknowledge the importance of the family as the God-given natural and basic unit of society, which is entitled to the support and protection of the State. Unfortunately, their high hopes for the 1994 International Year of the Family have been dashed to the ground by the actions of the United Nations as well as the Australian Government. Instead of promoting the traditional Australian family, they have launched a year of confusion. The United Nations has stated:

The UN policies and programmes affecting the family should seek to avoid promoting implicitly or explicitly a single ideal image of the family - there is no simple view of the family.

During the Australian national summit on the family, in preparation for the International Year of the Family, the Director of the Australian Institute of Family Studies declared that there is no longer one thing called "family". Another academic at the summit said:

Whatever group of adults the child identifies with becomes the child's family.

That could be open to a very wide interpretation. Other social workers agreed that any group of people living together is a family. Homosexual groups have launched a campaign for the legal recognition of homosexual, same sex marriages in 1994. They chose "We are family" as the theme for the 1994 gay and lesbian mardi gras and then mocked family life and attacked family moral values. The Family Impact Commission Bill of the Call to Australia Group defines the family as:

An organic unit composed essentially of a man and a woman related by marriage and the children of either or both of them by blood or adoption, whether or not in a wider relationship of grandparents, aunts, uncles and cousins.

This is the God ordained unit of the family and its decline over the decade emphasises the imperative to defend, promote and support its growth in our modern society. Call to Australia Group in its fundamental statement of belief clearly declares:

We believe that the family, consisting of those individuals related by blood or marriage, is the foundation social unit of the nation. The family has primary responsibility for the welfare, education and property of its members. Civil Government must respect this sanctity of the family and its unique sphere of authority and it must preserve and promote optimum conditions in which the integrity of the family unit can be maintained.

So far as the institution of marriage goes, again the basic tenets of the Call to Australia Group state:

We believe that the Lord Jesus Christ Himself taught that in the beginning God created mankind - male and female, and meant husband and wife to live together honourably in a lasting, loving, lifelong, faithful relationship. Marriage is a sacred relationship which God ordained for mankind so that the human race might be continued through the procreation of children, to be brought up in the fear and nurture of the Lord; and for the mutual help, comfort and companionship both in prosperity and adversity.

There is no question about the sanctity of the marriage relationship. Therefore Call to Australia strongly opposes the tacit approval by the Federal Australian Labor Party, the Australian Democrats, the Greens and the Government of homosexual partnerships, same sex marriages and the recruitment of professed homosexuals into the Australian armed forces with the same rights as heterosexuals, married servicemen or members of Parliament. We particularly oppose the Australian Democrats' policies as recently announced in *Capital Q Weekly* on 11 February. The headline in that homosexual newspaper reads, "Democrats launch law reform agenda". I understand the letter "Q" stands for "queer", as in Queer Nation. The article reads:

The Australian Democrats have announced plans to pursue an ambitious agenda for law reform for gay men and lesbians at a federal level over the next 12 months.

The party has pledged to examine all legislation dealing with de facto relationships with a view to including same-sex couples, draft federal anti-discrimination legislation to outlaw gay-related discrimination, and draft an amendment to propose racial vilification legislation to include gay men and lesbians.

In addition, it will review its policy on gay men and lesbians. The Democrats are the only major political party to have such a policy.

These plans follow from the first meeting of the party's Gay and Lesbian Liaison Committee held three weeks ago by teleconference with State representatives of the Australian Council for Lesbian and Gay Rights (ACLGR) several states, during which the agenda was endorsed.

National spokesperson for ACLGR, Carole Ruthchild, said that she was unsure of who the Australian Democrats originally consulted over its gay and lesbian policy but that she welcomed the initiative, including moves to introduce Federal anti-vilification laws.

"I don't know how likely we are to get it, certainly not in the short-term, but it is something we have supported in NSW".

The plans come two months after the successful passage of an amendment to the Government's industrial relations legislation which outlaws gay-related discrimination in the workplace. The committee's Convener, Joseph O'Reilly, said this year being the International Year of the Family provides the Democrats with "a great opportunity" to push for the recognition of same-sex couples in law.

An article from another issue of the same magazine dated 11 February 1994 is headed "Moore pushes ahead with a transsexual bill". I assume most heterosexual people would not read these magazines and would not know the political agenda of those in Parliament. This article reads:

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The seventeen month ordeal of getting homosexual anti-vilification legislation through the New South Wales Parliament last year has not deterred Independent MP for Bligh, Clover Moore, from proceeding with plans to move a further amendment to the Anti-Discrimination Act.

Moore and the Leader of the Democrats in the Upper House, Elisabeth Kirkby MLC, will next week meet with Attorney-General, John Hannaford, in an attempt to persuade the Government to include "transgender status" in the prohibited grounds for discrimination when it reviews the Act this year.

Moore told *Capital Q* that if the Government does not agree, she and Kirkby will move a private member's bill and lobby for support in a similar way she did for her vilification legislation last year. She said her plans were in response to a ministerial committee on HIV/AIDS-related discrimination, of which she is a member, which last year "strongly recommended" that transys be included in the Act.

