

## **LEGISLATIVE COUNCIL**

Tuesday, 15 March 1994

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

**The President** offered the Prayers.

### **TEMPORARY CHAIRMEN OF COMMITTEES**

**The President** nominated the Hon. Douglas Frederick Moppett to act as Temporary Chairman of Committees during the present session in place of the Hon. Richard Thomas Marshall Bull.

### **PETITIONS**

#### **Containers 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**.

#### **Anti-Discrimination (Homosexual Vilification) Legislation**

Petitions praying that the anti-discrimination (homosexual vilification) legislation be repealed because it censors criticism of homosexuals, received from the **Hon. Dr. Marlene Goldsmith, the Hon. Dorothy Isaksen and the Hon. J. H. Jobling**.

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

#### **Fifth Day's Debate**

**Debate resumed from 10 March.**

**The Hon. Dr MEREDITH BURGMANN** [2.35]: I begin my contribution to the Address-in-Reply debate by referring to the subject of women. The Government has made much of the establishment of the Ministry for the Status and Advancement of Women. This body should be more accurately called the ministry for the status and advancement of the Minister, because so far it has been nothing but a publicity machine, a huge advertising agency for the Minister and the Government. I see little sign that it will be anything different this year. Virtually every initiative in the Government's women's policy statement is in the form of a public education campaign. The only money this Government plans to spend on women's policy is for advertising in the lead-up to next year's election.

**The Hon. Patricia Forsythe:** No, it is not; it is about self-esteem.

**The Hon. Dr MEREDITH BURGMANN:** Self-esteem! For the past six months the Government has

been going on about the glass ceiling. Let me assure the Government and the Minister that the glass ceiling was discovered 10 years ago. It is interesting that the Government has just caught up with the women's movement. The glass ceiling only works for those women who are already in well-paid, high-status positions. The Government should consider those women who are in poorly paid, low-status positions. All the Government has done is institute an industrial relations system which leaves those women at the bottom of the ladder for ever.

**The Hon. Dr B. P. V. Pezzutti:** What have you been reading?

**The Hon. Dr MEREDITH BURGMANN:** I have been reading the Government's own survey on enterprise bargaining. It showed that of those agreements which achieved a wage increase, 77.5 per cent were in male-dominated industries and 18 per cent were in female-dominated industries. That shows that a man is four times more likely to get a wage increase than a woman. The Government document, the survey put out by the Department of Industrial Relations, Employment, Training and Further Education also shows -

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

**The Hon. Dr MEREDITH BURGMANN:** The second thing that came out of the survey on industrial relations, enterprise bargaining and women was that women could not rely on more reliable hours or on less hours; they were working longer hours for less pay; they were not able to rely on a particular roster; ordinary hours were being changed to seven days a week and a 24-hour ordinary hours roster. That shows that women -

**The Hon. Dr B. P. V. Pezzutti:** That is not what it says. They were enterprise agreements.

**The Hon. Dr MEREDITH BURGMANN:** Read the document. It shows that 27 per cent of agreements in male industries and 46 per cent of agreements in female industries involved no penalties and allowances and less money for overtime worked. That meant half of all the female dominated agreements -

**The PRESIDENT:** Order! If the honourable member addressed the Chair rather than the member opposite, there might be fewer interjections.

**The Hon. Dr MEREDITH BURGMANN:** The survey showed that half of all female agreements contained no wage rise at all. Three sorts of agreements that are possible under the new Act are union agreements, works committee agreements and individual agreements. The survey showed that individual agreements were the worst of the lot and that only union agreements gave any sort of wage increase at all. If the Minister for Industrial Relations and Employment and Minister for the Status of

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Women were sincere about improving the position of women, she would take on her Cabinet colleagues, who have cut spending in community services and health. Women in New South Wales have been forced to take on even more unpaid labour as this Government shirks its responsibilities for looking after the aged, the sick, the disabled and children.

I am continually amazed at the Minister's ability to reconcile her position as Minister for the Status of Women with her position as Minister for Industrial Relations. She has been so keen to implement enterprise bargains in all areas over which she has any control that she has even tried to bring in enterprise bargains to the Ministry for the Status and Advancement of Women. Industrial relations in that ministry are in a poor state. As I said last week in this House, there are no grievance procedures, no occupational health and safety procedures, no equal employment opportunity procedures and no ethnic affairs -

**The PRESIDENT:** Order! I advise the Hon. Dr B. P. V. Pezzutti to keep his comments for his reply.

**The Hon. Dr MEREDITH BURGMANN:** In addition to the lack of these important industrial relations procedures, ministry employees are now being forced into an enterprise agreement about which many are most unhappy. As a consequence, many employees in the ministry are taking stress leave. Problems have arisen with

the Minister trying to bring about an enterprise agreement among the research staff of members of the Legislative Council. Interestingly, even some of the staff of Liberal members of the Legislative Council have recognised that their best protection in a situation like this lies with the union. I suggest that the Minister's actions in the industrial relations portfolio speak much louder and far more accurately than her words as Minister for the Status of Women.

Women should therefore be concerned about the Government's planned work and family strategy. Enterprise bargaining has so far delivered increased hours of work, virtually nothing in the way of child care arrangements - it is interesting that of the enterprise bargains surveyed, only two had discussed child care arrangements - and a loss of income to women workers who have traditionally depended on penalty rates to supplement low wages. Clearly, the Government's and the employers' idea of flexibility bears little resemblance to the needs of workers with family responsibilities. This Government is not moving to endorse International Labor Organisation convention 156, which relates to workers with family responsibilities, nor is it moving to prevent discrimination against pregnant women.

I draw to the attention of the House that, despite the Attorney General's lack of understanding of the Act - which he showed in answer to a question I asked last year - pregnant women in New South Wales today can legally be discriminated against. We in the Labor Party will move to have this changed. Pregnant women and those on maternity leave do not have the protection of the Anti-Discrimination Act if they work for employers with less than six employees or for private education authorities. Of course, everyone knows that women are more likely to work for small businesses than men are. Women who are pregnant at the time of application or interview do not have the protection of the Anti-Discrimination Act. When a pregnant woman is dismissed the Act is not breached if the woman knew or could reasonably be expected to have known that she was pregnant when she applied or was interviewed for the job. It is simply not good enough to say that other aspects of pregnancy are covered by the Anti-Discrimination Act. The loopholes must be closed or the situation will continue to exist whereby women in the work force who are bearing the children of tomorrow can be legally discriminated against.

The second issue that I raise is that of so-called law and order. I am a member of the Joint Standing Committee on the Office of the Ombudsman, which has a problem with new legislation covering complaints against police. The problem is that the Parliament passed certain amendments to the Police Service Act. Under proposed section 121 of the Act the definition of conduct that may be investigated under the legislation is extremely narrow. Subsection (1) of proposed section 121 states:

121.(1) In this Part, "conduct" of a police officer means any action or inaction, or alleged action or inaction, of a police officer when acting as a constable.

This proposed section is dangerously deficient in at least two respects. The first is that the ability of the Ombudsman to investigate allegations of misconduct against off duty police officers is almost certainly curtailed. I expressed concern about this matter as a member of the committee. My belief is that a police officer is always a police officer. A police officer carries the inherent and implied powers of a police officer, even when he is off duty. I instance a situation in which a police officer is in dispute with a neighbour whereby the officer could imply that something might happen to the neighbour's car - perhaps parking tickets or a defect notice - if in fact the dispute with the neighbour was not settled to the police officer's liking. That is an example of the implied and inherent power of a police officer, even when he is off duty.

However, there is an even more serious problem with the legislation. Legal advice obtained by the Office of the Ombudsman from Mr Campbell, Q.C., suggests that the Act does not allow for the investigation of allegations of criminal misconduct by police officers, as criminal conduct cannot be the conduct of a person acting as a constable. The learned Queen's Counsel has pointed out that once a police officer commits a crime, he or she is no longer acting as a constable; therefore, the Ombudsman's powers do not cover a police officer who is committing a crime. This is an important loophole. Minister Griffiths has remained unmoved by this obviously serious error in the legislation. Mr Griffiths has been quoted as saying, "The powers of the Ombudsman have never been greater". The Minister has obviously not read the advice of Mr Campbell, Q.C.

The next issue I refer to arising from the Governor's Speech is his reference to Aborigines. It is appalling that the Government trumpets the success of 1993 as the International Year for the World's Indigenous People but then proceeds to denigrate the crowning achievement of that year - the Mabo decision and the Commonwealth Native Title Act - and to completely ignore the damning evidence of the recent report on the numbers of Aborigines in custody. Aborigines are still 14 times more likely to be imprisoned than non-indigenous Australians. Unfortunately, the record in New South Wales is no better than that of Western Australia or Queensland.

That most of the Governor's Speech was devoted to the problem with validating land titles of non-Aborigines illustrates the complete failure of this Government to take responsibility for improving the lot of those who are worse off than any other members of the community in New South Wales. With regard to what is still happening in New South Wales gaols I draw attention to an article that appeared in the *Sydney Morning Herald* of 27 December 1993. The article relates the story of Phyllis Christine May, who was found hanging in her cell. An inquest into her death found that the refurbishment of the cells at Macquarie Fields had been on the priority list of the Police Service since 1991.

It was incumbent upon patrol commanders to remove from cells all features that might encourage or assist suicide attempts. She was in the cells in regard to a minor drug possession matter, yet she was put in a cell that still made it easy for distressed persons to commit suicide - although it was meant to have been renovated in 1991. I should make a second point about the Government's lack of understanding and its failure to address the issues of concern to Aborigines. Last year I drew the attention of the House to the fact that Aboriginal liaison officers at Wilcannia were not allowed to use the new police swimming pool. In answer to a question I asked, the Attorney General said, in a somewhat Jesuitic way, that the pool was available for use by all Police Service employees.

Either the Attorney General did not understand or he had been misled by his department. Aboriginal liaison officers are not Police Service employees; they are in fact ministerial appointments. Where else has a swimming pool been built especially for police officers? I suggest the pool was built at Wilcannia because the police in that town were too racist to use the community swimming pool. Aboriginal liaison officers were not allowed to use the pool, but the Attorney General defended that decision without having all of the facts at his fingertips. The final matter I shall deal with is prisons. Since the Government came to office the prison population has increased by 60 per cent. How is that percentage made up? It has become clear that the 60 per cent increase in the prison population consists principally of fine defaulters.

One would have thought that after the Jamie Partic case the imprisonment of fine defaulters would be a thing of the past. However, over the past 3½ years there has been a 500 per cent increase in the number of fine defaulters in gaol. That has happened despite the fact that a recent survey of how people have fared under the provisions of the Community Service Orders Act showed a success rate of 85 per cent, that is, that only 15 per cent of offenders re-offend after being given community service orders as punishment. A considerable number of psychiatrically disturbed people, as opposed to people of criminal intent, are at present in prison. On a recent visit to Goulburn Gaol I was horrified to learn that a whole wing of the gaol houses persons who are incapable of existing in the outside world. I am appalled that as a society those people are put in gaol, rather than given the proper resources to enable them to live in decent surroundings outside of prison. The Burdekin report has demonstrated to everyone that there is a long way to go in ensuring that those with mental illnesses receive better treatment.

Those are two issues on which the Government is doing extremely poorly. There has been a 60 per cent increase in the prison population since the Government came to office. I agree with Winston Churchill that society should be judged by its prisons. At the moment New South Wales society is not doing well on its report card. I conclude with a quotation from the Premier, Mr John Fahey. In an estimates committee hearing I asked him why only one woman was represented among the 15 members of the Olympic bid committee. This

is the reply the caring and sharing John Fahey gave: "The fees for board members of SOCOG are the same, be they male or female members of the board". His only answer was that it did not matter to him whether the members of the Olympic bid committee were male or female; they would all receive the same money.

**The Hon. S. B. MUTCH** [2.55]: In contributing to this debate in response to the Governor's Speech I first acknowledge the dedication of His Excellency and Mrs Sinclair to their exhausting duties. I applaud their commitment in agreeing to the Premier's request to take on an extended term of duty. The Governor commented in his Speech that the International Year of the Family provides an excellent opportunity to focus on the importance of the family as the foundation of the Australian community. He said also that the Government will be participating fully in the International Year of the Family and will review Government policy and programs that support families in New South Wales. The Governor said:

My Government is committed to supporting and strengthening family life to ensure a better future for our children.

The Governor also noted that policy development and research activities will focus on issues concerning violence against women and on the experience that women have in their contact with the legal system. Those comments echo those made by Premier John Fahey in an important address to the State Council of the Liberal Party at Parramatta on 19 February. Mr Fahey said, "We must have something to say to people and to families facing disadvantage or difficulty and who need our help, our support and our

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respect". He said further, "We must say something to people who have been abused, neglected or abandoned and want only the chance to regain their hope and reassert their dignity".

I was at Parramatta when the Premier made his speech and I listened carefully to his remarks. It was not a speech of platitudes, of motherhood statements. It was quite a thoughtful speech, not merely a simplistic statement of traditional Liberal, Labor, Democrat and Call to Australia values - we all support the family. People speak about the nuclear family as being mum, dad, and one, two or 2.5 kids. Honourable members may have seen a humorous advertisement on television about 2.5 children. In itself that is an unreal image, for it neglects the role of grandparents, aunts and uncles and the extended membership of families that existed in a much more realistic form in the village life and clan kinships of our ancestors.

The sterility of family life is engendered to some extent by the Australian dream of the isolated quarter acre blocks in suburbia, with the post-World War I fibro homes and post-World War II brick veneer detached dwellings, where often Australian women led lives of confinement and quiet desperation. That sterility has been brought home to us by the great lifestyle changes that have accompanied postwar immigrant communities and their emphasis on day-to-day living, an appreciation of this country's natural advantages and attributes, and on the extended family, which was consolidated by the necessity of helping each other in a new environment. Though to some extent Europe has moved away from village life and extended families, the old values have persevered in Australia out of necessity. It is interesting that the more recent migrations of Asian communities have served to remind us of those cultures that emphasise family ties and values.

**The Hon. Elaine Nile:** And the Greeks, Italians and Lebanese.

**The Hon. S. B. MUTCH:** As the Hon. Elaine Nile says, the Italians, Greeks and Lebanese also.

**The Hon. Elaine Nile:** They are very strong on family life.

**The Hon. S. B. MUTCH:** As the Hon. Elaine Nile said, those people are very strong on family life and ties and we can learn much from them in their family and family business associations.

**The Hon. Elaine Nile:** It is traditional.

**The Hon. S. B. MUTCH:** Yes, it is traditional. Considerable discussion and argument can be entered

into on what constitutes the family, but it is preferable to talk about family values rather than to argue about what physically constitutes a family. Though wishing everyone could share the inner glow of belonging, the Premier in his speech at Parramatta made sober mention of the shadows that fall upon family life. He said:

We must be blind or stupid if we pretend that child abuse, domestic violence and rape are not some of the shadows behind the idealised family.

These things attack the social fabric that binds our community and it is important that we attack the difficult issues. The Premier is very aware of this. With reference to community resources, he said:

This area is a minefield of difficulties where sometimes you are damned if you intervene and sometimes damned if you don't.

However, the Premier then said:

We will always be winners when we tackle the difficult issues that affect the lives of people and their communities and address the practical concerns of men and women.

This gives me some hope that the difficult issue I raised last year in the House concerning pseudo-religious or pseudo-psychological organisations, which can be legitimately characterised as cults, will be taken seriously by the Government.

**The Hon. Franca Arena:** I hope so.

**The Hon. S. B. MUTCH:** As the Hon. Franca Arena interjects, I hope so too, and I thank the Hon. Franca Arena for her support on this issue. In the International Year of the Family we cannot ignore the increasing prevalence of organisations that make unethical use of manipulative techniques to entrap and control the behaviour of recruits. We cannot ignore the evidence of abuse and degradation that occurs in many organisations. I wish to refer to an article sent to me by Nick Smith, a New Zealand member of Parliament, representing the electorate of Tasman. This article appeared in *Craccum*, an Auckland university student newspaper in New Zealand and was written by the honourable member for Mangere, Mr Lange. He has a group in his electorate known as the Exclusive Brethren. He pointed out that the views of the Exclusive Brethren "on the status and role of women make St Paul look like a feminist". Indeed this theme of the second-class status of women occurs in many pseudo-religious organisations. The following quotation is important. Mr Lange stated:

The Brethren have the right to believe or disbelieve and behave as they choose, within the limits of the law, but there is an issue here. These people are bringing up children who have no concept of the alternatives to the rigidity of their dreadful dogma. Should our education system allow nutters to stop their children using computers? Should the schools be helpless in the face of parents who refuse to allow their children any contact with other children outside the classroom? Why can't these poor kids play netball? Should we tolerate the nurturing of tunnel-visioned children because of the absurd convictions of their parents? The answer, of course, is that we allow all this to happen in the name of fundamental liberties. The tragedy is that the rights of the children have been subsumed in the rights of the parents, obscuring the point that parents have rights over their children only in so far as they serve the interests of their children.

That is an important statement. A reading of some of the colourful magazines readily available in newsagencies would appear to suggest that there is an epidemic of cult activity in this country, although I do not know how that can ever be assessed. Some people say we are entering a millennium of madness as we approach the end of the century. I suspect that there is a greater proliferation of cults now than 10

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years ago but it is difficult to obtain firm statistics. All honourable members would be aware of events such as the Waco incident, the Jonestown incident and the Manson "family" murders and the horrific things that occurred. Last year I travelled to London and visited the offices of *FAIR News*. FAIR stands for family action

information and rescue. I spoke to the editor of that organisation, which publishes a worthwhile newspaper. Though one does not always agree with articles that are published in the newsletter, generally speaking it is well motivated and dedicated to exposing rorts and wrongdoings. In my opinion it is pretty much on the ball. The winter edition of *FAIR News* 1993-94 carried the statement:

When compiling statistics for 1993 it was not surprising to find that the figures for communications reached an all-time high. The FAIR office registered 1,000 more enquiries than in 1992, which had also been a very busy year.

From what I have gleaned from speaking to Ursula MacKenzie, that organisation is overworked. It receives many inquiries and desperate pleas from people concerned about the activities of cults, one being the propensity of such organisations to isolate members from any contact with family and friends. I rated a mention in that newsletter, which stated that FAIR had received a surprise visit from down under. I am titled the cult campaigner in the New South Wales Parliament. They wish me success, co-operation and all the very best. Australia has had a number of prominent cult cases, including the Hamilton-Byrne case and the very difficult Children of God case. Honourable members might have seen the Little Pebble exposé over Christmas. Even when I went to Townsville on my honeymoon and picked up the Townsville *Sunday Mail* I could not seem to get away from cults. The headlines read, "Cult Took my Son From Me", "Brisbane Man Brainwashed", "Father's Letter Plead". The sect said, "It's a lie". That article concerned the so-called Church of Scientology - I call it that because I cannot come to grips with scientology being a church.

**The Hon. J. R. Johnson:** Neither can I.

**The Hon. S. B. Mutch:** Neither can the Hon. J. R. Johnson. The Hamilton-Byrne case is a frightening example. That group is called The Family and is currently the subject of a case before the Victorian Children's Court. On 6 June 1993 the *Canberra Times* wrote about how children were collected by Hamilton-Byrne for sect property, so that they soon had 28 children. The then shadow attorney general, Mr Robert Maclellan, in that article stated:

Most of the hundreds of children involved were children of unmarried mothers who consented to their adoption under circumstances where they were persuaded their children had been born malformed, spastic, or something like that and they were better off without the children.

The report further stated:

The sect adoptions involved an elaborate network of social workers, doctors and gynaecologists. Birth records were falsified. Fourteen children had their names changed to Hamilton-Byrne. Their hair was all cut the same way and dyed blond. Mr Maclellan told the Victorian Parliament that 200 children passed through the Hamilton-Byrne property. The children claimed they had been given LSD, they had been subject to psychological and physical abuse. Several alleged they had been abused sexually while under the influence of the drug.

On 5 September 1993 the *Canberra Times* published a further article on the Hamilton-Byrne group, which was in effect a case study. It stated:

A former member of the group was a child at the time his mother was a member and gives a child's perspective of what it was like.