Moore believes Hannaford may agree to "let it slip through as a minor government amendment" but expects the protests "might even be more extreme" than the hostility over her anti-vilification bill because "this is a more marginalised group". However, she said she is ready to fight the "unreasonable and unnecessary homophobia" seen in Parliament last year because "transys are a small group in the community who require protection".

Moore's proposal is supported by the AIDS Council of NSW, the Anti Violence Project and the Gay and Lesbian Rights Lobby, which, together with the Transgender Liberation Coalition, will this week ask other community organisations, state MPs and the shadow Attorney-General, Paul Whelan, to support her plans.

Sometimes all the Call to Australia group gets set up for in the media is sex, whether it be homosexuality or whatever. Call to Australia believes that sex is a beautiful thing, it is a gift of God and sex within marriage makes the world go round. Call to Australia believes that God has established laws of sexual

morality for the well being of society, prohibiting pornography, adultery, incest, homosexuality, paedophilia and other sexual aberrations which debase man as well as defile and pollute our nation. This includes transsexualism as well as transvestitism. Call to Australia promotes the correct use of the God-given gift of sex within the fidelity of the marriage relationship and actively rejects the perversions rampant within our society which are promoted by the media, films, television and pornographic videos and magazines. Call to Australia is pro-life and is opposed to abortion on demand.

Honourable members have heard a great deal about children's rights. Call to Australia believes that parents should have rights. We believe that parents, not the civil government, have the primary responsibility before God for child rearing and the education of their children according to the dictates of their consciences, with the sole ability to choose what kind of education they want for their children. Therefore, Call to Australia encourages all legislation that supports the ability of parents to choose the form of education and educational institution most appropriate for their children, including Christian schools or home schooling.

Call to Australia supports the traditional family because it is clearly presented in the Bible, God's holy word, as the only basic natural unit in God's creative purposes for planet Earth. Jesus Christ himself emphasised the importance of this first family in Matthew's gospel by this repetition of the key phrase, "Therefore shall a man leave his father and his mother and shall cleave unto his wife and they shall be one flesh". When a man leaves his parents, he cleaves to his wife, the two become one and they commence a new family.

Obviously the Ten Commandments are directed at the support and the protection of the family when they forbid adultery and require all children to honour their mother and father. Because we have dropped all the values of the Ten Commandments parents are literally being bashed as well. Some Christians, through a misplaced sense of compassion, say we can no longer speak of the traditional family in case we antagonise a male and female couple living in sin - de facto relationships as they are called today - or those male homosexuals living together, or an unmarried single mother. However, it is vital that we hold up the traditional family as God's vision for the family, for without a vision the people will perish. Because we live in a sinful world, some will fall short of God's vision, God's plan for the family. Nevertheless, we must hold up the family model as the God-given basis of society for future generations of children.

Even the child of a single unmarried mother needs to know what he or she should strive for when it is time to leave and cleave. This can be done with compassion and support for the single unmarried mother, who is usually suffering in the new poverty class in Australia. Our Australian children need to know God's plan for the family and be encouraged to strive to achieve it as adults with God's help. Every Australian child has a God-given basic human right to have the love and care of a female mother and a male father, who will serve as role models. The daughter will see her mother as the primary child carer, the primary nurturer and supporter, loved by her husband. That does not sit very well, of course, with the feminists today, but it is something that is natural; it is inbuilt.

The son will see his father as his role model, carrying out his God-given role of primary provider and protector of his family. I cannot remember in what connection I heard today that in other societies the mother gives the food to the father and child and she goes without. In my day, I would give food to my husband and my children and I would go without. That used to be the way it was in society. A mother would do anything to protect her children and keep her children healthy, but today the whole thing has been reversed. The woman is suffering, whereas in my generation the woman was the one who cared and the father was the one who went out and did the hard physical work, as men who work on the land would know. May God help our society to reject the rebellious proposals to legalise so-called same sex marriage and so-called homosexual marriages. May God help us to support and defend the family - the very building blocks, the foundation, of our society.

It is very pleasing that the Premier, the Hon. John Fahey, has announced his plans to conduct a family impact analysis of all future Government legislation and budgets. However, it is a great pity that, at the same time, he commends the immoral, offensive, blasphemous, anti-family, homosexual and lesbian mardi gras parade. He cannot have it both ways. The commendations were published in the obscene mardi gras program. They came not only from Mr Fahey but also from Mr Keating, Mr Carr, Dr Hewson and others. Members only saw the pages with the photos. Had they turned the pages of that magazine many would have been shocked.

The Premier should spell out the details of his family impact analysis. How will it be conducted? Who will do it? What questions will be asked? How will it be made public? We urge the Government to support the Call to Australia Family Impact Commission Bill which will put the family impact process on a solid foundation. We gave notice of our Family Impact Commission Bill some time ago. We have copies here for anyone who is interested. Our Call to Australia Family Impact Commission Bill states that all Government legislation and budgets should be tested and assessed by the following family impact analysis.