He said that children were regularly administered with LSD, Valium, Mogadon and psilocybin to keep them in line. He recalls that when he was 10 he saw his sick mother lying comatose for the last time on the kitchen floor after ingesting an almost lethal cocktail of drugs. When he tracked her down several years later she was in a nursing home, incapable of communicating with him and unaware of her surroundings. He went on to say that it had been difficult for him to gain acceptance for his part in the story. He said that several lawyers had tried to discredit him in spite of getting something done about the sect. Included in an integral recipe for the

cult's activities was the drawing in of affluent people in positions of influence. It was these professionals who helped bankroll the Hamilton-Byrne group into becoming a secretive organisation with property holdings around the world. That case is before the courts in Victoria. This goes to show we are not immune from such matters.

A lot has been heard about the Children of God case but not much is known about it. Recently I read an article entitled "Family Feud" in the March edition of the *Independent Monthly*. One of the comments in that article was that the barrister acting for the Department of Community Services announced in her opening statement that the allegations would be supported by evidence from about 75 witnesses. What happened to the witnesses? I would like to know what they would have had to say.

**The Hon. Elaine Nile:** David Berg is still their leader, and they recognise him as their leader.

**The Hon. S. B. MUTCH:** The Hon. Elaine Nile interjects that Berg is still their leader and is recognised as the leader. People jump up and down about the rights of these poor people. Their comment would be fair if the case were not so strong. Would those same people be defending the rights of members of an acknowledged paedophile protection group that had announced its objectives and aims? Nothing is more horrific than the belief system of the so-called Children of God. What frightens me is that there is so much sympathy for cult leaders. We can all be sympathetic to the children and to those adults who are under the sway of a mind-influencing regime. But this group's beliefs are horrific, and so far as I know they have not disavowed their belief's system.

After I returned from my honeymoon, when I was handing out leaflets for the North Shore by-election I was approached by a group of young girls,

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members of the Boston-Sydney-Brisbane Church of Christ, a group masquerading as a religious organisation. I was saddened by the way those girls tried to get me to go along to some of their events. They did not seem to be real. The experience was strange and difficult to explain. They seemed very strange but were committed to their cause. That sort of dedicated sightless commitment is never attained in more normal organisations. The Young Liberals would never be able to achieve that.

**The Hon. Elaine Nile:** The Liberal Party has it.

**The Hon. S. B. MUTCH:** The Hon. Elaine Nile jokes that the Liberal Party has it. I was a long-serving member - in fact I was State vice-president - of the Young Liberals. Members of this Parliament and Senator John Tierney sent me copies of a document entitled "Our Australian Freedoms are Under Threat". I figure quite prominently in that document.

**The Hon. J. R. Johnson:** I also sent a copy.

**The Hon. S. B. MUTCH:** The Hon. J. R. Johnson also sent a copy to me. I have so many copies I am trying to give them away.

**The Hon. Franca Arena:** Could I have one?

**The Hon. S. B. MUTCH:** The honourable member is welcome to it if she wants to read some nonsense. I figure in that document prominently. I am accused of being part of an international conspiracy. These are the slings and arrows one has to bear. So much rubbish has been floating around, particularly about me, that I have generally not responded to it. Ninety-nine per cent of my colleagues do not open the mail; they pass it on to me but the strange look from 1 per cent worries me. I believe that some of the mud sticks. The document "Our Australian Freedoms are Under Threat" was issued by members of a group known as Kenja, which I have had a go at in this House. The principal of that organisation has been charged with serious offences. I shall refrain from talking too much about that organisation because of the sub judice rule and I do not want to do anything that might prejudice that upcoming trial. It seems, from the way members of that group are running



around, they are becoming concerned.

**The Hon. Franca Arena:** They are worried.

**The Hon. S. B. MUTCH:** People were serving subpoenas even on my wedding guests on the steps at Joey's.

**The Hon. J. R. Johnson:** St Joseph's College.

**The Hon. S. B. MUTCH:** St Joseph's College, I should say. Others gatecrashed the wedding. I have a photograph of them. It was like a Peter Sellers movie. Members can look at the photographs. I believe these photographs are of members of a particular organisation. They were taking photographs of all the wedding guests and registration plates of all the cars.

**The Hon. Patricia Forsythe:** Bizarre.

**The Hon. S. B. MUTCH:** As the Hon. Patricia Forsythe says, it was bizarre, like scenes from a Peter Sellers movie. A couple of weeks before the wedding someone rang my mother and asked what time the wedding was on because she might be a bit late. Mum said, "Who are you? Are you a friend of Jenny Brown [the bride-to-be] or of Stephen?" She replied, "Yes, I am a friend of a friend of Jenny's". I think that caller might have been a gatecrasher trying to get the time and other details of the wedding. That is an illustration of how weird and whacky this whole field can be. In that article I was accused, among other things, of waging a vendetta against the particular group. I was originally made aware of that group through my activities in our Liberal Party organisation. The daughter of a family I knew very well was a member of that organisation. I found out about that case only because of my political affiliations. I was deeply interested in this topic after my experiences as a Young Liberal.

I was invited to a graduation ceremony in town by a friend, for one of her friends who she thought was graduating as a nurse. The invitation was rather vague. We attended out of curiosity. My friend, out of loyalty to an old friend who had suddenly appeared after a long absence, decided we would go along. But the graduation ceremony turned out to be bizarre. A dozen or so graduates gave individual tributes to the training course they had undertaken. They seemed to me, with their entranced eyes and glowing tributes, to be like automatons or puppets. The graduates all professed to having been utter failures and unhappy before taking the course but now they were euphorically on cloud nine. Previous graduates in the audience clapped on cue and laughed mechanically. Games were organised in which touching and eye contact contained more than just a hint of sexual enticement. Members may have gathered this was no nurses' graduation ceremony.

That evening I became quite enthralled and appalled. I was told I was unhappy and was limiting my potential because I operated through my mind rather than through my heart. When I wanted to know details about this miraculous training I was told, "Haven't you ever taken a step into the unknown?" The exhortations to take the training were more than just strident; they became quite aggressive after they tried the friendly approach. As the evening progressed some of the strategically placed instructors began to switch from using overly friendly language to abusive and degrading language. That seemed to be part of their repertoire.

Perhaps if people accept such treatment their defences become broken down, and they become disorientated. The instructors might be trying to discern those susceptible to further manipulation - sorting out the sheep from the goats. I was one of the goats because I started asking questions such as, "How can you claim to be a non-profit organisation when people are asked to pay \$600 for a weekend seminar?" Each question was met with a positive

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response, with everyone clapping, but they generally did not answer the question. However, I was a troublemaker and I was eventually ushered out. I could not quite believe that experience; it is very hard to relate. It was one of the things that most affected me in my life.

At that stage I was still living in my parents' house. I woke the whole household at about 1 o'clock in the

morning and said, "I have been studying Hitler, I have been studying Mussolini, and I could never quite figure out how they could manipulate people, but tonight I saw a room with about 80 people who were manipulated, they were automatons. It was extraordinary. I could not believe it". That group was called Own Your Life. It is probably called something else now. Unless you did the course, you could not own your life, you could not be in control of your life. It seemed very nasty to me. That is when I began taking an interest in these matters.

I went to a couple more of the meetings, one called EST. I hope I did them out of a few thousand dollars worth of recruits as well. It became an interest of mine. I wondered how people could be manipulated to do such weird things. At that time, in October 1982, I wrote a letter to the *National Times* - "More Scrutiny Needed" - referring to the human potential movement. I referred to the graduation ceremony that I had attended. Also at that time I wrote an article for the Young Liberals magazine. I was looking for answers in relation to registration of psychologists and some sort of control over the mind practices and manipulative practices that appeared to be occurring.

I have had an interest in this subject for a long time. I have read many books about it. Soon after I was elected to Parliament I wrote to the Premier stating that an investigation should be held into these sorts of organisations. I did not even receive a reply. Evidence and complaints are needed to substantiate accusations, and I certainly have them now. Following my notice of motion I have received hundreds of letters of complaint. Those letters are litanies of despair. Suburban grandparents who have sat in my office are so frightened they want to use pseudonyms. They are afraid their actions might get back to their children, who are using the grandchildren as emotional blackmail. I have never seen anything like it. This is Australia today, yet these grandparents are nervous wrecks; they are intimidated by this organisation.

**The Hon. Franca Arena:** They blackmail the people.

**The Hon. S. B. MUTCH:** Yes, it is emotional blackmail. The effects of it are horrific, which is the reason I am continuing. An interesting book called *Dangerous Persuaders* was written recently by a psychologist from Victoria, Louise Samways. In some respects it is a light read. It is designed to cover the field and let people know some of the issues that arise. Another book, by Steven Hassan, called *Combating Mind Control* is an excellent book.

**The Hon. Franca Arena:** It is a very good book.

**The Hon. S. B. MUTCH:** It is excellent, as the Hon. Franca Arena says. After having read *Dangerous Persuaders* I read a review of it by James Murray, the *Australian* religious affairs writer. He made some interesting comments about it. He said:

This is a brave book, deceptive in its almost reticent style . . . Anyone who has dared to take them on knows the lengths to which some of these groups will go to protect their "interests".

The book entitled *Dangerous Persuaders* is an exposé of gurus, personal development courses and cults and how they operate in Australia. As I said with *FAIR News*, I do not agree with all that Louise Samways says. She is obviously a brave woman. James Murray said:

Some [of these groups] have amassed considerable financial weight and have the resources to pursue litigation in the courts which they use as an intimidatory tactic to silence their critics or victims.

He also said:

It is increasingly evident that some of these groups have tried to assume a cloak of respectability, even calling themselves "churches", and their operatives taking the honorific "reverend".

I wonder who he is talking about. He makes another comment:

In an age of "even-handedness", the author does not avoid confronting orthodox religion and its capability for the manipulation of beliefs but she is especially relevant to our present society in alerting her readers to the vulnerability of young people to ideodynamic techniques.

Members of Parliament would not have a clue about many of these techniques. I have seen some of the results of what might generally be called brainwashing or mind-influencing techniques. After an extended period in some of these groups people suffer extreme headaches, incredible symptoms, and it takes them some time to recover from those symptoms. However, I am working from observation; I am not a scientist or a psychologist. I hope some of the eminent members of the psychological and psychiatric professions will become involved in this debate. One problem is that they are terrified of being sued and harassed. The little bit of nonsense that I have had to put up with is not of great concern to me, but I can imagine the pressures some of these groups could put on individuals who oppose them. The whole group will target a particular person who happens to be what one of the groups would call suppressive. I am probably one of those people.

**The Hon. Franca Arena:** That is why there should be a parliamentary committee, and I hope the Leader of the House will consider it.

**The Hon. S. B. Mutch:** The Hon. Franca Arena makes a good point. I have hundreds of letters and I would like to know what to say to these people. I have written to them as I receive their letters, saying I am pursuing the matter, but I would like to have some further news for them. The day I raised my

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notice of motion there was a letter from the United Nations Association of Australia (New South Wales) Inc., which was an urgent fax sent to members of Parliament in New South Wales. It criticised my notice of motion in strong terms. It said it was an attack on religious freedom. It also cited the New South Wales Anti-Discrimination Board report of 1984 entitled "Discrimination and Religious Conviction". All honourable members would have received copies of the letter. It was signed by Col Vowles, Convener, Human Rights Committee, United Nations Association of Australia.

I rang Mr Vowles and spoke to him. He seems to be a very nice man. However, he did not write on the letter that he was a longstanding member of the Church of Scientology. Many people have complained to me about that organisation, about human rights abuses. It is their opinion that having him as a convener on the Human Rights Committee of the United Nations Association is like having on the United Nations Human Rights Committees some of the countries that persistently abuse human rights. I wonder if Mr Vowles is aware of a case in America called *Waltersheim v. The Church of Scientology*, a 1989 decision in which the Court of Appeal in California held:

Practices inflicted upon a former member were conducted in a coercive environment and were thus not qualified as voluntary religious practices entitled to constitutional protection.

The court upheld a judgment against scientology for the tort of intentional infliction of emotional injury, although the compensatory damages awarded were substantially reduced to \$500,000 and punitive damages were reduced to \$2 million, which is not an insubstantial amount. I shall go into that a little more because it is very interesting. Judge Johnson said:

The tort of intentional infliction of emotional distress was created to punish conduct "exceeding all bounds usually tolerated by a decent society, of a nature which is especially calculated to cause, and does cause, mental distress." . . . A prima facie case requires: (1) outrageous conduct by the defendant; (2) an intention by the defendant to cause, or the reckless disregard of the probability of causing, emotional distress; (3) severe emotional distress; and (4) an actual and proximate causation of emotional distress . . . "Behaviour may be considered outrageous if a defendant (1) abuses a relation or position which gives him power to damage the plaintiff's interest; (2) knows the plaintiff is susceptible to injuries through mental distress; or (3) acts intentionally or unreasonably with the recognition that the acts are likely to result in illness through mental distress."

There is a little more I want to cite. The court found:

. . . the Church's conduct was manifestly outrageous. Using its position as his religious leader, the Church and its agents coerced Wollersheim into continuing "auditing" although his sanity was repeatedly threatened by this practice. Wollersheim was compelled to abandon his wife and his family through the policy of disconnect. When his mental illness reached such a level he actively planned his suicide, he was forbidden to seek professional help. Finally, when Wollersheim was able to leave the Church, it subjected him to financial ruin through its policy of "fair game". Anyone of these acts exceeds the "bounds usually tolerated by decent society" so as to constitute outrageous conduct.

It is interesting that in the letter Mr Vowles wrote on behalf of the United Nations Association of Australia he said we should be looking at the existing law. I took him up on that. I think there is some scope in existing laws to look seriously at these issues. I looked particularly to the New South Wales Fair Trading Act 1987. The law as it relates to unconscionable conduct by destructive cults needs exploration. The law in Australia may be broader than the law in the United States of America. In *Commercial Bank of Australia Limited v. Amadio* - a 1983 High Court decision on unconscionable conduct - Mr Justice Mason said:

Relief on the ground of unconscionable conduct will be granted when unconscientious advantage is taken of an innocent party whose will is overcome so that it is not independent and voluntary, just as it will be granted when such advantage is taken of an innocent party who, though not deprived of an independent and voluntary will, is unable to make a worthwhile judgment as to what is in his best interests.

That decision requires exploration. It could well be a way of giving restitution to and satisfying the real need of some who have been degraded, abused, and relieved of everything they own - their emotional and family ties and everything else. I quite agree that we should be looking more to the existing law. The law was used in the dating case, pursued by the Minister for Industrial Relations and Employment and Minister for the Status of Women. We need to follow that example in relation to destructive cults. Earlier I mentioned the 1984 report of the New South Wales Anti-Discrimination Board entitled "Discrimination and Religious Conviction". To some extent the report did not look into some of the problems experienced by former members of cults; it took a civil liberties line. The late Professor Peden of Macquarie University in his 1982 text entitled "The Law of Unjust Contracts", published two years prior to the Anti-Discrimination Board report, said:

The words "unfair pressure" and "unfair tactics" were added to "undue influence" in the New South Wales Contracts Review Act to enable the courts to take cognisance of pressure and tactics applied outside the recognised fiduciary relationships, for example, high pressure selling techniques and psychological pressure arising out of personal, social, political or religious sensibilities.

That viewpoint seemed to be lost on the authors of the Anti-Discrimination Board report even while they were arguing that consumer laws could be used in a more innovative manner. However, it does not seem that caveat emptor is the law in New South Wales on these matters. I know that certain moneys have been devoted to different projects associated with the International Year of the Family, on which the Premier recently issued a press release. I wish some money could be devoted to setting up a rehabilitation institution like Odyssey House where people who have been involved in cult activities can receive therapeutic and medicinal care. Odyssey House has received a lot of criticism but at the same time much support.

**The Hon. Ann Symonds:** We do not need institutions, but people who can act as counsellors. We need services.

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**The Hon. S. B. Mutch:** We need services for those people or some place where they can go. Such an institution or organisation could provide a refuge, counselling, mediation and rehabilitation. There is also a need for research and public education. We should investigate the use of the Fair Trading Act. Under that Act an investigator could be appointed to look into the cults and gather evidence for a class action. Before people leave cults their money has been taken from them. Usually they have devoted many years to the cult and they are destitute and embarrassed by the fact that they have been involved with the cult. They do not understand what has happened to them. They have been cut off from their former friends and relatives, though relatives

tend to take them back and try to look after them. They are the type of people who do not have the money to institute proceedings against those who have seduced them, used them and taken their money.

The Premier's press release talks about International Year of the Family initiatives. Mr Fahey said the \$2 million IYF program included a range of State Government initiatives to support families in New South Wales focusing on preventive and educational projects. I commend that to the attention of honourable members. Last year I was attacked roundly during my contribution to the Address-in-Reply debate. I received many approaches from Mr Col Vowles of the Church of Scientology, a pleasant and reasonable man to talk to. I should like him to examine some of the abuses that are claimed against the Church of Scientology because I am concerned about the allegations. I received a letter from Reverend Linda Fitzpatrick of the Church of Scientology - I think everyone else received it too - in which she said:

The Mutch report entitled "Fighting Destructive Cults" was, "frighteningly reminiscent" of "persecution . . . in Nazi Germany where the Jews were targeted as \_cults'."

That is the type of amazing accusation I receive from groups that really astounds me. It is almost paranoia rampant. Methinks they doth protest extremely too much. On the other hand I have received a great deal of encouragement. For example, Rabbi Pinchos Woolstone, Director of the Jewish House Crisis Centre, supported the proposed inquiry with a strongly worded letter to me, in which he stated:

I would ask you to do all in your power to ensure that an inquiry takes place and that appropriate legislation be enacted. I do not believe that such legislation will affect the religious or civil liberties of any honest individual or religious faith - only those who practise deceit and mind control will be disadvantaged. Further to draw a parallel between the suffering of the Jews and others during the Nazi holocaust and the NSW proposed legislation, is not only grotesque and vulgar, but is an indictment against those who enunciate such ideas.

Rabbi Pinchos would not have any concerns about people looking into the openness of his organisation. People should be allowed to believe what they want. Openness - as in parliament and government - is an important concept. It is important that legitimate religions, which receive tithes and donations, are open about their accounts, their good works and their good deeds so that people can see what is happening in the organisation. I was attacked because I dared to raise this matter in the Parliament. Everyone asks, what is a cult? In some respects that question is best avoided. I would ask what these organisations are doing that is offensive, what they are doing that we should disapprove of, or even legislate against, if that is appropriate. David Millikan in his book *Imperfect Company* attempted to define a cult. He said:

An elitist group that takes control of its members to a point where they are deprived of personal freedom and initiative. It isolates its members from society, severs their relationship with family and friends and presses them entirely into the service of the cult leader's all-consuming vision. This is accompanied often by the development of special language and thought forms, and a profound manipulation of the members' sense of guilt . . . even the most fleeting moment of doubt about an aspect of cult belief or behaviour would be attributed to the evil propensities of the person concerned.

That is a good definition of what might be termed a destructive cult. Mr Col Vowles, who I found to be a nice gentleman from the few chats I had with him, is a longstanding member of the Church of Scientology. I wish he would look into some of the allegations and complaints against the church. On page 4 of the 1993 annual report of the United Nations Association of Australia, the convenor of the human rights committee, Colston Vowles, wrote:

Motion by Stephen Mutch MLC

In April the Human Rights Committee sent a letter to the Hon. Stephen Mutch MLC and party leaders in the Upper House regarding a private members Notice of Motion by Mr. Mutch calling for a Select Committee to be formed to report on ways to combat cults.

Our letter indicated that the word "cult" covered a number of major religions and hundreds of minor religions in Australia and that

under the UN Religious Intolerance Declaration it would be more appropriate that any concerns be dealt with according to existing laws. This is the same position that the NSW Anti-Discrimination Board took in their 1984 report.

Mr Mutch then invited me to come and talk with him and we had a useful discussion. He assured me that it was not his intention to propose anything that would be contrary to religious tolerance. He did eventually speak on his motion but it was adjourned and the odds are that it may not be resumed.

**The Hon. Franca Arena:** But it will be, will it not?

**The Hon. S. B. MUTCH:** As the Hon. Franca Arena interjects, I really hope so, unless there is some other way of getting to the nub of this problem and investigating it. There are some members I would not be keen to have on such a committee. A number of people who come to my office are so frightened that they use pseudonyms - their Christian names or another Christian name. Cults are a bizarre world. They seem so un-Australian, and it is sad that they occur in our community. An academic conference organised by the Centre for Continuing Education and the Australian National University will be held in Parliament House, Sydney, on 8 and 9 July. I am one of the hosts, and it may be that the Hon. Franca Arena is a co-host.

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**The Hon. Franca Arena:** No, but I would certainly like to attend.

**The Hon. S. B. MUTCH:** The honourable member would like to attend. Dr Max Wallace, who contacted me shortly after I raised this matter in Parliament, is a sociologist with an interest in religion and new religious movements. Some elements have been flurrying around trying to prevent the university proceeding with the conference, but I hope it will go ahead. I should like to hear from a wide range of people. I hope some eminent persons in the fields of psychiatry, psychology and sociology are attracted because I would like to learn more about the processes in use. Some people may deny that these processes exist at all.

**The Hon. Franca Arena:** Let them all have a go.

**The Hon. S. B. MUTCH:** As the Hon. Franca Arena said, I would like them all to have a go. We could gain something from considered papers. I shall not drop this issue. Though people have said that people who join cults are ratbags and a fringe element, I cannot believe the number of people in almost every group who say to me, "Good on you for getting into these organisations because my cousin is involved" or "my son is involved". Even a number of people from the Liberal Party have said, "I know so-and-so and such-and-such".

**The Hon. Ann Symonds:** They are normally such stable people.

**The Hon. S. B. MUTCH:** People in the Liberal Party normally are stable. That is the worry. It is a worry that this is occurring to stable people.

*[Interruption]*

The honourable member will misquote me. I want to be quoted in context. Young people particularly become involved in cults. The Young Liberals are doing a sterling job on campus because they are vitally interested in the issue. It does not seem to be the unstable people who become involved in cults; it seems to be the stable, intelligent people, those going through a down period who are sucked in only to emerge years later ruining the day they ever joined. I shall certainly pursue it further. The Premier has said that he is prepared to take on difficult issues. Cults are one of the most difficult issues. One is subjected to low level harassment.

Some people say that I am getting involved in strange issues, but it is so important that I shall continue. I have used parliamentary privilege. People might say that Parliament is cowards' castle, but this is a circuit-breaker. Parliament seems to be the only place one can talk about cults. Journalists claim that their editors are afraid to mention the Church of Scientology because the church will sue. Honourable members

would be amazed at the number of journalists who said exactly that to me.

**The Hon. Franca Arena:** It happens all over the world.

**The Hon S.B. MUTCH:** The honourable member says it is the same all over the world.

**The Hon. I. M. Macdonald:** Is the honourable member on about cults?

**The Hon. S. B. MUTCH:** I am on about what characterises cults and am speaking about what seems to be the paranoid way in which some organisations react when they learn of what I would like to do in this area, and that is, to have an investigation. I want something to be done about all the letters I have received from people telling their sagas of misery. I might move away from cults for a moment; I will have plenty more to say about them in the future. I appreciate the support I am receiving from members opposite, and I am getting good support from members on this side of the House also. I have had a few odd glances from members of the other place.

**The Hon. I. M. Macdonald:** You have raised a bipartisan issue.

**The Hon. S. B. MUTCH:** I believe that I have. When I raised the matter previously about 200 people wrote two letters each to the honourable member for Bulli. He attended one of the organisations and subsequently wrote to me saying that he could not see evidence of brainwashing.

**The DEPUTY-PRESIDENT (The Hon. Dr Marlene Goldsmith):** Order! The honourable member will address the Chair.

**The Hon. S. B. MUTCH:** I urge honourable members to speak to the honourable member for Bulli and ask him what he thinks about this issue now. I think I might have a supporter there.

**The Hon. I. M. Macdonald:** What did they do to him?

**The Hon. S. B. MUTCH:** Go and ask him. I was mentioned in an article on the front page of the *Sydney Morning Herald* recently, in a report about a pecuniary interests register and a code of conduct that the Committee on the Independent Commission Against Corruption was preparing. This Parliament already has a pecuniary interests register, though I am sure it could be improved - but perhaps that is not so.

**The Hon. I. M. Macdonald:** Tell me what is happening with the Liberal Party in the Senate over the pecuniary interests register?

**The Hon. S. B. MUTCH:** They seem to think that it is not practical, and that is quite right.

**The Hon. Elisabeth Kirkby:** They should speak to members of the House of Representatives.

**The Hon. S. B. MUTCH:** John Elliott would have great difficulty in filling out a pecuniary interests form because his shareholdings would change every day. I do not know how he and some of the big businessmen who are coming into Parliament would ever cope with a pecuniary interests register. Mine does not seem to change much from year to year. I am a little sceptical about income-bearing assets also,

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because there is not a lot of income coming in. I want to speak about a code of conduct. It was reported on the front page of the *Sydney Morning Herald* that I said I was opposed to a code of conduct for members of Parliament. I made this known to the Committee on the Independent Commission Against Corruption. My mother visited me and asked why I was opposed to all these good things for members of Parliament. I had to tell her why I am opposed to a code of conduct for members of Parliament.

It is my genuine view that a code of conduct would be inappropriate in a system of representative

democracy, for it would result in an erosion of the fundamental principle that an elected member of Parliament should feel absolutely free to pursue the interests of constituents in whatever manner he or she thinks fit, within the constraints of the law. I shall go into the detail of this issue, for it is important. Codes of conduct are being used increasingly in an attempt to provide guidelines within which a category of people are expected to perform their duties or meet their obligations. They are a fashionable response to the concern that people in responsible positions breach their obligations because they are ignorant of them. Codes are meant to serve an educative function and to be used as a disciplinary tool.

I support this endeavour in its proper place. Therefore, in public administration it may be appropriate for a government to set out the standards under which it expects government employees to operate. It may be appropriate also for a government, indirectly through Parliament, to require members of Cabinet, the Executive arm of government, to abide by designated standards that may be deemed to be applicable to their executive roles. This may be justified on the basis that the Executive is answerable to the Parliament. However, members of Parliament are in a unique position, which is vital to the democratic process.

Though Parliament may act under unusual circumstances to sanction the activities of individual members, the general rule must be that members are responsible ultimately to their constituents, and it is the people who determine their fate at the ballot-box. It might be said that we then have an imperfect democracy. If that is so, we should try to improve the democratic system and make members of Parliament more accountable through elections. We can always examine that proposal, because we have an evolving system of democracy. By its very nature any code of conduct for members of Parliament would interfere with the basic relationship between an elected representative and his or her constituents. Furthermore, the insurmountable problems inherent in any attempt to formulate a code for members of Parliament became apparent in the inquiry conducted by the Committee on the Independent Commission Against Corruption.

The draft report of that committee acknowledged general agreement that the ethical principles in the code must be subscribed to by all those who are to be bound by it. That may be an insurmountable threshold. The problems are obvious. A code reduced to the lowest common denominator would be effectively meaningless, or, worse, incapable of consistent interpretation. It would be either window-dressing or dangerously ambiguous. This became only too apparent in comments on a draft code of conduct prepared by the Speaker of the Legislative Assembly for discussion purposes, where there was conflict between the general and varied interpretation of phrases and the narrower and more precisely legalistic interpretation.

Ultimately, it became apparent that what was generally acceptable was not really a code that must be capable of reasonable interpretation and enforceable but, rather, a statement of aspirations. It was submitted that, on the one hand, a code would serve as an example, with politicians being seen to be subject to the same types of restrictions as they might place on others, even though those others were not subject to the ultimate sanction imposed on politicians; on the other hand, if the Parliament were to adopt a code capable of precise interpretation and enforcement, it would be capable of subjective and mischievous interpretations. The question arises: Who is to be the judge? Would a parliamentary majority be able to impugn and expel a maverick Independent on the basis that that member, in the view of the majority, breached the code?

**The Hon. J. R. Johnson:** Or a mad Liberal?

**The Hon. S. B. Mutch:** Or a mad Liberal, as the honourable member says by way of interjection. I am not sure who he is thinking about, but he is not pointing at me, I am pleased to say. Would a non-elected official sit in judgment? Would the ICAC be able to add the code to its repertoire of benchmarks upon which it assesses the behaviour of politicians? The scenario becomes dangerously uncertain. While the potential exists at present for parliamentary majorities to be abused, the rationale would better be based upon proper legal standards tested in the courts -

**The DEPUTY-PRESIDENT (The Hon. Dr Marlene Goldsmith):** Order! The level of noise in the Chamber is becoming far too high. The Hon. S. B. Mutch has the call.



**The Hon. S. B. MUTCH:** - otherwise the majority would risk public censure. In my view it is far better to let the people decide whether they approve the conduct of members of Parliament. As I said, the system of democracy might be imperfect, but the answer is to propose changes to the system of election. In a democracy politicians come from all walks of life and contribute in quite different ways. This diversity should be encouraged, rather than attempt to enforce conformity with enforceable group rules. By all means advise members of Parliament of their obligations and responsibilities at law, and that is important. Their parliamentary conduct might be restrained by the normal influences of their peers, but they should be judged by the people they represent.

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I believe that members would benefit from a compilation of the legal requirements that they are obliged by law to observe. We need more education in that field when we are inducted to this place. I am in favour of the compilation of a booklet that informs members of what they must or must not do. I want to know what I am bound to do by law and what I am bound not to do by law. It is a great restriction upon members of Parliament that they are the servants of the people, and should be answerable to them. That is why I have taken this stand. People may say that I am opposed to a code of conduct, but I do not believe that those who advocate a code of conduct understand a parliamentary democracy.

**The Hon. I. M. Macdonald:** You have that Senate look about you.

**The Hon. S. B. MUTCH:** That is a compliment. In conclusion, in regard to a law and order issue, I advise the House that as chairman of the Government's police and emergency services advisory committee I have been diligently working, as usual, and I have made interim recommendations about the security protection industry.

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

## QUESTIONS WITHOUT NOTICE

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### TWEED VALLEY DISTRICT HEALTH SERVICE GENERAL MANAGER

**The Hon. M. R. EGAN:** My question without notice is directed to the Minister for Education, Training and Youth Affairs, Minister for Tourism and Minister Assisting the Premier, representing the Minister for Health. Did the four directors of the Tweed Valley District Health Service write to the Minister for Health on 25 July 1993 raising allegations of political interference in the selection of the general manager and calling for an inquiry into the allegations? Did this letter allege that the chairman had told the board that he believed the Minister for Health did not want Mr Des Ireland to be appointed to the position of general manager? Did the letter also allege that the Parliamentary Secretary to the Minister for Health, the Hon. Dr B. P. V. Pezzutti, had said that Mr Des Ireland was not a suitable candidate for the position? Has the Minister conducted an inquiry into these allegations? If so, what is the outcome?

**The Hon. VIRGINIA CHADWICK:** I acknowledge that the question from the Leader of the Opposition is directed to my colleague in another place, and clearly I will refer the question to him. However, from my observation may I say that the allegations referred to are outrageous. Though I am not privy to the selection processes that were employed by my colleague, I feel certain that the same rules that apply in every other government department, including my own, would have applied in that case, that is, open selection on merit. I look forward to being able to return tomorrow and demonstrate that to the Leader of the Opposition.

## **NORTH SYDNEY COUNCIL TOURIST ACCOMMODATION POLICY**

**The Hon. ELISABETH KIRKBY:** My question without notice is directed to the Minister for Planning and Minister for Housing, representing the Minister for Energy and Minister for Local Government and Co-operatives. Is the Minister aware that the draft local government plan drawn up by North Sydney Council to prohibit tourist accommodation in residential areas was thrown out on Monday, 7 March 1994? Is the Minister further aware that angry boarding house owners accuse council of lack of consultation? Is it a fact that council gathered personal information on residents without revealing it would be used to produce a boarding house profile? Would the Minister agree that the definition of a boarding house, a private hotel, a guest house or a lodging house should be universal throughout New South Wales and that local councils should follow the same formula? In view of the problems that have arisen in North Sydney, will the Government consider drafting guidelines that will apply throughout New South Wales? If not, why not?

**The Hon. R. J. WEBSTER:** Though my colleague directed this question to my ministerial colleague in another place, I suspect she really should have addressed the question to me as Minister for Planning because, if I am not mistaken, she is proposing some type of State environmental planning policy for boarding houses, and that would clearly fall within my ministerial responsibilities. I shall gladly consider the issues raised by the honourable member. I was unaware that council rejected the proposal, but I would be grateful to receive information from her and provide her with a more detailed response.

## **HIV-AIDS LEGAL WORKING PARTY REPORT**

**Reverend the Hon. F. J. NILE:** I address my question without notice to the Attorney General and Minister for Justice, in his own capacity and representing the Premier. Is it a fact that a ministerial task force chaired by Mr Chris Puplick has produced a controversial report containing a number of radical recommendations, such as placing condom vending machines in schools, distributing condoms in prisons, recognising so-called "same sex homosexual marriages", lowering the homosexual age of consent, legalising brothels? In view of widespread community concern, will the Government give an assurance that it will reject this anti-family report and disband Mr Puplick's task force before any more damage is done?

**The Hon. J. P. HANNAFORD:** The House will recall that two years ago the Anti-Discrimination Board tabled a report relating to discrimination of people with HIV-AIDS. At the time the report was received by the Government, the Premier at that time,

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Nick Greiner, announced that he would establish a task force to oversight the Government's response to the report and implementation of it. A number of prominent people were members of that implementation committee. From recollection Sister Mines from St Vincent's Hospital was a member on that committee, which provided me with advice on this matter. She was also awarded an Order of Australia in the last Australia Day honours for her work in the area of HIV-AIDS. At the time this report was handed down the Commonwealth Government also brought out a report on the responsibility of governments Australia-wide on the issue of HIV-AIDS and how it could be controlled.

From recollection the Commonwealth Government sought a response from all Australian governments on this issue. As Mr Puplick had been significantly involved in the report relating to the inquiry undertaken by the Anti-Discrimination Board - and welcomed by the entire community - he was retained to prepare this report, with the assistance of all government agencies, in response to the Federal Government's statement. The report contains many items which would be regarded as highly controversial. The document is not, and should not, be seen as a statement of the Government's policy on these issues.

One would expect the community to comment on the report, and the Government will then determine its approach to these particular issues. One matter, in particular, should be noted: New South Wales governments of all persuasions have led the world in addressing HIV-AIDS and seeking to contain the spread of that virus.

The introduction of needle exchange programs met with rigid opposition, yet that particular program now is seen as singularly successful in containing the spread of HIV-AIDS in this country. Last year, if my figures are correct, the reported incidence of HIV-AIDS in New South Wales fell by 12 per cent. Last year in the United States the reported incidence of HIV-AIDS increased by 115 per cent.

**Reverend the Hon. F. J. Nile:** We have no idea of the real number of AIDS cases, only of those reported.

**The Hon. J. P. HANNAFORD:** I have used and can only look at the figures of reported cases. When Minister for Health I met a number of visitors from the United States who were studying what was being done in this country to control the incidence of HIV-AIDS. Those from New York State, where the incidence of HIV-AIDS is close to epidemic proportions, said needle exchange or other programs could not be implemented because of opposition to such moves in that country. For that reason the vast majority of programs in place in Australia cannot be implemented in the United States. Of great concern in the latest reports on the incidence of HIV-AIDS is the dramatic increase in the number of young people contracting the virus. The community has to examine its responses to that fact. We as a community must be prepared to think laterally to help younger people become aware that this disease, this virus, presents a serious problem that has to be seriously addressed.

**Reverend the Hon. F. J. Nile:** People should think morally as well as laterally.

**The Hon. J. P. HANNAFORD:** I do not dismiss the comment made by the honourable member. I have become aware, from comments to me in high schools and as I have moved around the community, that young people are more morally conservative than they were a decade ago. People must be willing to deliver reports highly critical of traditionally held attitudes and they must be prepared to debate them. The Government said the report has been received and that the community should comment rationally upon it. The Government will formulate a policy in relation to those issues at the appropriate time.

### SCHOOL LANGUAGES POLICY

**The Hon. D. F. MOPPETT:** My question without notice is directed to the Minister for Education, Training and Youth Affairs, Minister for Tourism and Minister Assisting the Premier. Would the Minister inform the House of the merits and effects of the New South Wales Government languages policy for schools? In view of the criticism of Labor's languages policy, which has been described as bad languages policy, what are the failings of the Opposition's policy?

**The Hon. VIRGINIA CHADWICK:** One of the great initiatives of the Government has been its determination to establish a number of priority languages and to seek to encourage increased study of languages other than English within our schools. This policy was implemented in 1989.

**The Hon. Franca Arena:** That policy was established in 1980.

**The Hon. VIRGINIA CHADWICK:** Establishment of priority languages, with a 1996 mandatory component, was first introduced in this State in 1989. New South Wales was the first State to introduce a set of priority languages and the concept of mandatory language study within any time period. Such was the strength of that proposal that the Federal Government and other States of Australia jointly determined to move to priority languages nationally. New South Wales is leading the way. The priority languages established by the Government incorporate traditional languages such as French and German and a number of what could be called community languages which reflect Australia's multicultural make-up, including Italian, Greek and Spanish.

The third group of priority languages was developed in an endeavour to recognise our geographic place in the world and to acknowledge countries that will be of significant economic importance to Australia's future. The third group includes Mandarin Chinese, Indonesian, Korean, Russian and Vietnamese. Significant inroads are being made in that area of study. Many schools in this State have already well exceeded requirements that

by 1996 will be mandatory. A significant number

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of our primary schools have introduced community based language programs with vigour. I predict that this year Japanese will supplant French as the most popular language studied by students presenting languages other than English for the higher school certificate. I noted with surprise that Mr Carr has issued a school languages policy. That policy, introduced in February 1994, rehashes and reflects much of what the Government introduced in 1989. In recent weeks and months the Leader of the Opposition has become a subject of ridicule through his adviser's efforts and because their so-called policy reflects the Government's 1989 school languages policy.

Mr Carr's statement, though innovative, is an unusual way for the Opposition to develop policy on language study. Yet again Mr Carr has introduced an elitist policy - though we are becoming used to that. The release of Mr Carr's so-called new languages policy in mid-February was its fourth launch - May 1991, November 1992, August 1993 and mid-February. The Leader of the Opposition might think it is now timely to review that policy before its fifth embarrassing release. He suggests that primary schools should participate more in language study. He must be unaware that language study in primary schools has increased by 56 per cent during the past four years. However, the Leader of the Opposition has a vision of introducing it into our primary schools. So it is more a hope than a serious educational policy. I suggest that before the Opposition has a fifth release of the same languages policy, it might go back to the drawing board for a more serious attempt at an issue such as languages in schools.

#### COMPENSATION COURT COUNTRY HEARINGS

**The Hon. J. W. SHAW:** I direct my question to the Attorney General, Minister for Justice, and Vice President of the Executive Council. Is it a fact that a report commissioned from a former registrar of the District Court has recommended a severe reduction in the number of workers' compensation cases to be heard in rural New South Wales? Would the proposal, if implemented, mean that many country medical practitioners would need to be brought to Sydney to give evidence before the Compensation Court, to the detriment of their patients and at the expense of the applicant worker? Will the Government undertake not to intervene to limit or restrict the current level of country circuits of the Compensation Court?

**The Hon. J. P. HANNAFORD:** As the honourable member would be aware, it is for the presiding judge of each jurisdiction to determine what circuit hearings will be maintained. The new Chief Judge of the Compensation Court, Mr Justice Campbell, is responsible for making those determinations. He makes those determinations without any influence from me; he makes them on the basis of seeking to expeditiously and efficiently deal with cases which are before his court. I am sure he will make those decisions based upon his understanding of what is needed at the court as he seeks to come to grips in his new role with the management of the court. I note with some comfort that all who have spoken to me of Mr Justice Campbell have done so in the highest terms. I have little doubt that his appointment is highly regarded by all practitioners in that field, and I do not have the slightest doubt that every practitioner in that field has the highest confidence in the judgments he will make both legally and administratively.

#### LAW ENFORCEMENT ACCESS NETWORK

**The Hon. S. B. MUTCH:** My question without notice is addressed to the Attorney General, Minister for Justice, and Vice President of the Executive Council. Is it true that the Commonwealth has been advocating a system whereby it would purchase title and other land records in electronic form from State and Territory governments and allow on-line access to the information by Commonwealth agencies? If so, what has been the result of these moves?

**The Hon. J. P. HANNAFORD:** The honourable member has an interest in privacy issues and I am aware of a report he recently issued to the Minister for Police on such issues. I confirm that the

Commonwealth has, for more than two years, been advocating a system called LEAN - Law Enforcement Access Network - which would give it the potential to invade the privacy of people of New South Wales in the most unabashed way. This proposal has been pursued by the Commonwealth through the Standing Committee of Attorneys-General. The Commonwealth plan involved on-line access to Commonwealth agencies with law enforcement and revenue protection function for personal information about individuals.