First, does this proposal reduce family per capita take-home pay after tax? If the answer is yes, it should be reconsidered. Second, does this policy reinforce the stability of the home and particularly the marital commitment that holds the home together? If the answer is yes, it should be retained. Third, does this bill strengthen or erode the authority of the home and specifically the rights of the parents in the education, nurture and supervision of their children? If it erodes, it should be reconsidered. Fourth, does this bill help the family perform its function? If it helps the family, it should be retained. Fifth, what message does this program send to the public concerning the status of the family? If negative, it should be reconsidered. Sixth, what message does it send to children and young people concerning their behaviour, their personal responsibility, and the norms of our society? If negative, it should be reconsidered. Seventh, can this Government activity be carried out by a lower level of government, for example local government or the family? Can it be performed by voluntary, private, and or church institutions rather than government departments? If the answer is yes, transfer the function. Eighth, family impact analysis must always keep a fair and just balance between the needs of families and the needs of others.

As the Government prepares its legislation it should implement these family principles as a guide: first, all welfare policies must stress the integrity and preservation of the family unit. The family should be the prime provider or channel of welfare. Family household tax or welfare supplements should recognise this, taking into account the number of people in the family, including members of the extended family. Second, all programs must respect family values and foster right behaviour. Third, the Government should not facilitate or endorse any sort of sexual behaviour except that of normal husband-wife relationships. Marriage should have preferential treatment relative to other types of relationships. Fourth, parents should be held responsible at law for their children regardless of divorce, remarriage, separation or casual conception. Fifth, housing assistance should be replaced by housing vouchers.

Sixth, programs should be expanded to help families purchase public housing. Seventh, mortgage interest on the family home should be tax deductible. Eighth, schools should consider that they are acting on behalf of the parents in the education process. This is why I feel strongly about the latest Federal program for primary school children. Ninth, curriculum materials should not undermine family values but should reinforce the principles and ideals most parents strive to impart to their children. Tenth, there should be progressive reduction in taxation for families with child dependants, and no tax "marriage penalty".

Call to Australia is pleased that pro-family statements by Mr Fahey have also been echoed by other political leaders, including Mr John Howard with his strong consistent support for split family taxation to assist single-income families. The present Federal taxation system discriminates against the single-income family, especially where the mother puts her child care duties first. We are disappointed

that Dr Hewson with Mr Peacock and the Liberal wets oppose split taxation and do not want to be seen as supporting the traditional family. However, we are pleased that the Queensland Premier, Mr Wayne Goss, has had a Damascus Road conversion to the traditional family. Mr Goss wrote in the *Daily Telegraph Mirror* of 16 February 1994:

This is the International Year of the Family, during which we can reflect on issues relating to the family and, more generally, Australia. A great deal has been said about the importance of the family and the need to promote policies that incorporate core family values. However, some basics do not change: the notion of family generally and, in particular, the traditional family, remain fundamentally important to our community and our future. So I would argue strongly that we not overlook the average, everyday family. Let us not forget there are a lot of them and they deserve a central place in the scheme of things. We should not as a society ever be defensive, patronising, or afraid to stand up for such families. The family unit remains basic to the structure of our society. There is no threat to the family, other than it being ignored. That is why the International Year of the Family should reaffirm a commitment to it.

On a more general theme, I would like to seek to ensure that we retain and preserve our Australian identity and not let it be mashed by a mixture of political correctness and imported American social values. This disease of political correctness, which has crossed the Pacific and is lapping our shores must be nipped in the bud. At best it is a trendy nonsense. At worst, it generates inequity at the expense of the majority of the people. Let us hope that Australians are starting to realise that political correctness is just another fad.

That was a quotation from remarks made by Mr Wayne Goss, an ALP Premier. He should be congratulated. And what are some of the more ridiculous examples of this so-called politically correct
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fad in Australia - PC? Fear of reinforcing our traditional sex roles has led to this new PC jargon. Manhole is person hole or access hole; chairman is chairperson, or as somebody said the other day, "The Chair will do this" or, "The Chair will do that". Fisherman has now become fisherperson. Sodomites first became homosexual, and now gay is the in word. AIDS was originally GRID - Gay Related Immune Deficiency - until they forced the medical profession to change it from GRID to AIDS, and now AIDS to HIV to conceal it from being recognised as mainly a homosexual disease.