The Commonwealth Attorney-General has previously suggested that access to the databases could be provided to State law enforcement and revenue protection agencies, for example the Independent Commission Against Corruption and the New South Wales Crime Commission. The Commonwealth has tried hard to obtain agreement to LEAN from all jurisdictions in Australia. However, the Government is concerned about privacy aspects. I referred the proposal to the Privacy Committee, of which the Hon. I. M. Macdonald is a member, for advice. That committee also was opposed to LEAN. Its major concerns were that LEAN would involve the systematic reprocessing of information collected for specific purposes by State agencies which may not be involved in law enforcement and revenue protection purposes, and that would breach fundamental privacy principles.

The creation of a system that turns the data from existing registers into law enforcement and revenue protection resources is qualitatively different from the current law enforcement access to the registers. It risks degrading the usefulness and accuracy of such registers for their primary function. That would encourage discriminatory targeting of minority groups

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by the use of sophisticated profiling techniques to search the data. Also, there is a danger of the system being expanded to take in a much broader range of personal information. It has already been indicated that Commonwealth agencies wish to obtain similar bulk access to births, deaths and marriages records, Roads and Traffic Authority records, and Rental Bond Board information.

Once that is obtained, the LEAN database would become a logical platform for access to that information. The transfer of the New South Wales land and business names information to a database which would be accessed by Commonwealth, State and Territory agencies, some of which have inadequate privacy controls, has the potential to undermine the State's control of and accountability for personal information collected by the State. This would substantially undermine the effect of proposed data protection legislation.

The House of Representatives standing committee report has also expressed concern over access to LEAN in respect of uniform privacy legislation in the States and Territories. I am therefore delighted to inform the honourable member that at the meeting of the Standing Committee of Attorneys-General on 18 February the Commonwealth conceded that it had got it wrong and at that meeting the Federal Minister for Justice advised that the LEAN initiative would not proceed. This is a win for all those who have an interest in privacy.

## **VICTIMS COMPENSATION TRIBUNAL AWARDS TO JUVENILE APPLICANTS**

**The Hon. R. D. DYER:** I ask the Attorney General, Minister for Justice, and Vice President of the Executive Council a question without notice. Is the Minister aware of claims in last weekend's *Sun-Herald* newspaper that the Victims Compensation Tribunal has rejected a number of applications for criminal injuries compensation made on behalf of young persons who have been abused, on the basis that for them to receive payment of compensation when they turn 18 years of age would only serve to revive their memories of the abuse. Having regard to the apparent hardship caused to the young persons in question, is there any avenue open to the Minister or the Government to have these decisions reviewed?

**The Hon. J. P. HANNAFORD:** The Hon. R. D. Dyer has asked a good question. I noted the matters in Christopher Murphy's column in the *Sun-Herald*. As the honourable member would be aware, this issue has been raised previously in the same column. I have called for a report from the registrar of the tribunal, who has confirmed that the matters mentioned by Mr Murphy in his article are at present on appeal to the District Court. Therefore, I am not at liberty to discuss the cases raised by Mr Murphy, and it would be inappropriate to

comment on the facts and circumstances of those cases pending the appeal.

However, the registrar has confirmed that the tribunal has determined cases in reliance upon a principle developed pursuant to the English criminal injuries compensation scheme, whereby the Victims Compensation Tribunal is required to have regard to whether an award of compensation to a young child would be in the best interests of the child or whether it may do positive harm when he or she is presented with a sum of money years after the event - which would only serve to revive the unpleasant experiences of his or her childhood. No doubt the court has adopted those principles because the State legislation is similar to the United Kingdom legislation.

The Director-General of the Attorney General's Department manages the affairs of the Victims Compensation Fund Corporation, which is the natural respondent to appeals to the District Court from decisions of the tribunal. The director-general has advised me that in his role as manager of the affairs of the corporation he has been giving consideration to these determinations of the tribunal and he has sought counsel's opinion on whether the tribunal has erred in adopting the principle which it has adopted in reliance upon section 20(1)(e) of the Act, and whether, if the tribunal is correct in applying this principle in determining applications for compensation, it has correctly applied the principle to the facts in the cases in question.

When counsel's advice has been received by the director-general he will give consideration to the submissions that will be made to the court in the appeals, including, if appropriate, submissions that the tribunal erred in a particular case. Though it is not appropriate for me to comment on these cases at this time, the director-general will keep me informed of all developments in these cases, including the views of counsel on the matter to which I have referred. Though I do not expect that it will be necessary, I remind honourable members that it is always open to me, as Attorney General, in appropriate matters to make submissions to the court as *amicus curiae* in matters of public interest. I assure honourable members that I will keep a close watch on further developments in relation to these matters in determining whether I will make submissions on the issue. The Hon. R. D. Dyer might draw his own inferences from that.

### **HIGH SCHOOL INDUSTRY STUDIES PILOT PROGRAM**

**The Hon. J. F. RYAN:** My question without notice is addressed to the Minister for Education, Training and Youth Affairs, Minister for Tourism and Minister Assisting the Premier. Would the Minister inform the House of the progress of the new industry studies subject which was introduced to year 11 students last year?

**The Hon. VIRGINIA CHADWICK:** One of the major priorities in senior secondary education over the past few years has been to ensure that there is an appropriate range of options, particularly in vocational studies for students. Very pleasingly, the retention rates of students have increased and it has become more and more appropriate to ensure a proper balance between the more traditional general education subjects and one aspect well known to members has

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been the introduction and the ever increasing expansion of JSST or joint secondary school-TAFE courses. In addition, through the Board of Studies, last year industry studies were introduced into our schools on a trial basis. It was recognised as an Australian vocational certificate pilot project and hence is of national as well as statewide interest.

A survey has been made of those students who chose to participate in the industry studies pilot last year. I am pleased to report that, according to our survey, more than 94 per cent of higher school certificate students enrolled in the new industry subject last year were either satisfied or very satisfied with the course. It certainly seems that in an educational sense we have something of quality. From an industry sense, the courses were developed in partnership with the relevant industries so there is obvious satisfaction there. In terms of national reform of the training agenda, the scheme does have credibility but the purpose of all of our work clearly must be to make it useful and satisfactory for our students. I am particularly pleased to find such high levels of student satisfaction. One cannot please everybody all of the time. I think that a 94 per cent satisfaction rate is

pretty good.

It is worth noting that this industry studies pilot tries to combine HSC study with workplace experience and also provides students with the capacity to work towards a tertiary entrance requirement. The study combines those three very important facets of both education and future life. At the moment the opportunities available in industry studies fall into three strands - the retail industry, the hospitality industry and metals and engineering. The first of three reports evaluating the course was commissioned by a management committee that comprised the Department of School Education, the Catholic Education Commission, the Board of Studies and TAFE. As I said, surveys showed that 94 per cent of students regarded the course as satisfactory or very satisfactory and 83 per cent of the co-ordinators and teachers thought the course was meeting the needs of students.

Interestingly, 52 per cent of the candidates were female, 23 per cent of students were working part-time whilst studying year 11 and, scarcely surprising, hospitality was the most popular strand being undertaken at schools. Encouragingly, 78 per cent of students indicated that they would take further study, mainly in TAFE. The scheme has given students a real vocational interest and some clues towards future studies and careers. During the survey 71 per cent of students said that they would encourage other students to enrol in the course. Clearly this has been an innovative project. I would have been satisfied, I suspect, to have found lower levels of satisfaction, given the innovative nature of the program, but clearly the work has struck a chord with the community, industry, our teachers and our students and I look forward to further strands being developed to fit into industry studies in our schools.

#### **HIV-AIDS LEGAL WORKING PARTY REPORT**

**The Hon. J. R. JOHNSON:** I ask the Attorney General a question without notice. What were the terms of reference, if any, to the ministerial working party chaired by former Liberal Party Senator Chris Puplick? Who commissioned the report? What were the total costs of the report? What were the chairman's emoluments and or fees? When will the full report be made available to all members?

**The Hon. J. P. HANNAFORD:** As to the last question, I am able to say the report is already available. If any members wish to obtain a copy they may be able to do so from the office of the Minister for Health. I am not aware of the question of emoluments and fees. I will obtain that information and also will obtain information about the total cost of the report. As to the second question, the honourable member would be aware - as he was no doubt listening to the answer I gave to the question of Reverend the Hon. F. J. Nile - I have already provided that information. As to the first question, I am able to say that the terms of reference were to advise and report to the New South Wales Minister for Health and the other relevant Ministers, first, in relation to the current State of New South Wales legislation concerning the recommendations of the intergovernmental committee on AIDS legal working party report. That is a report of the Commonwealth Government.

The terms of reference also included the desirability of any legislative change to implement the recommendations of the intergovernmental committee on AIDS legal working party report, and the desirability of any additional legislative change such that the law would be shown to be supportive of the aims and the goals of the Federal Government HIV-AIDS strategy. Those recommendations arose as a result of the need to address a national strategy. As far as I am concerned this report is out for discussion and merits rational comment. In view of the interest of honourable members I will ask the Minister to circulate copies of the report to members in this House so that there can be some rational discussions.

I just draw the attention of the House to one particular comment that was made in relation to this report over the weekend. That comment came from the Labor Party. On the weekend the shadow attorney general, Mr Whelan, when discussing this particular report and the benefits of distributing condoms in gaols, was reported in an article in the *Sunday Telegraph* which reads:

Mr Whelan was convinced of the benefits of distributing condoms in gaol which he described as, "a cesspool of AIDS infection".

**The Hon. Dr B. P. V. Pezzutti:** I was going to ask that question myself.

**The Hon. J. P. HANNAFORD:** I can appreciate the Hon. Dr B. P. V. Pezzutti asking that question because he has an interest in this issue. That sort of comment from the shadow attorney general is  
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the type of comment honourable members have come to expect from him. No doubt after 18 years the people in his electorate are taking the same view of him as honourable members in this House take of him, as also do his colleagues in the lower House - which is why Bob Carr is not giving him the support that could be expected. HIV-AIDS should be taken as a serious subject, not be brushed flippantly aside with a general comment like the one made by the shadow attorney general.

**Reverend the Hon. F. J. Nile:** There are very few cases of AIDS in prisons.

**The Hon. J. P. HANNAFORD:** Exactly. That is what I want to outline to this House. The comment made by the honourable member for Ashfield shows his ignorance on this specialised subject and on the specialist subject of corrective services, which is only equalled by his ignorance of a number of other issues on which he comments. In 1992-93, 10,277 inmates were tested for AIDS on their entry into the corrective services system and 59 tested positive.

**The Hon. Franca Arena:** Was it voluntary testing?

**The Hon. J. P. HANNAFORD:** No, it was compulsory. That was not 59 at any one time, that was 59 in one whole year from 10,277 who were tested. The maximum number that proved positive at any one time in our system was 35. So much for a cesspool of HIV-AIDS infection, when the maximum number at any one time was 35 out of 6,500 inmates. I do not know what adjective one might want to use in relation to the shadow attorney general, but cesspool is not an appropriate adjective to describe our correctional system. Shabby would be a better comment. I have noted of late that people are referring to Labor lies. Perhaps this is just another one of those Labor lies.

**Reverend the Hon. F. J. Nile:** One does not need condoms in prison.

**The Hon. J. P. HANNAFORD:** There are many operational, moral and health considerations that must be looked at before any consideration can be taken on that issue, not the least of which is the strong opposition by prison unions that are affiliated with the Australian Labor Party that continue to be opposed -

**The Hon. J. R. Johnson:** They are not affiliated with the ALP.

**The Hon. J. P. HANNAFORD:** The Public Service Association is not associated?

**The Hon. J. R. Johnson:** It is not affiliated.

**The Hon. J. P. HANNAFORD:** The ALP should be given some credit for that. The Government is intent on controlling AIDS in prisons. The work that has been done in New South Wales prisons to control AIDS has been recognised by the World Health Organisation in its guidelines entitled "Global Program on AIDS, WHO Guidelines, and HIV Infection and AIDS in Prisons" issued in March last year at a conference in Geneva. Of the 59 recommendations in that report, 42 were provided by New South Wales. They are the guidelines upon which New South Wales operates. Anyone who uses the term cesspool in relation to the prison system of New South Wales shows his level of ignorance. The Government has education programs for prisoners and prison officers which, if not the best, are equal to the best in the world.

We have put in place programs such as the lifestyles unit at Long Bay to deal with and educate these people. It is a structured 16-week program. If honourable members were to visit that unit and meet the people, they would be most impressed. The unit was recognised by a committee with which the Hon. Dr Marlene Goldsmith is associated. The Australian violence prevention award, a national award initiated by the Prime



Minister and all the Premiers, was given to that particular unit for the work it is doing.

The Government is intent on continuing to maintain education programs. When prisoners are released from prison on work release or other programs they are given a package of information about issues which are to be dealt with when they leave the prison. They are provided with information packages about needle exchange programs and in those particular packages condoms are provided. It is part of a program to continue to emphasise concern about the issue of AIDS. On the information that is available to us, there are no confirmed cases of serum conversion in the New South Wales correctional system arising as a result of being incarcerated. We should be proud that the program the Government is adopting is one of the issues adverted to in that Puplick report.

### **JUVENILE OFFENDER CAUTIONS**

**The Hon. ELAINE NILE:** I address my question without notice to the Attorney General, Minister for Justice and Vice President of the Executive Council, representing the Minister for Police. In view of the confusion in the media and the minds of the public, will the Government clarify its policy concerning teenage car thieves and cautions? What is the Government's current policy to combat the massive number of stolen cars, totalling more than 40,000 per annum?

**The Hon. J. P. HANNAFORD:** As to the last part of the question, the honourable member would appreciate from the comments being made in the press that the incidence of car theft has dropped. That is obviously related to a number of policies initiated by the previous police Minister, who took an active interest in making certain that the incidence of car theft was being addressed by the police and that such programs are still being maintained.

**The Hon. B. H. Vaughan:** Cars are harder to break into.

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**The Hon. J. P. HANNAFORD:** That is right. The Hon. E. P. Pickering, when Minister for Police and Emergency Services, took an active interest in promoting those type of protective measures which were supported, if my recollection is correct, by the ministerial police council. New South Wales has continued to lead the way in providing pressure for reforms on these matters. There is a problem with teenage car theft and the number of teenagers involved in car theft. As the Minister for Police said yesterday and repeated today in another place, the programs initiated by the Hon. E. P. Pickering will be maintained.

As to the issue of administration of justice in the juvenile area, a green paper has been released, and I am finalising the white paper that the Hon. Ann Symonds is waiting anxiously to receive. When the document is released honourable members will observe that a large number of the recommendations of the green paper on juvenile justice reform have already been adopted by me and are being implemented. As a result of a recent visit by me to New Zealand to look at a number of programs I hope to be able to make further announcements in relation to some of the other programs in which honourable members in this House have great interest - especially those members of the Standing Committee on Social Issues, which has made recommendations for further reform.

I attended a two-day conference of all people who had been involved in New Zealand on the conferencing program, to understand the difference between the Wagga Wagga program and the New Zealand program. I met a large number of judges while I was there. A lot of criticism of the New Zealand program was made by the nearly 400 participants at that conference. As a result of my visit with the director-general a program was formulated which I user-tested on the people who were at the conference to see whether they were rewriting their programs to adopt the initiatives presently under consideration. They all welcomed the direction of my program. I am hopeful that when Cabinet adopts the proposals I will be able to release that program.

**The Hon. Ann Symonds:** Did Judge Brown agree with your suggestion?

**The Hon. J. P. HANNAFORD:** I spent a lot of time with Judge Brown.

### **WATER BOARD REGIONAL CUSTOMER COUNCILS**

**The Hon. PATRICIA FORSYTHE:** My question is directed to the Minister for Planning and Minister for Housing. Will the Minister describe the role of the Water Board's regional customer councils?

**The Hon. R. J. WEBSTER:** The Leader of the Opposition is leaving the Chamber, which is not an unusual event in question time. I hope he will return because I want to address a few remarks to him and some of his members before I deliver this vitally important answer. I am concerned at the lack of unity on the other side. I know that the women members of the Labor Party have been receiving a hard time lately. For a long time I have wanted to say how sorry I felt for my dear friend the Hon. Franca Arena during her recent trials and tribulations.

The honourable member conducted herself with great dignity and courage during her ordeal. The honourable member does have my support and sympathy in her ordeal. That was only the beginning. I am pleased to see that the Hon. Jan Burnswoods is present. She also displayed great courage in calling for the abolition of the upper House - rather foolishly. However, such demonstrations of courage pale into insignificance compared with those displayed by the Hon. Dr Meredith Burgmann and the Hon. Ann Symonds who are quoted in the *Sun-Herald* as saying in no uncertain terms that Labor is out of touch. That did take great courage. I was intrigued to see that the Hon. Dr Meredith Burgmann said, "New South Wales Labor needs vision which at the moment we are not perceived as having".

I was surprised when I saw that Mark Coultan last week in the *Sydney Morning Herald* described Bob Carr as a Southern style republican. I would have thought that would have rung alarm bells shocking my friends in the left-wing on the other side. The Hon. I. M. Macdonald, complete with R. M. Williams boots, has not forgone his left-wing principles. I am an avid reader of the *Bulletin*. I read an article on radicalism. There must be something about the left-wing and boots because the Hon. I. M. Macdonald has R. M. Williams boots and the Hon. Dr Meredith Burgmann had white boots. I wonder if the honourable member still has them.

**The Hon. Dr Meredith Burgmann:** Yes. They were very fashionable.

**The Hon. R. J. WEBSTER:** I am sure the honourable member was a ball of style 25 years ago. Her boots do look pretty sensational. But boots are nothing compared with what the Hon. Dr Meredith Burgmann said in this article. I will not quote her age. The article described her as "a radical feminist socialist; she says her ideas haven't changed but the chances of getting a hearing have". The article continued:

In my days on the Student Council [at Sydney University] I was with people like Ian Temby, Terry Metherell, Michael Kirby, Nick Greiner, Percy Allan and others.

I am surprised that the honourable member is as rational as she is after having attended university with those people. The article continued, "She says the job of the Left is far from done". I really am distressed that the Leader of the Opposition has left the Chamber because I know he would have enjoyed this. The Hon. Dr Meredith Burgmann also was quoted as saying:

Even in my own party I have to fight daily to convince people that society has to be judged by its prisons. The Left is always right, but we are always called ratbags.

**The Hon. Dr Meredith Burgmann:** That is a quote from Winston Churchill which you would not

recognise. You have never read it.

**The Hon. R. J. WEBSTER:** I know how politically aligned the honourable member is with the thoughts of Winston Churchill. I really am in sympathy with the Australian Labor Party. Obviously, it has reached a grave crisis in its evolution when the *Sydney Morning Herald* describes Bob Carr, the Leader of the Opposition, as a Southern style republican, the George Wallace of the Labor Party. A leading cartoonist has ridiculed the Leader of the Opposition in the other place over policies for women, which are clearly non-existent. Mr President, I say to them: Pull together chaps. Try to get the team back together again. You are not really giving us worthwhile opposition.

To come back to the Water Board regional customer councils, in April 1992 the Government committed the New South Wales public sector to developing a stronger customer focus. The Government believes that customers deserve value for money from the taxes and charges that they pay. Customers have the right to consultation, courtesy and information, as well as the right to express their views in relation to government services. One of the reforms which followed from this initiative was the establishment of customer councils. Customer councils are advisory bodies through which customers help agencies become more responsive to the changing needs and concerns of the community.

In line with the Government's philosophy, the Water Board set up a corporate customer council in August 1992. Membership includes representatives from local government, industry associations, ethnic and community groups and consumer organisations. The corporate customer council deals with customer service issues from a corporate perspective. Regional customer councils, on the other hand, allow for issues to be dealt with on a more localised basis. By establishing regional customer councils the Water Board aims to refine and strengthen its customer focus and increase the level of customer satisfaction with its products and services. The customer councils will: provide a direct link between the board and its customers; provide a mechanism by which the board can understand problems, issues and possible solutions from different perspectives of council members; allow the community to become involved at the beginning of a project to ensure their views are considered before any strategy is set in place; and provide access to valuable community and local knowledge.

The regional customer councils will be asked for feedback on a wide range of board projects and issues. Though not expected to create policies or run projects, they will play an important role in shaping the board's activities at a regional level. For example, if a number of options exist for solving a wastewater problem, a regional customer council can be asked to examine those options, comment on the costs and benefits to various customer segments and indicate preferences for resolving the issue. It is important that community members can see how their input has been used. If a suggestion is not adopted, the board must provide a reason. The board has established eight regional customer councils with approximately 10 members on each, based on local government areas. The first meetings were held in November last year.