Radical groups can control all the mass media and force them to accept new media guidelines to promote anti-family propaganda. The mass media in Australia, especially the "Sydney Morning Homosexual", have adopted this four-step plan of power through intimidation as proposed by homosexual activists - Marshall Kirk and Erastes Pill - that is his name - in their article *The Overhauling of Straight America*. This is the way to do it. It is being done. And it is being carried out beautifully in Sydney. It has been done in San Francisco and now it is happening here. The four steps of the plan are as follows. First, desensitisation - "To desensitise the public is to help it view homosexuality with indifference instead of with keen emotion". Second, portray gays as victims - "In any campaign to win over the public, gays must be cast as victims in need of protection so that straights will be inclined by reflex to assume the role of protector". Third, give protectors a just cause - "Our campaign should not demand direct support for homosexual practices, but should instead take anti-discrimination as its theme". A bill doing exactly that was recently introduced by the Government and passed by the Parliament. Fourth, make victimisers look bad - "To be blunt . . . they must be vilified. The public should be shown images of ranting homophobes whose secondary traits disgust middle America. These images might include the Ku Klux Klan demanding that gays be burned alive or castrated . . ."

All this has been done in America. We will give members a copy of this if any would like it. The *Sydney Morning Herald* gave a clear-cut example of this strategy in its editorial of 5 March 1994, which praised the gay mardi gras and compared it with the mardi gras in Rio and the one in New Orleans, neither of which is a blatant promotion of the homosexual and lesbian lifestyle. The *Sydney Morning Herald* editorial stated:

"Sydney's Mardi Gras, After All"

The same is true of the world's other great Mardi Gras in Rio and New Orleans. And like those festivals, the Mardi Gras is fast becoming as much the celebration of a city as anything else.

The Sydney gay mardi gras is not the same as the mardi gras in Rio or New Orleans. The Call to Australia group commends Mr Tim Fisher, the Federal Leader of the National Party, for his strong support of family life, the traditional family unit and his criticism of the so-called gay mardi gras. It is pleasing that 90 Federal members of Parliament and Senators and more than 25 New South Wales members of Parliament condemned the Australian Broadcasting Corporation for screening the mardi gras on Sunday night at 8.30 p.m. Some wanted it screened later, others did not want it screened at all. We had it copied. At the end it was said that a more provocative three-hour version will be available from the ABC. On screen it showed only what it thought should be shown.

The Call to Australia group commends the RSL, especially the RSL National President, Major General William "Digger" James, for support of the traditional family. Major General James said in the *Daily Telegraph Mirror* on 14 February, "The year of the family is being hijacked by political folly, deceit and expediency". An article headed "RSL in blast at family erosion" stated:

Major General James, speaking at a ceremony to mark the 52nd anniversary of the fall of Singapore, said Australia's war heroes had died to uphold traditional family values. "The concept of the family for which they died was that of a man and woman married to each other - and their children", he said. "It does not include two males or two females living together, as now endorsed by government policy".

Major General James said after the ceremony that he had had great hope that some of the problems confronting the traditional Australian family would be addressed in the Year of the Family. But Federal Government funding appeared to be directed to marginal groups that could erode the traditional family unit even more. Instead of government policy encouraging parents to look after children at home, funding was going to child care. This was diminishing the recognition of parents who stayed home to raise their children. Street kids were receiving youth allowances rather than being reunited with their parents.

Major General James said that the Federal Government was being badly advised to sponsor the concept of a family, which was any group of people living together. "This concept is being promoted with all the sad and misguided fervour of the ideology which promoted political correctness", he said. "This is very different to the meaning of family. It is folly for which our nation may well pay dearly".

Like many other pro-family supporters, I strongly resent the regular pontificating articles written by Jim McClelland in the "Sydney Morning Homosexual". He upholds the current politically correct ideology. I am certain he will deeply resent my views and will continue his campaign against the traditional family and traditional Christian values, especially after his article on 5 March. Jim McClelland defends the Murphy easy divorce law - more correctly named the family destruction law. He claims the Call to Australia group's support for the traditional family is unreal and reactionary. The other day I was reading a book that shows how much the leadership in parties has changed. The article said:

When changes occurred in the Menzies Government days to bring in easy divorce, the Deputy Leader of the ALP Opposition, A. A. Caldwell, said, "I refuse to help to raise the palsied arm of this Government as it seeks to bestow a benediction on promiscuity. I refuse to join the Attorney-General in giving some sort of smelly, secular sanctification to barnyard mentality".

We certainly do not have leaders like him today. Jim McClelland stated:

An important factor in women choosing to seek paid employment is that they do not want to be enslaved to their house.

He conveniently overlooks the fact that two-thirds, 66 per cent, of women work only because they are forced to by economic necessity. Another feminist anti-family journalist in the "Sydney Morning Homosexual" is Adel Horin, who regularly promotes her politically intolerant views, as does Beatrice Faust. She acknowledges that the average young woman scorns feminist demonstrations, but states that feminism is not only in the streets, it is in the networks, for example, Women's Electoral Lobby, WEL - how true! Obviously, the battlegrounds of competing ideologies are our schools from playgroup, pre-school to university. Dame Leonie Kramer, Chancellor of Sydney University, rightly put her finger on the basic problem when, in the *Sydney Morning Herald* of 2 March in an article entitled "Trainee teachers poor quality, Kramer warns", she stated:

"Selection has to do with things other than marks at the HSC", Dame Leonie said. "It has to do with general disposition and other qualities people bring to bear on their teaching".