Members of each council were selected from the general community, including householders and industrial customers, as well as from environmental organisations, catchment management committees and interest groups. Regional customer council members have shown an interest in virtually all the major issues facing the board. The issues include corporatisation, water conservation and recycling, pricing, drinking water quality, new water filtration plants, the board's standard of service to its customers, wastewater issues and new technologies.

The regional customer council is just one of the links the board has with the community. For example, the board established a committee consisting of representatives from peak environmental groups to review the board's strategic plans for wastewater management and water resources. The board also sets up groups to provide feedback and advice on specific projects, such as the Bundeena-Maianbar working party, which examines sewage treatment and disposal options for Bundeena and Maianbar. The Water Board is committed to making the Government's customer focus vision a reality. I hope that other government departments and agencies will follow the example set by the board so that a whole range of opportunities can be provided for consumers across government services.

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

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

### **Fifth Day's Debate**

#### **Debate resumed from an earlier hour.**

**The Hon. S. B. MUTCH** [5.1]: I was briefing honourable members on the activities of the ministerial advisory committee on police and emergency services. I wanted to give members an update on security protection and the Commercial Agents and Private Inquiry Agents Act of 1963. Last year as chairman of the advisory committee I provided the Minister with an interim report on the operation of the Security (Protection) Industry Act 1985. The Minister has now authorised me to release the committee's recommendations and has asked me to advise on the operation of the Commercial Agents and Private Inquiry Agents Act, to determine whether the industry regulated under that Act might come within the parameters of the major recommendation.

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The principal recommendation of the committee is that the Police Service be relieved of responsibility for the administration and enforcement of the Security (Protection) Industry Act and that the Government establish a security protection industry commission to report directly to the Minister for Police. The proposed commission would have responsibility for administration and enforcement of the Act, with a charter to carry out ongoing research into the industry and to adopt a formal liaison with key interest groups. Most importantly, it would be funded by the industry.

The committee recommended that the basis for the approved training course for 1A and 1B licences - that is, persons patrolling, watching or guarding property and or acting as bodyguards - be reviewed immediately by the Security (Protection) Industry Commissioner with a view to increasing the length of the course to five days, with minimum increases in the curriculum to include first-aid, crowd control and evacuation procedures. This review would be ongoing and eventually would provide for the delivery of such extended courses by professional educators, including industry-run courses, to reflect the ongoing futuristic needs of the community and the industry.

The committee recommended also that a prerequisite to receiving training in the industry should be a security clearance. In addition, it recommended that a certificate be awarded for the successful conclusion of the course and that a system be put in place to re-accredit licensed persons who had not been employed in the industry for an extended period. The Commercial Agents and Private Inquiry Agents Act regulates private investigators along with debt collectors, process servers and repossession agents, that is, commercial agents. Following the release of the ICAC report on unauthorised release of government information - the Roden report - private investigators have been the focus of considerable scrutiny.

The Minister's reference to advise on the administration of the Commercial Agents and Private Inquiry Agents Act follows the release of a discussion paper by the Department of Consumer Affairs, which nominated a number of options for the enforcement and administration of the Act. One option is the establishment of a new statutory body with direct accountability to a Minister, an element of industry funding, determination of licensing applications, enforcement, and monitoring of developments within the industry. It is that option that obviously mirrors the major recommendation of the advisory committee's review of the security protection industry. An executive assistant has been seconded to the ministerial advisory committee from the office of the deputy commissioner to assist with its inquiries. At present the committee is engaged in an extensive program of consultation with people in the industry, police and consumers in metropolitan and regional New South

Wales.

The final report, incorporating the committee's advice on the administration and enforcement of the Commercial Agents and Private Inquiry Agents Act, will be delivered to the Minister in April. Honourable members may have noted an article in today's *Daily Telegraph Mirror* by Simon Benson with a headline "Call to ban police from security jobs". That is probably a reasonable interpretation of what I have had to say on this matter, though I did not use the word ban. It would be more appropriate if the security protection industry were administered and the law enforced under separate commissions. We do not live in a perfect world, and it is difficult to decide whether a person has a conflict of interest. I hope to avoid that situation. I want the police to continue to be permitted to work in this industry and for there to be greater co-operation - perhaps operation co-operation - between the industry and the Police Service.

**The Hon. J. KALDIS** [5.6]: The Fahey Government has failed to grasp the opportunities for jobs and growth offered by Australia's economic recovery. It refuses to co-operate with the Federal Government to achieve microeconomic reform, especially in the electricity industry and rail system. It has failed to provide policies that support small business; it has failed to curb waste and mismanagement in public administrations; it has given this State record levels of taxation and charges; it is privatising our public health services; and it has insulted the ethnic communities by having a Minister whose major achievement has been to waste large sums of money on trying to look important.

As we head towards the next elections, Labor is putting forward a comprehensive set of initiatives to tackle the problems that the coalition has created. They are positive policies that make the most of the economic growth created by the Keating Government. They will provide a better deal for small business and create more jobs, end hospital privatisation and restore respect for the ethnic communities and their traditions. The opportunities presented by Australia's economic recovery must not be wasted. We must have policies that create permanent jobs: that means policies that will facilitate investment by small business.

New South Wales is no longer an attractive area for investors. Under Labor governments, Queensland and Western Australia have outstripped New South Wales as a favoured place for investment. Labor policies will restore the competitive edge of New South Wales. Labor will get the levers of economic policy pulling together, not flailing in the economic wasteland, as they have been under the coalition. Initiatives such as the bid team proposal to increase new investment and business will stimulate the small business sector. Small business will benefit also from less red tape, through a system of merit exception from government regulations. Whenever a firm can show that a regulation is unnecessary or pointlessly hinders development that firm will qualify for an exemption granted by the Minister for finance and State development.

To help streamline small business processes Labor will establish one-stop shops where people preparing to enter small business will be able to obtain advice on training and regulatory requirements. New

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small businesses will need trained staff, and Labor's co-ordinated approach to development will ensure that technical and further education colleges consult with small business on training needs. Tertiary business education courses will be expanded. Under Labor, facilities such as the Chullora railway workshops will not close but will remain as an apprentice training facility. That will mean that skills will be available to small business when they are most required, that is, at the onset of the recovery. The small business community also will be happy to hear of Labor's plan to cut the Fahey Government's annual \$100 million bill for waste and mismanagement.

Labor will limit new expenditure to 2 per cent of the annual State Budget. Every extra dollar that Labor proposes to spend will be paid for by cutting expenditure in other areas. That will mean that New South Wales will be freed from the coalition imposed spiral of increasing taxes and charges, which have crippled new investment. A part of small business that is often overlooked is small business in rural areas, such as Wagga Wagga, where small business means that town business is dependent on farm income as well as the farms themselves. Labor has not forgotten them. An important change for many rural people will be Labor's plan to boost legal aid for civil cases. Last year a shortage of funds for legal aid meant that farmers facing bankruptcy

were unable to gain legal aid to fight unfair bank foreclosures on their farms. That was uncaring, and Labor believes it should not recur.

Labor will encourage best practice, clean agriculture and an aggressive export drive to help the farming sector to return to profitable and sustainable growth. The coalition has created a mess in produce marketing in New South Wales. Labor is committed to a publicly owned and efficiently managed marketing system. Labor will provide growers with a stable and viable environment in which to market their produce. The Government has failed the fruit canning industry and growers of the Riverina. Labor will co-ordinate the re-establishment of a cannery at Leeton through private sector partnership with overseas and domestic investors. That will provide a fair deal for growers and hundreds of jobs for local and seasonal workers.

On taking office Labor will be confronted with a health system afflicted with the twin evils of exploding waiting lists and privatisation. Waiting lists have reached an all time record, with 45,000 patients waiting for surgery. The Fahey Government continues to push ahead with privatisation of the Port Macquarie and Hawkesbury hospitals, and now the centre for bone and joint disease as well as accident and emergency services at Port Kembla Hospital. Since the last election the Fahey Government has withheld more than \$220 million allocated for urgently needed health services. This year health will be cut again. The Fahey Government has closed 2,690 beds in acute care hospitals. It has cut more than 6,500 jobs from hospitals, and this year it plans to dump another 1,000 health workers.

Waste and mismanagement have ballooned. Every year the Fahey Government allows the Department of Health to waste \$4 million on consultants and the area health services to waste another \$6 million. Hospital privatisation goes on apace. Hawkesbury is one community feeling the brunt of the Fahey Government's waste, mismanagement and privatisation of public health services. The coalition has broken its promise of a \$70 million 150-bed public hospital for Hawkesbury. If other governments are accused of doing that, the Fahey Government is worse for repeating the sin. There is no question that Hawkesbury needs a new public hospital, but the Government is forcing it to accept a private hospital.

Hawkesbury Hospital was built in the 1820s; it is falling down. It has one operating theatre with a leaky roof. The accident and emergency wing and maternity wing are so far away that emergency patients are subject to a 200-metre trolley ride up the driveway to get to the theatre. The Government has wasted \$5 million on planning a public hospital. It has now dropped those plans. The Government has ignored the people of Hawkesbury, who do not want a private hospital. Three public meetings have been held to consult with the people of Hawkesbury - each has overwhelmingly rejected privatisation. Even Wentworth Area Health Service officials acknowledge that the people of Hawkesbury want a public hospital. Last year in order to lay the ground for privatisation - to undermine confidence in the public hospital - the Government allowed waiting lists for surgery at Hawkesbury Hospital to deteriorate more than at any other hospital in the Wentworth Area Health Service.

Waiting lists increased by 24 per cent. Of the 380 patients now forced to wait, 91 per cent are public patients, and that is a conservative figure. The Government obviously believes that hospitals are for private entrepreneurs and patients, and waiting lists are for public patients. A Labor government would end that type of abuse. Labor would commence building immediately a public hospital at Hawkesbury - it would not have a private hospital forced on it. Also, other communities, such as Liverpool, Maitland, Coffs Harbour and Albury, would be guaranteed public hospitals. Labor will reduce waiting lists by reintroducing bed days cut by the Fahey Government. Labor will introduce an accident and emergency package to overcome the unacceptable delay in accident and emergency services and will adopt a focus which is oriented towards patients as consumers of health services and the prevention of illness.

I turn now to ethnic affairs. Labor will return ethnic affairs to the portfolio of the Premier. The Opposition said some time ago that by naming the Minister for Ethnic Affairs this important sphere was demoted. The Government took ethnic affairs from the top and put it at the bottom; it took the portfolio from the Premier and gave it to a junior Minister. Labor will end the waste of this ineffectual Minister. Responsibility for ethnic affairs will be returned to the Premier. Ethnic affairs policies will be backed by

authority and not be ignored in a backwater as they are now.

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Moving the Office of Ethnic Affairs back to the Premier will save the money that the Minister insists on wasting to make himself feel important. Such a move will have an immediate consequence. It will mean new funding procedures can be adopted to give every ethnic community a fair chance to apply for available resources. This Government's commitment to ethnic affairs is pitiful. Everyone knows that the Minister for Ethnic Affairs wanted the environment portfolio but the National Party did not let him get it. In conclusion, I want to say there was very little in the Governor's Speech. Though it is known that the Government writes the Governor's Speech, His Excellency Rear Admiral Peter Sinclair read that speech with dignity. I am very happy that the Government extended the Governor's term. The beneficiaries of that decision are the people of New South Wales.

**The Hon. ANN SYMONDS** [5.21]: I have contributed to Address-in-Reply debates on more occasions than I can remember. This year I want to speak on education and to examine the serious and deepening erosion of equity in New South Wales. I have read the Governor's Speech and the references in it to education. Interestingly enough, that section of the speech is headed "Education and Training". However, the bulk of the 1½-page statement on education and training relates more to training than to education. A serious issue in our society is confusion between provision of employment, training for employment and education itself. Education is of value for its own sake.

When the present New South Wales Government introduced its changes to our system it claimed those changes gave the community equity, excellence, choice and diversity. When the effects of the changes are examined it is clear these changes undermine existing levels of equity of opportunity in education. It is also clear that the new diversity between schools allows choice for a few and lessens the possibility of excellence for the majority of students. I want to focus on that most basic idea of equity, that all students, regardless of background, geographical location or gender, are entitled to an equal and accessible education. All children should be entitled to the same educational opportunities.

The historically achieved level of equity in education in New South Wales is, I believe, being eroded by what is called the current Government policy of devolution. Devolution is made up of a number of different elements. The first is global budgeting, whereby each school receives and is responsible for its own annual budget. The second is the emphasis on selective schools. The third is the drive towards sponsorship and local fundraising. Separately, they are affecting equality of education in individual schools; cumulatively, they are eroding the very foundations of our education system.

This is a return to the values of the nineteenth century, with its inappropriate emphasis on competition and survival of the fittest. It is a reflection of the imitative style of this Government and of the Thatcher approach to management of government in society. Whereas she placed great emphasis on a return to Victorian values, another element of that approach is evident in this development in the Government's education policy. At its heart and in its manner of delivery that policy states that freedom to choose is always more important than equity of opportunity or social justice. With its inappropriate emphasis on competition, current policy says it is okay for rich schools to get richer and poor schools to get poorer. That policy is a complete denial of the Australian ethic of a fair go.

Reduced to its most basic principle, the current education policy says that individual self-interest always takes precedence over social justice. That is a most dangerous and potentially longlasting effect of devolution policies. It represents a major shift in the social attitudes that are the basis of Australian society. It seems strange that in Australia in 1994 we have to justify or defend that idea. Even last century it was agreed, to quote Lord Acton, that "a child is not born to the station of its parents but with an indefinite claim to all the prizes that can be won through thought and labour. It is in conformity with the theory of equality . . . to give as near as possible to every youth an equal start in life".

The devolution package is made up of several approaches. The first of these is global budgeting. When the Government introduced global budgeting it claimed it was empowering parents in the school community to become involved in the decision-making process. Devolution, it was said, would make schools self-managing. At a time of tight budgets and deficit fixation devolution is clearly a way for the Government to avoid accessing responsibility for funding free education in New South Wales. Free public and secular education in New South Wales was a jewel in the crown of development in our democracy. Under global budgeting each school is responsible for a lump sum budget which it is empowered to spend as it pleases.

Each school receives a total allocation, which in 1993 was based on four factors: a general operations grant based on school types as well as teacher and student numbers; utility funding based largely on expenditure history; training and development funding; and, finally, special factor loading. The only element that even begins to address equity across the education system is the special factor loading. It is only under this latter category that there is any scope for addressing issues. There is no sophistication in single line budgeting. Indeed, the 1993 approach reduced the number of funding components from 20 to four. The hard effects of global budgeting are illustrated by a few examples that have come to mind in recent years. For the sake of the particular schools I will not identify them.

A number of schools are facing a cut to their education program to pay water and electricity bills. Previously, the department took responsibility for utility payments. When one school principal asked the departmental auditor for advice he was told the

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school could use money from elsewhere. There was no elsewhere. The only other money was for educational programs. In another case the principal of the school paid the school's water bill with his own money because the amount of the bill was not allowed for in the energy and utilities funding of the Department of School Education. The principal said that the only way schools would be funded would be by the use of global money, and that if schools ran short of funds money would have to be sought from regional reserves. "But the problem," he said, "is bigger than how schools will initially fund the bills".

Indeed, it is a much bigger problem. Arbitrary classifications for global funding purposes cannot address local needs. For instance, one school needed 175 pupils to keep all its demountable classrooms; it had 171. The department said a classroom had to go, despite the fact that parents and citizens had installed carpet, landscaped the area and refurbished the plumbing and drainage. After protests by parents the school was given a reprieve of one year. Is this real devolution of decision-making?

Another telling illustration of how global budgeting is able to be manipulated is seen in the case of one school which had spent \$13,500 on one item in 1990 and was given only \$5,000 for the same item in 1991. At a time when over half the schools in New South Wales have classrooms in need of maintenance, according to a survey conducted by the New South Wales Teachers Federation and reported in 1992, schools are now required to pay for big maintenance jobs themselves. One school principal found that the money she was given was not nearly enough. She said the playground was dangerous, the asphalt had bubbled and cracked, but there was no money for the repair job, quoted at between \$14,000 and \$20,000. Previously, these sorts of maintenance jobs would have been carried out in a public works capacity.

Global budgeting only gives the illusion of local control. Increasingly schools are being asked to implement new educational agenda. There are demands for new technology. In reality, the room for discretionary spending is small, but this is not acknowledged by the current devolution policies. As it stands at the moment, the Government fails to take responsibility for the proper resourcing of education and has withdrawn from the area leaving local school communities to compete for resources and fight out priorities. Just how far the Government is prepared to go is evident from its proposal to allow schools to decide whether and how a vacant teaching position should be filled.

Funding could be used for creating a more senior position, the vacancy could be filled part-time or the position could even be left vacant. The danger to the integrity of a school curriculum is obvious. The temptation to sacrifice educational standards to short-term budget expediency is obvious. As the shift in responsibilities continues, principals and local school communities are being forced to take responsibility for



such things as staffing levels, classroom overcrowding and maintenance of school property. Already serious concern is being expressed about the added demands and pressures being placed on principals, senior staff and school councils.

Under devolution practice these people are becoming less the educational leaders and planners the community expects and more the financial administrators, entrepreneurs and managers of small businesses. Under global budgeting more time has to be devoted to financial matters for which the department was previously responsible. More time has to be spent on budget control and finance committees. Less time is available for curriculum development, lesson preparation and teaching. This shift in responsibilities is undermining the professionalism of teachers, whose time is not being given to education but to management - unnecessary management, which should be carried out at a central level.

A particularly disturbing feature of devolution and global budgeting is the increasing demands on parents at a time when changes in society have made it more difficult for parents to be available to the school. Parents are having to become involved in frontline areas such as libraries and administration. When referring to parents too often we mean mothers who are not in paid employment. While global budgeting has its own inequitable effect, the Government's emphasis on local fundraising exacerbates the problem. Experience shows that disadvantaged socioeconomic areas do not have the resources to generate the same level of financial support as schools in affluent areas. Parents in disadvantaged areas often have enough difficulty making ends meet. Most of the community would have sympathy with the parent who said:

I am not criticising the school; I support it actively. I simply have a major disagreement with a system that can spend a lot of money on bike raceways and then encourage schools to become commercial to raise money. That kind of thing will create massive imbalances for smaller schools that don't have wealthy and influential parents to raise money for them. How desperate is the education system when those administering it have to sacrifice teaching time for extra dollars. What next? Schools as agents for Telecom, travel agencies . . . the sky is the limit.

One school actually entered into negotiations to take Optus advertising, which led to considerable problems. The parent at this school was reacting to the fact that the principal of the school had planned to sell insurance in his spare time to raise needed money for the school. It is a damning indictment of the current system that principals and parents are being required to show a level of dedication and commitment to education that should be the role of government. Recently I was privileged to attend a school to engage in a discussion with some very dedicated teachers, and I noticed that the room we were in was a little shabby. I was told by one of the teachers that the global budgeting arrangements under which they were operating at the time meant that they could not afford any blinds for that room, which made it uncomfortable for the staff. Also, they have learned some lessons about managing their electricity supply - they turn only half the lights on at a time in an endeavour to manage their budget.

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Other factors operate as well. At a school in Cabramatta 90 per cent of students are from non-English speaking backgrounds. There is a high turnover of students, with only 50 per cent of families settling briefly in the area. For a school in this situation, the changing make-up of the school population, coupled with language and cultural barriers, makes participation in school activities difficult. Long range budget planning is severely restricted. Major fundraising, even if desirable, would be well nigh impossible in such a school.

The Government's approach to asset management is a further boost to inequality in the education system. For the first time in history schools are allowed to retain the proceeds of asset sales. In one case a high school in the northern suburbs of Sydney planned to sell four tennis courts for \$900,000 to raise money for a new hall. Another school in the same area was considering selling a parcel of land for \$1.2 million. This is not the property of the current administration in the school; it is not the property of the governing school council. It is the property of the people of New South Wales and there should be no approval for this kind of gross selling off of public property.

**The Hon. Franca Arena:** And why should it go to that school, and not be divided at least between Cabramatta and other areas which are much more needy?

**The Hon. ANN SYMONDS:** The fact that these parcels of land were bought and paid for by all the taxpayers of New South Wales is important. That general method of redistributing our wealth in this State through the public sector, public utilities and public infrastructure is something on which our democratic system is based. Because we are tampering with the system, perhaps some people are unwittingly involved in an attack upon our democratic functioning. Only months after the case I mentioned a primary school in the west had to fight to receive the money raised from the lease of part of its site. The department wanted the money but after intense local criticism the demanded fifty-fifty split was dropped and the school was allowed to keep its funds. Again, the potential for asset rich schools to receive benefits disproportionate to other schools is clear.

I refer now to the issue of school fees. Public education is supposed to be compulsory and free, but even this principle is now under attack. Schools are increasingly using school fees to make up for the shortfalls in global funding. This directly affects the quality of education in schools and reinforces the inequality between the affluent and the rest. I have never thought it possible that I would enjoy quoting anything that Alan Jones has said, but on this occasion it is important to note that even he has acknowledged that a real problem exists. He said, in February this year:

The talk today the State Government is going to review the voluntary fees (I love this) charged by public schools (I mean people say that education is free). The *Sydney Morning Herald* says a committee has been set up to examine establishing a maximum general fee for primary and secondary schools. The Herald says the move follows concerns expressed by parents about the level of fees. I would expect there would be concern. People say that if you go to a public school, education is for free. The fees are not supposed to be compulsory. But apparently there have been instances of principals trying to force parents to pay them. Parents & Citizens Association say some schools on Sydney's North Shore are charging fees of more than \$500 a year - for a public school!

Fees are levied not only on elective subjects but also on compulsory subjects. It is difficult to understand how this constitutes free education. It is claimed that exemptions are given when the payment of fees would cause financial difficulty but this does not help those in lower socioeconomic areas. Less than 50 per cent of the students at a school in Sydney's west can afford to pay the school fees. Most of the students come from unemployed or single income families. However, the school receives no supplementary funding to make up the shortfall.

**The Hon. Dr B. P. V. Pezzutti:** Whose fault is that?

**The Hon. ANN SYMONDS:** It is certainly not the fault of parents and their children should not have to be punished for the fact that they are in an inequitable situation so far as wealth is concerned. I am talking about school fees and access to education in this State; that is all I am talking about. If the Hon. Dr B. P. V. Pezzutti has missed the point, too bad. Most of the students come from single and unemployed families, as I said. However, the school receives no supplementary funding to make up the shortfall. Indeed, this school is not even classed as disadvantaged for the purpose of special funding. If the amount of fees generated has a direct effect on the size of a school budget, fees have another way of impacting on the quality of education. Schools are reported to be banning students from taking elective subjects if fees have not been paid. This has two effects. One is that poorer children are permitted to study only the cheap elective subjects, if any.

If global budgeting has made school principals become the managers of separate school businesses, and asset management has turned them into property developers, school fees are in danger of making them shabby debt collectors. None of this was a motivation for these people going into the profession of teaching in the first place. There is a terrible malaise in the public education system at the moment. Teachers are feeling devalued by what is happening.

A study conducted by the New South Wales Parents and Citizens Association found that some schools were threatening to withhold results - report cards, the school certificate, even the higher school certificate - until outstanding fees were paid. Community anger at the link between the payment of fees and educational

results has led to a rethink within the Department of School Education. I can only assume that the present education Minister, who was not the architect of the system that is now in place, is experiencing some need to look seriously at the consequences of the policy that has been operating in the past and I await the results of the current review with eager anticipation of rectification of this matter.

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In April 1993 the Parents and Citizens Federation conducted a survey of affiliates. From 1991 to 1993 the general service fees in primary and secondary schools had increased by 30 per cent. The general service fees for year 12 were \$47 in 1991 and in 1993 they were \$63. Primary school fees have increased from \$21 to \$28 over a two-year period. In 1991, 21.6 per cent of primary schools charged no service fees and in 1993 only 16.7 per cent charged no fees. There is enormous variation among schools with regard to fees charged for the same subjects - for example, year 12 computing costs ranged from \$5 to \$60. It is estimated parents and citizens groups have contributed more than \$20 million in 1992 to New South Wales schools. I congratulate them on their dedication.

Sponsorship of school activities has grown significantly and is a source of considerable concern for many people in the community. It is now in the order of \$10 million a year. The Government has claimed that the benefits of sponsorship are spread equitably throughout the school system, but there seems little evidence of this. Instead, it appears that some schools are enjoying sponsorship advantages that could never be generated in other localities. The community is becoming increasingly concerned at the Government's headlong rush to embrace corporate sponsorship. Many parents believe that children face enough commercial pressures in our society as it is and resent the commercialisation of schools and the crass treatment of their children as commodities. The most appalling example of that is, of course, using children's backs to advertise McDonald's. Such treatment should be condemned by all members of this House. As one parent said:

I believe it is a great shame that we have to grub around for dollars, but that is the reality . . . there is no time any more to fight the moral issues.

The issue of specialisation is of concern also. The New South Wales Government has introduced a scheme of specialist accreditation for schools in the name of diversity, excellence and choice. Yet specialisation, like the other changes made, is not geared to the broad spread of children. Instead, it is entrenching fragmentation of the school system. It gives diversity for some, choice for a few and a reduced opportunity for excellence for the majority. Schools are able to be divided into a number of categories - elective or technology, language, agricultural, sports, performing arts and music schools. But in accrediting schools in this way the Government has raised pupils' expectations without giving the system the resources to meet them. In 1991 it was reported that the demand for places had sky rocketed with more than 10,000 children who had applied for places in these schools missing out. Ten thousand disappointed children!

**The Hon. Franca Arena:** Where did they go?

**The Hon. ANN SYMONDS:** They just go into the normal stream. This was not interpreted by the Government as raising an equity problem; instead, it was said that the high level of competition for places means that selective high schools will continue to develop their reputations as centres for academic excellence. What does this mean for the children who are rejected? Entrenching disappointment and a sure sense of failure. The assumption seems to be that equity and excellence are somehow incompatible. This has never been a tenet of the New South Wales school system and should be rejected outright. If the American education experience teaches us anything, it is that unrestrained competition in education - an emphasis on survival of the fittest - creates the best and worst of schools. It also leads to massive inequality. Ms Wheeldon, the principal of Queenwood School, in her appearance before the Legislative Council's Standing Committee on Social Issues when it inquired into youth violence, outlined the dilemma for us.

**The Hon. Dr B. P. V. Pezzutti:** A great school.

**The Hon. ANN SYMONDS:** It is indeed a great school. I know it very well because one of my children was the art mistress there for some time and actually increased the level of excellence in that school to a considerable degree. Ms Wheeldon acknowledged that selective schools and centres of excellence were set up out of good motives but she warned of the consequences for other government schools. She said:

If proper steps are not taken you will have schools where you have taken out all the role models among children. The capable, competent children are going to better schools.

Ms Wheeldon enrolls students who say:

My school used to be good but I could not get into the OC class or the selective school so I am going to come to you. The really good kids are going to the schools that are getting the goodies. They are the schools that will get the sponsorships. They will have the parents who are motivated to do the funding . . . children who have unmotivated parents or parents who do not have the skills, knowledge, understanding or contacts to do the fund raising. You do not want to end up with schools which are just holding pens for the children who consider themselves to be the dregs left behind.

Ms Wheeldon was extremely critical of the funding of United States schools, and there are lessons for us in this. She said that in the United States schools are funded by local property taxes. She said further:

. . . and therefore you have rich and poor schools . . . As soon as you have gross inequalities in schools you will develop problems. The funding basis of government schools in the US is appalling: it is criminal.

While in Australia all States had endeavoured to treat all schools fairly and equally, she noted:

. . . we are losing that in the way schools are now being funded. I think schools are being underfunded and we are developing a reliance on sponsorship and on parent fund raising. As soon as you do that you will have gross inequalities in schools.

[*Interruption*]

I know all about that school, so honourable members opposite should not sit there and give me a lesson about it. This woman has lived in the country as a teacher for more than 25 years and is qualified to

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speak not only about the education system generally but about this particular school as well. She is qualified to make judgments about funding of schools here and funding of schools in the United States, because she recently spent an entire year looking at them. It is valuable for honourable members to listen to what she said.

The tragedy is that the degenerative process has been put in train by the Government and it is self-perpetuating. As the capacity of a school to deliver a good education to children declines or appears to decline, more parents will attempt to move their children to the reputedly better schools. As the more able and motivated students leave, the intellectual mix of the population will change. Teachers may become less motivated and suffer much greater stress as they attempt to teach more difficult students. So the standard drops, so more parents want their children elsewhere, so the standard drops, et cetera. A letter that appeared in the magazine *Parents and Citizens*, Summer 1994 demonstrates this point. It stated:

Dear Editor,

Aggravated falling enrolments have prompted the Guyra Central School P&C to write this letter for publication.

The enrolments at Guyra Central School are falling at an accelerated rate due to the combined effects of the de-zoning policy of the Department of School Education and the availability of free travel to any school of choice.

The resultant effect is that the decline is gathering momentum. Declining numbers lead to reductions of staff, therefore further restricting available subject choices, hence more students leave. The end result is that our school, students and community are disadvantaged, since they thereby lose their freedom of choice.

Taken to its extreme, could our school be left as a non-functional bricks-and-mortar shell?

What then would be the options for those students who live a long bus drive from school such as ours? What of their options?

These problems seem to be emerging several years after changes were made to zoning and free travel without restriction. They need to be addressed immediately to prevent the trend toward only a more centralised style of education.

The Guyra Central School P&C would like to hear from other schools who feel they are being similarly disadvantaged by the current policies, as we believe a united front is necessary to have our needs recognised and addressed.

As we all know, education serves much wider needs than teaching the children the three Rs and assisting them to develop their particular talents. It serves as a social agenda, developing values and attitudes that are basic to our society. It is here that current policies and devolution pose another danger. It is something of a Trojan Horse so far as values are concerned. At its heart, it says that freedom to choose is always more important than equity of opportunity or social justice. With its emphasis on market mechanisms and its competition it says it is okay for the rich to get richer and the poor poorer. It is a complete denial of Australian ethics of a fair go. It says that individual self-interest always takes precedence over social justice.

Under the current system, equity of opportunity is no longer a governing principle to be applied to the whole system. Somehow these days the benefits always seem to fall to the privileged. Should the New South Wales Government continue its present policy, it will, before long, have a much poorer school system. The Government has set in train a process that will reduce the basic public school to some kind of low-level educational safety net, catering for the bulk of children who are not part of the affluent middle class. It is entrenching inequality. We must also appreciate that any budget benefits provided by devolution are short term at best. Already the cost to incoming governments of fixing these problems is large, and growing day by day, even if the will to fix them is there.

As the United States experience demonstrates, the real costs will be the long-term social and economic costs as society has to cope with a large group of the community that has been denied a fair education and access to the benefits it brings. Overall, and this is my fear, Australian society will suffer. If we allow ourselves to entrench disadvantage in the system, the end result will be people who are angry at the way they have been relegated to a lower status in society. The alienation will increase. They are already under pressure because of changes that are occurring in society. That alienation will increase and two things happen as a result of that: either violence towards oneself in destructive behaviour such as drug taking and harmful practices with drugs, or violent behaviour that is externalised and therefore affects society. We have not reached a crisis with this situation yet but we must be vigilant about ensuring that all our children are treated equally and fairly.

As a matter of urgency a major audit should be undertaken of the comparative assets and resources available to schools. The administrative demands on principals and schools must be lessened to allow them to get on with their professional role of educating children. Children are subject to extraordinary stresses today, and one of the places that those stresses can be assessed and dealt with is within the school environment, particularly if there are sufficient people available to children to assist them as they develop and to assist them in coming to terms with problems that they may be experiencing. I believe we should get back to the payment of such fixed costs as electricity and utilities being centrally administered. The responsibilities of government and individual schools should be clearly defined to allow some certainty and equity in the decision-making process. Society needs compassion not competition, and equity for all not excellence for a few as the governing principles for our education system in New South Wales.

**The Hon. Dr MARLENE GOLDSMITH [8.58]:** I am delighted to speak in support of the motion of my colleague the Hon. Dr B. P. V. Pezzutti and I commend him for his motion. The attempt by the Leader of the Opposition to politicise the Governor's Speech was, by contrast, most disappointing. As chair of the Standing Committee on

Social Issues I am pleased that the Government continues to give references to our committee as it has done in the last year. Our two latest inquiries into youth violence and rural suicide were references from the Minister for Education, Training and Youth Affairs and the Deputy Premier, Minister for Public Works and Minister for Ports. We were most interested to receive those references. Our inquiries are proceeding apace. The standing committee system has been one of the great successes of this House. I commend all 10 members of the Standing Committee on Social Issues for their hard work in that area and also the staff of the committee.

I cannot allow this moment to go by without commenting on the allegations that were made last week in the press in relation to the Standing Committee on Social Issues. For example, there was an allegation that the Standing Committee on Social Issues - not under my chairmanship, but previously - had spent \$60,000 on an overseas trip. It was most interesting to read that article and I immediately went to the records to check on that statement. I looked at the budget for the Standing Committee on Social Issues for the year under discussion. The entire travel budget of the Standing Committee on Social Issues during that particular year was approximately \$30,000. This will give some idea of the level of credibility of that story in the press. The media writers clearly picked a figure out of thin air and elaborated on it.

It is disappointing to see such allegations being used to discredit the standing committee system because the system serves the House and the people of New South Wales admirably and deserves better than such unfounded allegations. It was most interesting that when I sought to have a correction made of the mistaken allegations - and this was not the only one - I learnt that there was also an allegation that the Hon. K. J. Enderbury and I had visited Italy. Would it were so, but we had not visited Italy, as I am sure the Hon. K. J. Enderbury would confirm. There was an allegation that all the members of the subcommittee that travelled overseas recently in the visit I have alluded to, had visited the United States of America and Canada. Again, that is not so. Reverend the Hon. F. J. Nile and I did not visit Canada and the other two members of the subcommittee spent very little time in the United States.

Many of the allegations in that article were totally wrong. The article also implied that the purported \$60,000 trip had been in vain because no report had been produced. As a matter of fact, a report was produced. The writers of that article were aware of that report because I had offered to make it available to them, indeed I sent a copy to Brett de Vine at his request. However, that did not affect the tenor of the story. I also informed Brett de Vine that although the terms of reference were generally an inquiry into youth and drugs it had been the decision of the committee, at the time of that report, to concentrate on the legal drugs of alcohol and tobacco for the important reason that these drugs were the major problems for young people in our society today and we really needed to concentrate on those drugs.

Such were the facts, but unfortunately the *Daily Telegraph Mirror* was not interested in the facts. When I went to seek that the facts be printed, the response was, "Yes, do send us over the information". This was from Mr Roger Coombes. I sent him a letter and he replied, "We would prefer an article". So I redrafted my letter into an article. He had given me his word that this would be published but I waited day after day last week and it was not published. Finally there was a very truncated version of my original letter published in today's *Daily Telegraph Mirror* in a very discreet spot on page 19. Compare page 19 with the front-page allegations; it is called stacking the deck. Was I able to have published the response that I wished to make to the allegations involving made against the Standing Committee on Social Issues? No I was not, because my comments that were specifically critical of the media and its pursuit of the scare headline at the expense of the facts, and the pursuit of a particular viewpoint at the expense of the facts, were edited out of my letter.

**The Hon. Dr B. P. V. Pezzutti:** It was censored.

**The Hon. Dr MARLENE GOLDSMITH:** Indeed, as the Hon. Dr B. P. V. Pezzutti said, it was censored. That is precisely what happened. I was censored, in my refutation. There was one brief paragraph, one sentence as I recall, in which I stated that without the work of the Standing Committee on Social Issues and its adoption inquiry, thousands of people in New South Wales would not have been able to find out about their birth parents and thousands of others would not have been able to find out about the babies that they had relinquished for adoption many years ago. That is information which the committee regarded as a fundamental

human right.

I believe that was an important statement because it placed our work into a social context. It showed the difference that we can make to people's lives by careful analysis of complex social issues. It showed the effect that we can have on the people of New South Wales. Indeed, it showed the benefit of having a Standing Committee on Social Issues and showed the benefit of having, by inference, a Legislative Council - and that was censored. The editors of the *Daily Telegraph Mirror* were not interested in publishing something that might have indicated the worth of the Standing Committee on Social Issues in human terms so that people could readily understand. The editors censored that and censored my comments that were critical of the press. They were not lengthy comments; they were quite brief, but they were censored.

If we purport to have a free society we have to ask ourselves: in a democracy how democratic are we? In the presentation of reality, the gatekeepers of the public perception of reality are totally unaccountable, they can put any spin on the facts that they choose - publish any facts that they choose and omit any other facts that they choose - and they do. They treat their roles as public informers with, in my view, a total lack of responsibility. We have to ask ourselves: how democratic are we?

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**The Hon. Dr B. P. V. Pezzutti:** They cry foul if they are questioned.

**The Hon. Dr MARLENE GOLDSMITH:** Indeed, they cry foul if they are questioned. In such circumstances we have to ask ourselves whether we are a democratic society or whether we labour under total censorship - censorship by the media of what we experience as reality; the censorship of what gets published and what does not; and how it gets published. Every citizen in our society today must start asking serious questions about the media. There was a time when we had one major newspaper that was a journal of record, which recorded facts as they occurred and provided an historical record for this State. That is no longer the case. Now we have collections of opinions of various journalists and others pursuing particular angles that appeal to them regardless of the facts and doing a Procrustean job of truncating the facts, warping them, twisting them to fit whatever agenda they are pursuing.

Another matter of concern to me is in relation to the issue of sports. I have had correspondence with the people of Gunnedah who are working very hard in order to gain themselves a heated pool. I know they also have had correspondence with their local member, the honourable member for Barwon. As a resident of Gunnedah for most of my life, I am naturally concerned about facilities in that region. Gunnedah is famous for the athletes it has produced, and continues to produce, in gymnastics, swimming and a range of other sports. It has a proud record of contributing to the development of the State. Looking forward to the year 2000 Olympic Games, it is important that the development of the sporting potential of the people of Gunnedah be continued. The heated swimming pool is important for the health of the people of the town, especially for older citizens and those undertaking therapeutic exercise for various reasons. The winters in Gunnedah can be extremely cold - much colder than the winters I have experienced in Sydney since coming to live here.

The people of Gunnedah have worked hard to raise funds for a heated pool but are having an uphill battle, given the recession and the difficult times for people in country New South Wales. I do not wish to put words in your mouth, Mr Deputy-President, but I am sure that as you come from Far West New South Wales you will have sympathy with the people of Gunnedah. People in the city are unaware of the crisis that has been occurring in New South Wales, the desperate suffering, truly appalling social dislocation, and the economic deprivation that has been happening in some country areas. Gunnedah is an amazing town. Its people have a remarkably resilient spirit. Every year they stage a wonderful celebration of Australia Day. I always like to attend at that time if I can. It includes parties that continue for several days, sporting contests and breakfasts.

One of the many excellent breakfasts, and one that I like to attend because it is in my neighbourhood, is held at George and Robyn Paul's house in Palmer Crescent. It is legendary. The people of Gunnedah really know how to celebrate, even through times of hardship. They work extremely hard to gain facilities for the

community, and would dearly love to have a heated swimming pool. It is a very long way to the nearest heated pool. They need this amenity for the athletes, older people and sick people. However, no funds have been made available to assist them, other than the funds they have raised themselves. The Government keeps telling them that no funds are available. This week I read a newsletter from the Government Whip in this House, the Hon. John Jobling, entitled "From the Whip's Desk". I commend him on that excellent document.

In that newsletter the Hon. J. H. Jobling points out a recent exposé, by Senator John Tierney, of a grant that was given by the former Minister for Sport in the Federal Government, the Hon. Ros Kelly, of \$49,000 to the Eastern Suburbs Cricket Club at Maitland. This makes me shake my head in disbelief. That club had been making applications for a grant for approximately six years, but the applications had been turned down repeatedly. It just so happened that Maitland was in the marginal seat of Paterson, the Federal election was looming and the president of the junior club and a life member for the senior cricket club is Mr Tony Keating, the Australian Labor Party candidate for Maitland and a staffer of Mr Bob Horne, the newly elected member for Paterson. Lo and behold! The whiteboard worked and the grant was given.

**The Hon. I. M. Macdonald:** Not before time.

**The Hon. Dr MARLENE GOLDSMITH:** The Hon. I. M. Macdonald says it was not before time. Had he shown a little more patience, he would have waited until I delivered my punchline, which is that this project did not have a development application, did not have a building application and is now unlikely to be approved by the Environment Protection Authority or the local council.