She called for universities to consider selecting trainee teachers using an interview that tested for personal qualities as well as academic ability.

"What are their ethical views, for example? What are the ethics of teaching? Do they understand them? Do they think there are certain values you need to have if you are going to be a successful teacher?"

People left teaching because of the "gap between what they have been trained to do and what they actually have to do", she said, and called for a mentor system to help teachers through their early years.

"I think there's a problem about young people who are trained and may be inadequately selected, who are then pitched into a large high school which has very serious social problems.

"What have they learnt which enables them to deal with that, and if they go into a big high school, who looks after them? A busy principal who very often might not have time to deal with them".

One million children experience conflicting pressures in our schools. They have to deal with poorly trained teachers with confused ethical values. They have to cope with politically correct education courses such as the new AIDS course for primary schools, "Friends for Life", prepared and distributed by the Federal health department in late 1993. The kit, supposedly to stop the spread of AIDS, instead promotes promiscuity and undermines moral values. On page 53 it tells children of six to 11, "You need to avoid risks - use umbrella or gum boots when raining, hat or sun screen lotion when sunny, or a condom when having sex" Once again, we are confronted with the CCC - the politically correct Canberra condom conspiracy. The other PC area of activity is pornography and violence. Because the left-wing are experts in censorship, it is constantly raised as a red herring when the harmful effects of pornography are raised.

Honourable members need to remember the all-embracing 1984 style of censorship in left-wing communist and socialist regimes, forcing people to conform not only in their actions but their lifestyles and very thought processes. I challenge left wing supporters or defenders of pornography to prove there is no casual link between pornography and the increase in sexual offences, rape and violent offences. The onus is on them, not us, to prove the connection, especially as the evidence is overwhelming. Let me relate the recent attempted rape of a six-year-old girl reported in the *Daily Telegraph Mirror* on 5 March:

Classroom Porn Attack

A six-year-old girl who was the victim of a schoolboy who tried to rape her after watching computer porn in the classroom cannot bear even her mother to see her without clothes.

"Four months after the attack, she seemed ashamed of her own body", her mother said yesterday.

For her daughter it would be too late, but there now has to be a clampdown on computer filth, she said.

"These terrible things should be banned", she said.

"For all we know, they could have blighted my daughter for ever. The pathetic punishment handed to this boy, no, he is not a boy, he is a teenager, will soon be over. My daughter may carry this with her for the rest of her life".

The 13-year-old boy, who is known to his victim, struck on a November afternoon 400 yards from the girl's council home in Wrexham.

He told her what he was going to do, assaulted her, then ran off leaving her screaming in the bushes.

He admitted attempted rape and was given a two-year supervision order, with 90 days of specified activities.

In the wake of the murder in Britain of two-year-old James Bulger, of which two boys, both aged 10, were convicted, psychiatrists speak of the difficulty some children have in distinguishing between fantasy and reality. The number of boys under 16 who are convicted of sexual offences in the United Kingdom stands at 1,300 a year and those who work with disturbed teenagers are convinced that pornography is playing a part. When the 13-year-old appeared at Wrexham Youth Court earlier this week, it emerged that he had watched a computer disk taken to school by a friend. He had an unhealthy interest in pornographic pictures stored on disks and in magazines, the court heard. Local MP, Labour's Dr John Marek, is calling for an international approach to changing the law on pornographic computer disks. He said, "It is apparently legal to use British Telecom lines to transmit pornography on to computer disks".

The current plan to bring in anti-discrimination laws to protect persons who are HIV positive will have to be reviewed because of new scientific evidence from the United States of America. This evidence shows that it will be necessary to protect the community as a public health measure, especially

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where HIV positive people and AIDS carriers want to work in sensitive areas, such as nursing, medicine, surgery and any other area involving skin contact. I refer to an article which was published in the *Australian* on 12 February 1994. The article was headed "HIV May be Caught from Skin, Study Finds". It stated:

Evidence indicating the AIDS virus HIV may be transmitted by skin contact has appeared in the British medical publication, *The Lancet*.

A study by Californian researchers found patients suffering both HIV and herpes infection had massive HIV viral loads in skin cells infected with herpes.

Since herpes occurs in about a third of the population, the discovery has raised concern this may present a new route for HIV infection, especially from oral sex, kissing and possibly skin-to-skin contact.

Professor Madeleine Heng of the University of California, Los Angeles, said HIV normally used a

molecule on the helper T-cells to invade the body's immune system but had difficulty invading other types of cell.

It appears that the herpes virus, HSV, somehow enabled the HIV to invade skin cells and produce large amounts of infected viral particles. The team warned that there was now an obvious risk of people infected with herpes and HIV transmitting HIV to partners during oral sex. They recommended increased use of anti-herpes drugs on AIDS patients, both to decrease the risk and improve their survival. Professor Peter McDonald of the Flinders Medical Centre, South Australia, said it had been known for some time that people with genital herpes were much more likely to suffer HIV and to spread it. It now appears that ordinary herpes, or cold sores, can also assist transmission.