**The Hon. R. S. L. Jones:** What happened to the money?

**The Hon. Dr MARLENE GOLDSMITH:** The Hon. R. S. L. Jones asks what happened to the money. Indeed! That is what I would like to know. I hope sincerely that the people of Gunnedah will make application to the Federal Government for that \$49,000 that was granted for a project that could not possibly proceed. I note that the Hon. I. M. Macdonald has suddenly been struck mute. What a pleasant change. That money was given for a project that could not happen, and I hope that it will be made available to the people of Gunnedah to assist them with their heated pool project. I shall suggest to them that they make that application - but Gunnedah is not in a marginal Labor electorate, so I do not hold out a great deal of hope for the people of that town, however worthy their cause.

**Reverend the Hon. F. J. Nile:** When we have a change of Federal Government that will be fixed up.

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**The Hon. Dr MARLENE GOLDSMITH:** I agree with the comment of Reverend the Hon. F. J. Nile and thank him for it. I shall move on to deal briefly with the issue of transport. It is my pleasure and honour to serve as a member of the Government's transport advisory committee. I especially commend the Government for its program as outlined in the Governor's Speech. The excellence of the program has been widely recognised. I read with interest, whenever it comes out, the newsletter of the State Rail staff, "State Rail News". One of the interesting items in that newsletter is the letters pages from various members of the public praising State Rail Authority staff for all the wonderful things they have done. I commend the staff of the State Rail Authority for their good work. I place on record one of the letters in the newsletter, which is from Mr Ian C. Hissey, J.P., from North Rocks, which was sent to the Minister:

Dear Sir,

Today I had occasion, for the first time in many years, to travel by train from Sydney to Newcastle.

The standard of service, cleanliness and presentation of trains and stations, with the courteousness of staff, was very impressive.

Together with new bus services, the upgrading of the ferry system and additional wonderful RiverCats -



And I interpose to say, as a resident of Abbotsford, I agree with that comment -

- rightly deserved congratulations are in order for yourself, your team and all employees.

This lays a great foundation to build from for the benefit of all Australians and visitors as we progress towards year 2000.

Hearty congratulations.

There are very few thank yous in this world when someone does good things and it is special to note that this writer has taken the trouble to thank the Minister for the good things that are happening in that portfolio. The matter goes further than that and further than local letters. When I was in Europe in July I had an interesting experience. I opened the *International Herald Tribune* to find an article headed "New Yorkers Should Study This Strine Door Opener". The article was by one Mary Cantor. The writer had recently been in Sydney and was full of praise for our courteous and helpful bus drivers, our weekly fare card, electronic fare collectors and telephone public transport hotline.

**The Hon. I. M. Macdonald:** Do they not have those in New York?

**The Hon. Dr MARLENE GOLDSMITH:** No, they do not have them in New York. Now she keeps her tattered blue and white card taped to her desk lamp to remind her of how much New York is behind Sydney when it comes to public transport. I know that prophets are supposed to be without honour in their own country, but it would be nice for a change to read some good news here. On that topic I should speak again about the media. Why are they only interested in giving the bad news? Why do we not hear of the good things that are happening in our society? Why are our young people not being given positive stories and images to give them hope and optimism for the future? Is it any wonder that the youth suicide rate is increasing dramatically?

**The Hon. Dr B. P. V. Pezzutti:** Horrifying.

**The Hon. Dr MARLENE GOLDSMITH:** As the Hon. Dr B. P. V. Pezzutti says, it is horrifying indeed. Is it any wonder that this is happening when our young people are being brought up on a diet of relentless negativism? They get that relentless negativism from the media by which they are surrounded. I wish to refer briefly to education generally and to some of the concerns raised by the Hon. Ann Symonds. The Hon. Ann Symonds spoke about an erosion of equity in our school system. I know she is concerned, as I am, about equity and a fair go in our school system. In fact, that has been one of the driving forces in my professional education career. However, I become concerned when the honourable member criticises devolution as though it is an attack on equity, in particular, global budgeting.

The self-interest of schools is to attract students if there is a measure of accountability in the system, and that is precisely what devolution is about. One must have sensitivity to the client base and options for the poor as well as for the rich. The honourable member well knows that the rich have options and can vote with their feet right out of the public school system, and when there is no confidence in the public school system they do, increasingly. The worst thing we could ever do is have our public system become a ghetto for the poor, as has happened increasingly in other areas. While public education is confined to a grey sameness and every child is forced to attend the same school without any choice, leeway or opportunity for excellence to shine, to be rewarded or to be recognised - even if the school does not measure up - this will only force those who can afford it to enter private schools. Many parents achieve this through working two and three jobs - and I have known plenty of parents who have done that. This proposition simply enforces that though the wealthy have a choice, the poor do not. It is the greatest injustice of all.

Experience in the United States has shown that if this is enforced, flight from public schools ensues. However, I concur with the honourable member and Ms Judith Wheeldon that New South Wales would not wish the funding system of the United States because it is inequitable; there are poor and rich districts. We

must have centralised and equitable distribution of funds, which we have at present. We have special support funding for poorer schools, specialist programs and the Government has improved significantly special education that was grossly neglected under former Labor administrations.

Recently the Standing Committee on Social Issues visited some wonderful schools and this has given me great heart for the future of our education system. The behaviour, neatness, manners and programs of Granville Boys High School are

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exemplary. It is invidious to single out that school because schools such as Mount Druitt High School, Menai Public School and Hurstville Boys High School are excellent as well. I came away from that experience greatly heartened and convinced that we are going in the right direction with education. Devolution is not a threat but an opportunity. It certainly is a challenge, but it is a challenge that our schools are meeting admirably, providing new opportunities for students and sensitivity to the needs of students and parents.

I would hate to return to the system that obtained when I was a teacher. At that time many State school principals and administrators moaned to me that the steps at the front of the school were falling down, that some child would have a dreadful accident but that funding was not available to mend the steps; it had to be spent on buying new chairs that were not needed. Money was provided for chairs but not for steps. I do not know how that system worked, but money was provided in little packages, a bit for this and a bit for that. If A was needed, but money was only available for B, that was too bad; B had to be bought whether or not it was required. I would hate to return to that nit-picking, intrusive administrative system that is a denial of the democratic process and grass roots empowerment.

Certainly some students are not suitable for selective and specialist schools. We must accept that young people are individuals, with individual talent and needs that must be accommodated. This is not achieved by forcing every child to attend an identical school, with no opportunity for parents to protest if quality control is not up to standard. Parents and children who are poor should not have to endure schools that are not up to standard. The poor deserve a choice as much as the rich, and our school system is about providing opportunity not ideology. Victoria pursued ideology in the 1980s, a grossly discredited system that is now being addressed and redressed. Thank goodness that is not happening in New South Wales.

I wish to refer to school funding. Recently extraordinary allegations were made by the Labor Party on school funding. For example, on 1 February in a press release Bob Carr asserted that the education portfolio had been cut by \$400 million. In another press release he declared that New South Wales had the lowest funding per pupil of any State. There have been no funding cuts to schools. The coalition Government has increased funding for schools in every budget since 1988, with a record \$3.4 billion allocated to schools in the 1993-94 Budget. The Commonwealth Grants Commission report on general revenue grant relativity in 1993 found that New South Wales expenditure per pupil was ahead of Queensland, Western Australia and Tasmania.

*[The Deputy-President (The Hon. D. F. Moppett) left the chair at 6.30 p.m. The House resumed at 8.15 p.m.]*

**The Hon. Dr MARLENE GOLDSMITH** [8.15]: As I said before dinner, there have been no funding cuts to schools. The Leader of the Opposition has made other equally naughty comments about schools. Staffing is a classic case in point. I am delighted that the Minister for Education, Training and Youth Affairs is in the Chamber, because I wish to quote from a document she has compiled in response to allegations made by the Leader of the Opposition. On 1 February Mr Carr alleged:

In the last two years fewer teachers have been added than are required even to maintain existing unacceptably high pupil-teacher ratios.

He stated also:

This year again the extra 190 teachers will not meet the needs of the 5000 extra students predicted in the current budget.

The *Daily Telegraph Mirror* the following day reported:

Opposition Leader Bob Carr had said . . . pupil to teacher ratios (had) increased.

The staffing policy of schools in New South Wales has not changed since 1989. Schools are staffed so that classes should not exceed 30 students in primary schools and 25 students in senior secondary schools. Each year extra teachers are automatically appointed to cover any additional enrolments. Last year 800 additional teachers were appointed, and this year, on top of retention rate increases, 188 extra teachers have been appointed. In 1993 the total number of teachers was 47,444. I am proud of the record of the Government in appointing additional teachers where they are needed - for example, in special education, which was previously neglected - and in appointing additional school counsellors.

One of the great furbies the Opposition spreads is its lies and deceptions about composite classes. On 21 February the *Daily Telegraph Mirror* stated that a survey by the ALP had revealed that more than 50 per cent of students were in composite classes. Official Department of School Education figures show that about 31 per cent of students were in composite classes in 1993. What are composite classes? Composite classes are classes that are not allocated on the basis of age. Education professionals are by no means agreed that age is necessarily the most appropriate way to classify students, because students of the same age can be at different stages of physical, emotional and intellectual development, as well as knowledge of a particular subject.

I worked at St Ursula's College, Kingsgrove, a high school, which, in the couple of years preceding my election to Parliament in the mid-1980s, deliberately moved to composite classes at the secondary level as the best way to meet the needs of its students and provide the students with more opportunity, choice and selection. These classes were not called composite classes but were referred to as vertical integration. However, composite classes are accepted as a legitimate way of organising school classes. The notion that composite classes are bad is

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puzzling. Some of the most exciting classes I have seen in our schools have been composite classes - classes that are based on various criteria and working very well.

The Opposition has been very naughty in making allegations about retention rates. Participation rates for young people in education and training this year will reach 80 per cent, which is an increase of 3 per cent on last year - an all time record. Retention rates under this Government have increased substantially. Sadly, part of that is undoubtedly due to the Federal Government's recession we had to have, but I am delighted that more young people are participating in education and training and that this Government has provided more opportunity for them in this area.

This Government has a good record in relation to school counsellors. The shadow spokesperson on education, Mr Aquilina, alleged in the *Manly Daily* of 10 February that the Government has not boosted school counsellor numbers. In fact, the Fahey Government has taken the ratio of students to counsellors to a record low of 1,530:1, which some people would allege is not low enough, but it is the lowest ratio in the 50-year history of school counselling. Indeed, an additional 20 counsellors have been announced since Mr Aquilina's statement. The Hon. Ann Symonds alleged that school fees are an item of serious concern. It needs to be remembered that school fees are not compulsory. In 1993 a Department of School Education survey of 400 schools found the average fee for primary schools was \$24 and for secondary schools \$56. Indeed, more than 25 per cent of schools do not charge fees at all, and that option is available to any individual child whose parents cannot afford fees.

Perhaps the saddest of Labor's lies concerns teacher quality and I quote from the *Sunday Telegraph* of 20 February, "Teaching in New South Wales is in crisis with low standard graduates educating the State's school children, the State Opposition claimed yesterday". Again, "spending cuts . . . had dissuaded high quality students from choosing a teaching career", as Mr Carr was alleged to have said by the *Sydney Morning Herald* on 14 February. In fact, the cutoff tertiary entrance level is not an indicator of the quality of students entering the teaching profession. Last year more than 45 per cent of students starting secondary education courses at

university were in the top 25 per cent of higher school certificate candidates. The average tertiary entry rank for students beginning teaching in 1993 was 74 for secondary education courses, compared with 63 in 1989. In other words, we have a high calibre of teaching candidates, and I am delighted that that is so.

Teaching is not a job. It is not a profession that people go into because of the money. If they went into teaching because of the money, they would earn every cent of it. It is a vocation. People go into teaching because they love the enormous challenge and opportunity of working with young people and the great joy of helping to guide young people's lives. I have the greatest admiration for many teachers that I know who are doing a wonderful job, in spite of the negative comments of people like Bob Carr, who allege that the quality of our teachers is not what it should be. If the total cost of the promises made by the Australian Labor Party about education were added together, in February alone, it would come to \$330 million. I regard that as quite impractical, not as a serious promise that the Australian Labor Party has any hope or intention of fulfilling. If it did, it would send this State in the direction that its counterpart sent Victoria so very recently, so that New South Wales would have to spend the rest of this century trying to claw its way out of debt. We have had enough of that.

This Government has placed New South Wales on a firm financial footing, so that it can provide and is providing more and more necessary, important services to the citizens of this State. I am proud to be a member on the Government side of the Chamber who can comment on the Government's program as outlined in the Governor's Speech. It was a responsible Speech. It is a responsible program that delivers services to the people of New South Wales who need them most, to our children, to the students in schools, to women, and to older citizens. This Government has a proud record on the ageing. The recent statements by famous American visiting author Betty Friedan about how advanced New South Wales is in this area certainly give me great heart, as I am sure they do the Hon. Beryl Evans with her particular interests and concerns in this area. To conclude, the Government's program is excellent. It deserves better than the sad attempt to politicise it made by the Opposition in its attempts to amend the motion and by so doing to politicise the Governor's Speech. I commend the Governor for his Speech and for his and Mrs Sinclair's sterling service to the people of New South Wales. I am delighted to support the motion.

**The Hon. R. S. L. JONES** [8.27]: I congratulate His Excellency Rear Admiral Peter Ross Sinclair, Companion of the Order of Australia, on the dignified way in which he fulfilled his duties as Governor in New South Wales. In my contribution to this debate, I will be going back in history and forward in time to attempt to put into perspective the decisions that are being made today that affect our everyday lives. The problem with parliamentarians is that we have a limited vision that tends to be restricted to the months and years between now and the next election. This lack of vision means the decisions being made are short-term, political decisions and are not necessarily decisions in the interests of the people in the long term. These short-term, ad hoc decisions cumulatively have a drastic and sometimes severely deleterious effect on our way of life, but more so on the way of life of our children and grandchildren.

Because the terms of upper House members are longer than those of lower House members, we have the luxury of being able to look beyond the next election; but even beyond the next election is simply not long enough. A concept has been developed lately called intergenerational equity. This means we have

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to ensure that our children and grandchildren are not worse off for the decisions we make today. In order to understand this concept we must have a vision of what our world will look like in 50 to 100 years from now. It is regrettable, therefore, that the Premier said in the *Good Weekend*, "vision is bullshit". I would not normally use that term in this House, but it is the term used by the Premier of this State. Without vision, government ends up being a series of short-term, ad hoc decisions, which is what we are seeing now. Decisions are made on the run to suit the mood of the media of the day. Decisions are not made in the overall context of where this State is heading.

A letter from a constituent mentioned the Sanitary Reform League of 1880. The men who founded this league back in 1880 were truly men of vision. It is worth remembering at this point that women in 1880 had almost no part to play in public life; they were not able to vote until 1902. Of course there were no women in

this Chamber until many years after that. I should like to read from the minutes of the first meeting of what was then called the League for the Prevention of Pollution of Air and Water. The meeting was held in the Town Hall on Wednesday, 7 April 1880. It was resolved on the motion of Mr Bockhouse, seconded by Mr Portman, that a league be formed to be called the New South Wales Anti-Air and Water-Pollution League, the primary objects of which shall be to ensure:

That all deleterious matter from water closets, sinks, etc be at once intercepted, treated and removed, and only water from the heavens, or water deprived of feculent matter allowed to pass into surface or underground drains.

A few days later, when the league changed its name to the Sanitary Reform League, the *Sydney Morning Herald* reported:

The vital importance of preserving the public health from becoming endangered by existing or threatened sources of air and water pollution is too obvious to need comment. For many years past the defective system of sewage in several parts of Sydney, and its total absence in others, has been found productive of sanitary evils of the gravest possible character. With the view of preventing these as far as possible, the Colonial Government, after collecting a large mass of evidence, and obtaining the assistance of an eminent civil engineer from England, have decided upon an extensive and costly scheme of drainage, whereby the sewage from the northern slopes of the city will be discharged into the sea near Bondi; and that from the southern slopes will be treated by filtration on a tract of land on the lower part of Shey's Creek, an arm of the Cook's River. While admitting the Colonial Government to have acted in good faith in adopting the proposed scheme, it is impossible for any impartial person, possessing any knowledge of the considerable progress effected of late years in the art of sewage utilisation, not to perceive that the results anticipated are not only unattainable by the system as at present arranged, but that the various ills sought to be removed will simply become replaced by others of an equally dangerous character. A careful consideration of the proposed scheme will show that it will, if carried out, become the means of polluting the air and water in the neighbourhood of Sydney to a most alarming extent. This has been fully shown in the letters of the Hon. Sir James Martin, which have appeared in the *Sydney Morning Herald* and in which, not only have the numerous objections to the proposed system of sewage been shown in a clear and convincing manner, but also a mode whereby, at a considerably decreased cost, the closet refuse of the city may become speedily and effectively removed, and employed for the purpose of fertilizing soil now lying waste and barren.

Honourable members will recall that this occurred in 1880. At the meeting Mr R. Miller, J.P., said that he had "tried the dry-earth system and found it to work admirably" - but he used ashes instead of earth. With regard to taking the sewer out to Bondi, a gentleman had told Mr Miller some time previously:

The body of a person who was drowned at Bondi was afterwards found round in Manly. This showed plainly that all the matter would be washed back into the Harbour again. He thought that the Government were going to make a great mistake, and spend uselessly a large amount of money".

The editorial in the *Suburban Telegraph* of 15 January 1881 began:

A wide-spread belief exists that the Government sewage scheme will be steadily pursued in spite of denunciations and opposition from the people of the southern suburbs. The fears entertained should induce the suburbs to put forth all their energies to prevent the carrying out of so disastrous a scheme. It has often been a matter of reproach that the very suburbs whose interests are most concerned have exhibited the greatest indifference to the measures taken to avert a public calamity on which, in a sanitary point of view, their own prosperity depends. The apathy that prevails on the subject, and we may add the ignorance also, may well excite astonishment; therefore it becomes our duty to bring the subject practically and explicitly before the public in order to stir up the dormant energies of those suburbs to a just sense of the hazard they are running. We fear it will be a work of persevering toil on the part of the few who, foreseeing the evil, are endeavouring to find the remedy.

The editorial in the same newspaper of Saturday, 29 January 1881, stated:

... we cannot see what other result could possibly be produced, or how it can for a moment be imagined that the sewage of a large and populous city can be permanently got rid off by discharging it into the ocean a few feet from the shore. We do not want to be told that this substance, having less specific gravity than the seawater, at whatever depth it may be discharged, will not remain at the bottom. It must rise to the surface, and our own observations of the tidal effects will convince us that every returning tide will bring back portions of the matter discharged, and lodge them on various points and headlands ... It is said that dirt is simply matter in the wrong place.

Surely the sewage of a city, which in accordance with the law of nature, should be returned to the earth as a fertilizing agent, is in the wrong place, when instead of being put to its proper use - to enrich one element, earth - it is employed to pollute two other elements, air and water?

Those are the minutes and the debate in 1880-81 on the proposed Bondi ocean sewage outfall. One hundred and thirteen years later, exactly the same things are being debated and the populace of Sydney is still complaining about the sewage going virtually untreated out to sea. It is extraordinary that all these years later the same problem is still visiting us. In the 1880s things were very different in New South Wales, and throughout Australia. I should like to read an extract from the book *Taming the Great South Land* by W. J. Lines, published by Allen and Unwin, Sydney, in 1991. The book mentions the third convict fleet seeing shoals of sperm whales off the

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coast of New South Wales, from noon to sunset, as far around the horizon as could be seen from the mast. Also:

Mariners in the southern seas in those days sailed through an abundance of marine life unimaginable to Australians today. Indeed, the southern oceans then served as a vast undisturbed sanctuary for the sperm whale (*Physeter macrocephalus*) and the right (or southern black) whale, (*Baleaena australis*). Every season, in their tens of thousands, right whales swam north from Antarctica to mate and calve in the bays and estuaries along the coasts of New Zealand, Van Diemen's Land and southern Australia. In addition, every beach of the Tasman Sea, each rocky promontory of Bass Strait and all the islands of the southern coast of Australia teemed with rookeries of elephant seals (or southern walrus) and fur seals.

They were virtually wiped out. Later the author said:

By 1806 the Bass Strait sealers had killed well in excess of 100 000 seals and by 1810 the nearer Bass Strait sealing grounds were exhausted . . . After 1810 the commercial hunt moved to distant Macquarie Island but the fur skin rush lasted only another four or five years. At the peak of the killing over 100 000 seals a season had been taken at Macquarie but by 1815 several gangs on the island managed to find and kill only 6000 seals between them. By 1820 the southern seals had been hunted to near extinction.