This means that anyone with active herpes lesions, or cold sores, should be very careful about having contact with other people, as they can potentially transmit or receive HIV. Professor McDonald said that the obvious implication was that all those infected with HIV should be tested for herpes and treated to prevent active lesions. He said, "It will cause reassessment of the safety of oral sex, because the presence of herpes lesions in the mouth is likely to increase the risk of transmission". That is exactly what the kit I referred to earlier said with respect to oral sex. We know that kissing transfers herpes; that is how many people get cold sores. So if a person with HIV and herpes kisses another with a cold sore there might be a risk of transmission. Professor Gordon Ada of the John Curtin School of Medical Research in Canberra said it was clear from the United States study that herpes would greatly ease the uptake of HIV into skin cells.

However, in spite of all these PC activists in the media and politics, the family is surviving and winning. God will not allow it to fail. The Australian family's report revealed a very positive picture. It said that nine out of 10 Australians, 88.2 per cent, live in families; almost 4.8 million household families had at least two family members living together in 1992; there were 1.8 million families with at least one child aged between 0 and 11 years; 92 per cent of Australians chose marriage; only 8 per cent chose de facto relationships. Finally, in spite of the gay mardi gras and media hype, only 1 per cent of the Australian population is homosexual - 99 per cent are heterosexual. Baroness Margaret Thatcher - I know that a lot of the ladies in this Chamber will love this - summed up the basic issues when Opposition leader in the United Kingdom - policies which enabled her to win three national elections. She said:

The decline of contemporary thought has been hastened by the misty phantom of socialism. Socialism has created the illusion of quenching people's thirst for justice. Socialism has lulled their conscience into thinking that the steamroller which is about to flatten them is a blessing in disguise.

We must become aware of the way in which in our daily lives our own thinking may have become affected, become tainted, without our ever realising it, by the ceaseless flood of socialist and pseudo-socialist propaganda to which we have all been exposed for so long.

. . . you have constantly to assert that people have a moral responsibility which they must accept. Moral in the widest sense of the term. Moral responsibility for their own actions. We must exorcise the idea that if you do something wrong it is not your fault but the fault of society around.

. . . the encouragement of variety and individual choice, the provision of fair incentives and rewards for skill and hard work, the maintenance of effective barriers against the excessive power of the State and a belief in the wide distribution of individual private property, . . . they are certainly what I am trying to defend.

Let our children grow tall - and some grow taller than others, if they have it let them do so. We must build a society in which each citizen can develop his full potential, both for his own benefit and for the community as a whole; in which originality, skill, energy and thrift are rewarded; in which we encourage, rather than restrict the variety and richness of human nature.

We have, to a more intense degree than many other countries, a combination of rising prices, falling output and unemployment. And we have a sense of losing our way. The problem is not a technical one. It is one of the life and death of the national spirit. We are in the midst of a struggle for human dignity.

It is not my job, nor the job of any politician, to offer people salvation. It is part of my political faith that people must save themselves. Many of our troubles are due to the fact that our people turn to politicians for everything.

I conclude by quoting psalm 11, verse 3:

For, lo, the wicked bend *their* bow, they make ready their arrow upon the string, that they may privily shoot at the upright in heart.

If the foundations be destroyed, what can the righteous do?

Today, as a result of different ideologies, the foundations of our country are being destroyed. What can the righteous do? The righteous who believe in God's values must rise up and tell the Fahey Government and the Opposition exactly what they think and how they feel about family values, family life, education and all the other important issues in this State.

Debate adjourned on motion by the Hon. Dr Meredith Burgmann.

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INDEPENDENT COMMISSION AGAINST CORRUPTION INQUIRY INTO PROTECTION OF PAEDOPHILES

Message

The President reported the receipt of the following message from the Legislative Assembly:

Mr President -

The Legislative Assembly desires to acquaint the Legislative council that it has this day agreed to the following resolution:

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; however, the Commissioner may investigate any matters he deems necessary and relevant which may have occurred prior to 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.

An interim report is to be prepared and submitted to both Houses of Parliament by 1 October 1994.

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.

And the Legislative Assembly requests the Legislative Council to agree to paragraph (a) of the reference as varied from the Legislative Council's resolution.

Legislative Assembly		K.
R. Rozzoli		
10	March	1994
Speaker		

Suspension of certain standing orders agreed to.

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

That the following Message be forwarded to the Legislative Assembly:

Mr Speaker -

The Legislative Council, having had under consideration the Legislative Assembly's message of 10 March 1994 concerning a reference to the Independent Commission Against Corruption, desires to inform the Legislative Assembly that the Council agrees to paragraph (a) of the reference as amended by the Legislative Assembly.

Legislative Council		M.
F. Willis		
10	March	1994
President		

SPECIAL ADJOURNMENT

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

That this House at its rising today do adjourn until Tuesday, 15 March, at 2.30 p.m.

ADJOURNMENT

The Hon. R. J. WEBSTER (Minister for Planning, and Minister for Housing) [6.12]: I move:

That this House do now adjourn.

SISTERS OF MERCY

The Hon. Dr B. P. V. PEZZUTTI [6.12]: On Tuesday evening I was speaking of my experience at the opening of the Mercy Family Centre at Waterloo. To conclude my remarks I would like to point out that the service offered by the Sisters of Mercy through the Mercy Family Centre, operating out of the new Mercy Arms, the converted Mount Lachlan Hotel, is operating a major program to provide a safe welcoming place for people to get together, to talk and to learn new skills. It will act as the hub of an

out-service to provide care for people in their own homes. It will provide a resource centre for people to learn better ideas of child raising and will become the home of a number of permanent self-help groups and support cells for the community.

The Sisters of Mercy are to be congratulated for changing their role to meet the needs of the community, which has greatly valued and will continue to value the work they provide. I congratulate the Sisters of Mercy and all their helpers, their lay advisers and all the workers who operate from the service. I trust that the service will continue to change, as a chameleon does, to present and to tailor services that are sensitive to the needs of the community, a community in desperate need of the help of the Sisters of Mercy.

WILCANNIA COMMUNITY

The Hon. ELISABETH KIRKBY [6.15]: I wish to bring to the attention of the House some of the problems facing the community of Wilcannia. After a public meeting there about three weeks ago both the police and the community agreed that the greatest needs are: first, a women's refuge; second, a detoxification centre, a proclaimed place, and a rehabilitation centre; third, a bail hostel; and, fourth, employment. It was stated that they were needs but not necessarily in that order. As the Minister for Justice pointed out in reply to a question I asked yesterday, drunks are now bused home instead of being locked up, but this has resulted in a terrible increase in domestic violence. Therefore there is a greater need for a women's refuge. It is believed that a detoxification centre would lessen the problem. A rehabilitation centre, properly run, providing education, craft training and work, would succeed temporarily but it is believed that unless the graduates are in large enough groups to provide a strongly bonded social group the results will be only temporary.

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The bail hostel, it is believed, should be out of town, but only a little way out of town. Nobody wants troublemakers released on to the streets. The bail hostel must provide education, skills training and work in the same way as the rehabilitation centre. These opinions were expressed by many different members of the community. However, some people at the meeting claimed that community service orders were not being carried out. There are three Aboriginal liaison officers at present. One is an elder and very much respected. They have the use of police vehicles for duties and operate a newly acquired bus for taking drunks home. The elder liaison officer, with a young detective, has just taken about 20 of the worst young troublemakers on a bush camp to teach crafts, culture and living off the land.

Police, the local council, the Aboriginal land council and the community health centre combined to organise Australia Day activities. They had a raft regatta on the river and a picnic. There are now 11 regular police in Wilcannia. That is not believed to be an excessive number in view of the outlying areas that have to be covered. But in the opinion of many residents the attitude of the police leaves a lot to be desired. There is overuse of batons, and many injuries are caused. The senior sergeant is trying very hard to gain community co-operation. It had been set back a very long way but it is believed that younger police in the area need further training. There is much bitterness against the practical implementation of the promises made by the Minister for Justice. The community understood that a juvenile justice task force officer would come to Wilcannia for six months but in future an officer based at Bathurst - 750 kilometres away - will visit Wilcannia for only two days a month.

Another question raised was: why does the Government want to provide a drop-in centre when Wilcannia already has one? Why not assist the one already established? It is pointed out that a community combination bail hostel and drop-in centre would be useless because one has to be in the town and it is believed that the other one should be out of the town. On medical needs of the community, apparently there is great satisfaction with the community health nurses and the hospital because the staff are very capable. There are three trained male nurses - at least one of them is resident - and there is an

ambulance. There are good relations with the community health centre. There are two Aboriginal staff. They are both excellent and are doing a great deal of work in the community. One problem, however, is that the drug and alcohol worker was withdrawn and it is not known whether the drug and alcohol worker will be replaced. With the number of people being arrested for drunkenness at Broken Hill, it is obvious that priority must be given to replacement of the drug and alcohol worker. There is another problem in that people needing other services - pregnant women, women needing scans or more frequent services - have to travel to Broken Hill, which is 200 kilometres away.

BALLINA DISTRICT HOSPITAL OBSTETRIC SERVICES

The Hon. JUDITH WALKER [6.20]: I draw to the attention of the Government and the Minister for Health in the other place a problem that is about to occur at Ballina District Hospital. At the end of June all obstetric services at Ballina hospital will cease. The major problem is not that the hospital is unable to provide those services or that they are not being funded by the relevant area health board - they are being funded and the services could continue - but that no obstetricians in the area are willing to continue to deliver babies at Ballina hospital. It is a difficult problem. On one hand I understand the problem of the doctors, but on the other hand they are doctors who have all signed the Hippocratic oath.

Some form of agreement should be reached among all available doctors in Ballina and perhaps also Lismore hospital to continue to provide obstetric services to women in the Ballina shire. One of the problems is the indemnity insurance, which costs approximately \$7,900 or \$8,000 a year. The other side of the coin is that aside from the doctors being on call 24 hours a day, if they are in obstetrics, they are unhappy with the level of funding they receive through Medicare. These obstetricians are predominantly young men in the area with families.

The Hon. Dr B. P. V. Pezzutti: And young women.

The Hon. JUDITH WALKER: Yes, there are certainly a number of young women obstetricians as well. Being on call 24 hours a day, 365 days a year presents a major problem. The Hon. Dr B. P. V. Pezzutti, Parliamentary Secretary to the Minister for Health, has taken this matter on board and has spoken about it on North Coast radio and television. No one is treating the matter lightly. However, I am sure that with the good will of everyone concerned, if all the parties - Senator Graham Richardson, the Federal Minister for Health, the area health board, and the Hon. Ron Phillips, New South Wales Minister for Health - could sit down, a sensible solution could be reached. Perhaps a roster system could be established. If the system fails and obstetric services are denied to the Ballina women, it will place an enormous strain on Lismore Base Hospital and the would-be mothers residing in the area if they are forced to travel to Lismore for obstetric services. I ask the Government to take the matter up with all urgency.

INTERNATIONAL WOMEN'S DAY AND UNIFEM

The Hon. Dr MARLENE GOLDSMITH [6.23]: Tuesday, 8 March, was International Women's Day, and I particularly wish to commend UNIFEM Australia - the United Nations Development Fund for Women - for its important work in raising community consciousness about this special day and for the work it carries out for women in Australia and internationally. The Sydney co-ordinating committee

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of UNIFEM comprises Chairperson Rita Muffet, Business and Professional Women's Club of Sydney; Patricia Patterson, Deputy Chairperson, BPW Sydney; Yolanda Lee, Treasurer, BPW Hyde Park; Joan Stevenson, Function Co-ordinator, Zonta Sydney; Marilyn Sullivan, Secretary; and members Dorothy Betty, Australian Federation of University Women; Joan Carolan, Catholic Women's League; Voirrey Cochrane, BPW Ryde-Hunters Hill; Marcia Dane, National President of UNIFEM; Betty Davy, Australian Federation of University Women; Denise Edelstein, National Council of Jewish Women; Joan Elliston, A.M., National Council of Women New South Wales; Leisa Field, Amnesty International; Kiri Hata, Overseas Service Bureau; Pamela Lawrence, BPW New South Wales Division; Elma Matthews, Union of

Australian Women; Bronwyn Portek, Girl Guides Association; Ann Robinson, Soroptimist; Jan Shedlezki, National Council of Jewish Women; Sue Spooner, Young Women's Christian Association; Rosalind Strong, Zonta International; Susan Wakefield, Girl Guides Association; Elise Wawrinetz, Community Aid Abroad; and Chari Xuereb, BPW.

I commend all of those women for their sterling work in the important fundraising breakfast they held at the Sheraton Wentworth Hotel where hundreds of women had the opportunity to hear a most important address by Ms Nahau Elizabeth Rooney, O.B.E., from Papua New Guinea, a most charismatic and powerful speaker. It is important to remember the work of the Government in the "Working for Women" policy document released in December. It is not just another policy document or one of the many statements we have had in the past that arouse warm and fuzzy feelings. I hesitate to point fingers, but the Federal Government is famous for publishing various pieces of paper and little else. The "Working for Women" policy is a targeted action plan with specific goals and deadlines. The Government can be held to account if it fails to fulfil the goals it has set.

Some goals were announced on International Women's Day - for example, the mentor program and important proposed State legislation to outlaw female genital mutilation. The Opposition's response to International Women's Day was a sad little two-page document that at most contained proposals promising to do things that the Government has already carried out. It shows the abysmal ignorance of the Leader of the Opposition in another place and his lack of knowledge of the level of women's policy issues in this State. I refer honourable members to the important document published by Senator Kay Patterson - the 1994 International Women's Day Report Card. Once again I commend the co-ordinating committee of UNIFEM Australia and thank its members for the important work they are doing. [*Time expired.*]

COMMONWEALTH DAY CELEBRATIONS

The PRESIDENT: Order! Before putting the question on the adjournment, I bring to the attention of honourable members that next Monday, 14 March, is Commonwealth Day, celebrating the annual recognition of the Commonwealth of Nations. This Parliament will be represented in Westminster Abbey at the Commonwealth Day Ceremony and subsequently at the reception at Lancaster House by the Deputy-President, the Hon. Duncan Gay. In this Chamber at 12 noon His Excellency the Governor will deliver the Queen's Commonwealth message in the presence of 300 invited guests. A small number of vacancies are available for honourable members if they seek to attend; vacancies are also available for the following luncheon. Any honourable members who wish to participate and who have not already indicated, should contact my executive officer.

Motion agreed to.

House adjourned at 6.28 p.m.