This will become relevant as I progress with my speech. They talk here also about the red cedar, *Toona Australis*, one of Australia's few deciduous trees and its only long-lived tree, which once grew from Ulladulla, south of Sydney, along the coast to Queensland's north. Alexander Harris, who arrived in New South Wales as a free settler in 1825, talked about the cedar getters at Hawkesbury. He said:

The cedar grew in such quantities, [there] was a forest so dense overhead that there must have been miles where no sunbeam had penetrated for ages. The underwood and vines, matted together, rendered it impossible to travel without first making an opening with the axe . . . There were plenty of stumps ten feet in diameter, and trees lying felled ready for cutting down into logs, of seventy and ninety feet barrel without a limb, and so symmetrical that they might have been imagined columns preparing for some gigantic temple. Many of them were of such large diameter that the logs had to be halved by splitting before they could be sawed with a whipsaw.

Some of the giants felled during this unrelenting attack on the ancient forests exceeded 1000 years in age.

In the early 1830s cedar getters moved on to the Clarence and Macleay rivers and in ten years cut out all accessible timber from the Macleay. In twenty years they felled and burnt down all the cedar brushes on the Clarence. By 1842 cedar getters had hacked their way through the Richmond River in the far north of New South Wales and a few years later invaded the Tweed River area.

A journalist visiting the Tweed River in 1860 commented:

There are few places in the colony where [cedar] is now found in such profusion. The devastating axe of the timber getter has made dire havoc amongst the cedar brushes and where a few years ago immense quantities of the wood were to be found, there is not now a single tree worth cutting. The sawyers are a wasteful set of men. They destroy more timber than they use. They cut and square only the best parts of the tree, leaving great masses of cedar . . . to rot unheeded in the brushes. They destroy young trees too, with the most culpable carelessness, and wishing only to seize the present advantages, care not a button how many young trees they destroy cutting down an old one. In about twenty years such a thing as a cedar tree will not be found in the country.

That was in 1869. One can see how little things have changed in all those years. The same thing is happening now as happened all those years before. Brigalow scrub - about which the Hon. R. B. Rowland Smith will know, as he cleared much of it himself I understand - is the popular name given to woodland containing brigalow, *Acacia harpophylla*, a leguminous tree of the wattle family, *belah* - *Casuarina cristata* - and associated eucalyptus species. Such species once dominated the 500 millimetre to 750 millimetre rainfall belt stretching from northern New South Wales to northern Queensland and probably covered about 9.3 million hectares. By 1953 approximately one-third of the area was cleared. I shall refer to that again in a moment when I speak about the massive clearing that is still taking place in the Brigalow scrub.

Huge areas have been devastated during the time of this Parliament. I shall come back to that matter later. One of the things that must be realised is that Australia has a rare biodiversity, most of which is not found anywhere else in the world. I have an extract from "Scientific Aspects of Major Environmental Issues: Biodiversity" published by the Office of the Chief Scientist, Department of Prime Minister and Cabinet, on 18 May 1992, prepared by two independent working groups for consideration by the Prime Minister's Science Council at its sixth meeting. They tell us in this document that Australia has about 450,000 species, or 7 per cent, of the world's 6 million or so species of plants and animals. The document includes a chart showing that there are 200,000 species of insects and invertebrates and only 40 per cent of them have been named; 30 per cent have not yet been named; and 30 per cent have not even been documented - there is no information on them at all.

Of the vertebrates, of which there are 5,800 species, 5 per cent have not been named and 5 per cent have not been described. Of the 44,000 species of plants 70 per cent have been named, 15 per cent are known but not named, and 15 per cent have not been documented. Even more extraordinary, of 200,000 species of fungi in this country only 10 per cent have been named, 10 per cent are known but not named and 80 per cent are not yet named. Unfortunately some people do not understand the value of biodiversity. I shall read now the definition of that term from an article "The Eternal Triangle: The Biodiversity Convention, Endangered Species Legislation and the Precautionary Principle" by Edward Christie, Associate Professor of Applied Ecology, Faculty of Environmental Sciences, Griffith University, who is a barrister:

Biological diversity means the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems.

He speaks about sustainable use, to which I shall refer. He then says:

Sustainable use means the use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations.

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That is not happening now. We are not using our resources sustainably by any means. The article continues:

It should not be surprising that the claim is now made that Australia has the worst extinction rate of mammals in the history of the earth; and further serious cause for concern is the scientific prediction which suggests that a second wave of extinctions will occur in Australia in the next 10 to 20 years. In relation to our flora, about 117 species of Australia's vascular plants have become extinct since European settlement and over 3,300 vascular plant species have been classified as threatened.

Australia's biodiversity continues to be threatened by a range of activities associated with the human use of natural ecosystems, particularly those activities which would lead to habitat degradation and fragmentation. These issues are reflected in environmental concerns when future planning and development proposals associated with the use of the natural environment are made. Quite clearly, the question of sustainable use of natural ecosystems is a paramount consideration when the conservation of biodiversity is in issue. Underlying the concern for the conservation of biodiversity is the need to recognise the ecological interrelations between species essential for their survival, in order to protect both threatened species and their habitats. That is, the basic requirement for the

conservation of biodiversity is the in-situ conservation of ecosystems and natural habitats as well as the maintenance and recovery of viable populations of species in their natural surroundings.

That is an interesting article that I commend to all honourable members. I return to the Prime Ministerial document which refers to consumptive use of biodiversity and why it is so important to us. The document reads:

Just recently a native Australian plant has been found with a particular molecule in its oil that is important for human health. Research is now underway to incorporate it into high quality cooking oil and the economic returns look very attractive. Haemoglobin is one of the most characteristic substances and properties of animal life as we know it, yet we have now found the same molecule, with subtle differences, in plants. We are currently studying the haemoglobin genes of Australia's *Casuarina* to find out more about the functions and properties of this remarkable molecule which plays a critical role in human biology because of its capacity to grasp and carry oxygen.

The article speaks also about native flax. It says:

We can take individuals which are genetically immune to rust and breed them with commercial linseed genotypes to provide rust resistance. Some of the rust resistance genes which make it possible for Australia to have a cereal production industry have come from wild grass species that grow in Turkey, Israel and other Mediterranean countries. We depend on genes from around the world and we are just beginning to appreciate that our own unique flora has many genes to contribute to the world's plant production systems, including our own.

They are a few extracts from this important document, which contains much more, but it would take me far too long to read all of it. I recommend that members get hold of that document, which is now available from the Parliamentary Library. The Hon. I. M. Macdonald recently mentioned the clearing of the wheat belt and referred to an article in the *Land* which appeared on Thursday, 24 February 1994. It is unusual for the *Land* to be so concerned about the destruction of our biota. The document referred to an article which appeared in *Search* magazine, volume 25, No. 1, January-February 1994. I compliment the Hon. I. M. Macdonald on putting this matter on the record a few days ago, for it is an extremely important issue. I am glad that at least two members of this House are aware of the critical importance of conserving the biodiversity of the Western District. The article in *Search* magazine, called "The Native Vegetation Crisis in the Wheat Belt of NSW", was written by Dominic Sivertsen of the New South Wales National Parks and Wildlife Service. He says:

The wheat belts of eastern and western Australia together occupy an area of 496,000 km<sup>2</sup>, or 6.5% of the continental land surface . . . and are arguably the most altered landscapes in Australia . . . The NSW wheat belt occupies an area conservatively measured at 180,000 km<sup>2</sup>, or 22.5% of the State . . . Land in these regions is held predominantly as freehold title. The fate of land and the native vegetation it supports is therefore dependent on the decisions of individual landholders.

There is a tendency to accept that the landscape has already been cleared of most of its vegetation. Walker *et al.* (1993), estimate that 12-15 billion individual trees have been cleared from the Murray-Darling Basin since European settlement - a mere 150 years! Further, massive changes to native tree and shrub population age structures have been wrought by introduced graziers such as sheep and rabbits.

Further the article stated:

More than 640,000 hectares of land in the Western Division of NSW was affected by clearing licences between 1984 and 1990, and there was a 10-fold increase in the area devoted to dryland cropping in the same region between 1965 and 1980. . . This trend is significantly reducing the opportunity for species and community conservation in the Western Division. In short, it has been estimated that between 80 and 95% of the original native vegetation has been cleared in the wheat belt of NSW.

Further down the article stated:

In just 8 years nearly 70% of all the remaining native woody vegetation was cleared from the area covered by the Goondiwindi map, which leaves just 19% of the area supporting native vegetation in 1985. Of this 19%, nearly one-third (28.6%) occurs on hilly



country (which is unlikely to be cleared) leaving just 14% (51 900 hectares) of the arable lands supporting native vegetation cover.

He referred to the alarming clearance rates in the district. He said:

That continued clearing is a matter for concern is evident for a number of reasons. Native vegetation communities form the basis of *all insitu* natural biodiversity conservation. Without such areas, plant and animal species, populations and communities cannot be conserved, either in a formal reserve, network or under "off-park" management arrangements. Pressey and Tulley (1994) point out that, as cleared and degraded areas increase, options for reservation and the possibility of reserve representativeness decrease.

He referred also to the impact on industry. On page 7 there appears a chart showing the massive amount of clearing that has taken place. In seven years, approximately 50 per cent - totalling about 600,000 hectares - of the St George, Goondiwindi and Moree areas have been cleared, leaving little land for native flora, fauna and biodiversity. The article concludes:

These trends in clearing indicate dire consequences for the native biota, the rural industries and the human infrastructure occurring there. The situation is rapidly arising where government regulation is seen as the only

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viable means of controlling clearing in the agricultural heartlands of NSW. Unless the whole of the human community supports the cessation of clearing and the regeneration of selected areas through community-based initiatives, such as Landcare, Total Catchment Management and Greening Australia, government regulation appears inevitable.

And so it will be within a few years. Of course, in the meantime endangered species legislation is being examined by a committee, and the Government has introduced its own Endangered and Other Threatened Species Conservation Bill. The bill fails to guarantee the continued existence of increasingly large numbers of threatened species and communities, and their critical habitats. There is no overriding and effective political or legal obligation to do so; indeed, the legislation sets the conservation clock backwards. That is not surprising given the fact that the rednecks control the Government. Some Government members are caring but, unfortunately, a handful of people who hold sway in the Government, and they are mostly members of the National Party, are not.

The Government's bill uses outdated, unsatisfactory and restrictive guidelines for listing threatened species which have been rejected by ANZECC and the Commonwealth Government. The scientific committee responsible for the listing of species is not obligated to make recommendations for listing in response to requests from the public. Fortunately, other legislation will be introduced into the Parliament, namely, the Threatened Species Conservation Bill, which will be introduced by the honourable member for Manly, Dr Peter Macdonald, who is to be commended for this genuine legislation, which does not pander to the rednecks. The document "Threatened Species Alert" published by the National Threatened Species Network, hosted by the Total Environment Centre, a proponent of the national endangered species program, states:

If the Government's bill became law, some 200 species (and their associated habitats) listed in Schedule 12 would be completely open to destruction - the loss of biodiversity would be tragic over many years and would not be retarded by the so-called protected instruments offered by the Bill.

Some areas in New South Wales have suffered severe regional extinctions. Recently a study by Dr Chris Dickman from the University of Sydney found that the Western Division of New South Wales had lost a stunning 26, or 38 per cent, of the 69 native mammals originally found there, with at least another nine species still under threat. The majority of the mammal extinctions at both national and State levels occurred in the arid zone and hit the critical weight range species. Non-flying mammals weighing between 35 grams and 5,500 grams were hit hardest of all. The key reasons for the extinctions are the destruction and damage to habitat caused by clearing vegetation for agriculture, urban expansion, forestry and grazing on grasslands. Changes in fire regimes have also caused many extinctions in the arid zone, which covers 70 per cent of Australia.

This is occurring today; it did not occur 100 years ago. Enormous destruction was caused 150 years ago to habitats in Australia - the world's greatest number of extinctions - and still today this Government and other

conservative governments condone the extinction of species. What an indictment! Our grandchildren will look back on us in the future as barbarians. Even though excellent environmental laws were introduced in 1979 by Paul Landa, a Minister in a previous Labor Government, very little access to the law remains because of the politicisation of the Legal Aid Commission. We were informed from sources within the Legal Aid Commission that a political decision was taken not to fund environmental cases, and our assistance was sought.

As a result of tremendous pressure legal aid is now being restored for some civil cases but, despite immense coercion, not for environmental cases. The cost of environmental legal aid to the Legal Aid Commission is minimal because cases that are granted legal aid are subject to strict scrutiny. Therefore, almost all are successful. This means that the commission will recover its costs from the losing party. New South Wales environmental laws allow any person to bring proceedings to prevent breaches of the law. These include laws relating to national parks, wilderness, heritage and toxic chemicals. Without legal aid ordinary people cannot afford to stop the law being broken. Those who bring proceedings run the risk of bankruptcy if they lose. Most people are unwilling to run the risk when acting for the public good.

Supposedly one of the objects of the Environmental Planning and Assessment Act is to encourage public participation so that better decisions are made. Legal aid is essential for public participation. Without it one cannot afford to exercise rights in relation to environmentally significant development. That has been delayed for many months, and as a result community groups are unable to challenge destruction of the environment. The decision was political, even though protests were made. A number of honourable members are boasting to their constituents in Coffs Harbour and Murwillumbah that they will ensure that legal aid is unavailable for environmental cases. And they were successful! I am sure they are crowing about it in their feather duster meetings at lunchtime.

In their meetings they talk about greenies, coons and poofters. The people trying to control the Government are boasting about withholding legal aid and it is disgraceful that they are still in Parliament. Fortunately, most of them will be leaving Parliament at the next election. Many of the feather dusters will be gone and we will be better off without them. I am pleased that the Uniting Church in Australia has realised that a number of issues, such as saving the southeast forests, are extremely important for jobs, the people of New South Wales, future generations, and for biodiversity. Reverend Harry J. Herbert, General Secretary of the Uniting Church, wrote to the Minister for Land and Water Conservation in the following terms:

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Dear Mr Souris,

I write on behalf of the N.S.W. Synod of the Uniting Church in protest against old growth forests in South Eastern N.S.W. being felled for woodchips, in contravention of the National Forest Policy Statement. Coolangubra and Yawaka forests, for example, which are both on the Register of the National Estate, are being used for woodchipping, and as a result the Australian Heritage Commission is considering removing them from the Register.

The Moderator wrote to you in 1993, informing you of the Synod resolution which urged the N.S.W. Government to act in accordance with the National Forest Policy agreed by Commonwealth and State Governments in 1992, by -

- \* the following: implementing a moratorium on logging of all high conservation value forests, especially old growth and wilderness forests until the requirements of the NFPS strategy for old growth and wilderness forests are fulfilled;
- \* arranging for assessment of those forests in the light of the National Forest Policy and World Heritage guidelines;
- \* arranging for the creation of an adequate, comprehensive and representative system of conservation reserves over old growth and wilderness forests throughout the state;
- \* setting up a system of assistance to work as an industry affected by these proposals, the system to be worked out in consultation with the communities affected by these proposals and to include provisions, such as compensation, retraining, job creation, and

redundancy packages for workers whose current jobs are lost as a result of these proposals, including those in ancillary services such as trucking.

To allow woodchipping of National Estate forests, is nothing short of vandalism. We understand that the woodchips from the national heritage are being used to make throw-away paper products in Japan. This cannot be justified even in economic terms since forests of the highest ecological value are being harvested for the lowest economic return.

To destroy irreplaceable ecosystems, betrays Australia's commitment to ecologically sustainable development (which the 1993 N.S.W. Synod also supported).

The issue is not whether or not these forests are being harvested in a way which will sustain their yields. Rather the issue is that harvesting these forests destroys the biological community which has built up over very long periods of time. These systems, once logged, are replaced by new growth forest which has different characteristics as an ecosystem.

It is for this reason that the NFPS insisted on the moratorium, and other steps referred to in the Synod resolution. To put it in theological terms - these forests are a gift from God to humankind for all generations and should not be squandered by one generation for short-term gain.

On behalf of the N.S.W. Synod of the Uniting Church in Australia, I urge you to take action immediately to stop this wanton destruction of Australia's heritage, and to ensure that forestry does not contravene the National Forest Policy on old growth forests, and does not place at risk National Heritage forests.

I am glad that the National Trust has also come out with a very strong statement in its *National Trust Quarterly* of February 1994. The editorial, written by Graham Quint, states as follows:

Latest scientific opinion casts grave doubts on the concept of 'sustainable forestry'. The present reserve system is inadequate. Of the remaining old growth forest in NSW four types are very poorly reserved with only 5.4%, 0.9%, 0.8% and 0.1 per cent of each type protected in conservation reserves.

In a recent open letter to the Prime Minister and the NSW Premier, the Trust joined with other peak conservation organisations, the Ethnic Communities Council of New South Wales and environmental committees of the Uniting, Baptist and Catholic Churches, calling for the effective implementation of the conservation obligations in the National Forest Policy Statement, signed jointly by Mr Keating and Mr Fahey in 1992.

The Trust also supports a National Parks and Wildlife Service recommendation that there be a full audit of old-growth forests in line with the recommendations of the National Forest Policy which states that forest management agencies should avoid activities likely to effect old-growth forests or wilderness until such audits are completed.

The Trust is currently revising its 1986 Forests Policy and this revised policy will form the basis of a major campaign to protect this important national heritage.

There is an ignorance in the Liberal Party-National Party Government about what is going to happen in our forests and activities concerning our forests over the next few months, in particular leading up to the 1995 elections. All the storm clouds are gathering. Those clouds will shower rain on Government members during the next few months, unless the Government takes action immediately to ensure that the National Forest Policy Statement, which was signed by the Premier, is adhered to as it was supposed to be. These organisations have many thousands of members. The churches, ethnic community councils and others have joined with the conservationists and Aboriginal groups - the coons, as some members of the feather duster club call them. That disgraceful term is being used in the dining room by feather duster club members. I am pleased that before too long those members will be gone from this Chamber and this Parliament. It is disgraceful how they refer to other people.

Those organisations and groups have joined together. Over the next 12 months a campaign will be waged to ensure that either the National Forest Policy Statement is adhered to or the Government will have to pay the

price at the next elections. A lot of rubbish is talked about wilderness by the feather duster club and its adherents. An interesting article appeared in the *Sydney News* entitled "High Country Humbug", written by Peter Prineas, who won a court case on behalf of the Hunt for Animals eight years ago when we took the Federal and Queensland governments to court over its kangaroo management program - and won easily. Those programs were deficient at that time and have not improved much since then. We won the very first case under the Wildlife Protection (Regulation of Exports and Imports) Act 1982. That article mentions Peter Cochran and his friends, reminding the reader of the good old days when men on horses had something to do in the Snowy Mountains. The article states:

Then, up to a half a million sheep and tens of thousand of cattle were grazed on the mountain passes during the summer months. The practice began in the early days of settlement on the Monaro and was formalised towards the end of the last century under a system of 'snow leases'. In drought years, stock were brought up from both the Monaro and the Murray side with herds from as far away as Wagga.

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Unfortunately, the graziers' land management practices were appalling. They burnt the slopes remorselessly to bring up young grass and to get rid of the native shrubbery. Concerns about the soil erosion they were causing were voiced by the scientific community as early as the 1890s.

Baldur Byles, a forester, paid a long visit in the summer of 1931-32 and put in a scathing report to his bosses back at the Commonwealth Forestry Bureau, blaming the graziers for threatening the water catchment efficiency of the Snowy Mountains. Byles had a poor opinion of the locals whom, he said, lit fires without any concern for "whence they go or where they stop".

Things have not changed much since then. The article continued:

He also found them to be ignorant about the steeper country "where the erosion and forest destruction" was "at its worst" and where he had to find his way without the help of local guides . . . If it hadn't been for William McKell and his enthusiasm for the Snowy Mountains hydro-electric scheme, the men from Snowy River might still be up there, burning and trampling the mountainsides.

And destroying, destroying, destroying. A few days ago a press release was put out by the wilderness society, headed, "New Evidence Rogue MPs Rort Wilderness Process". They obtained a copy of a letter written by the management committee by the Gundagai Neighbourhood Centre to New South Wales community services Minister, Jim Longley, dated 4 March 1994. This letter relates to threats by local Liberal member of Parliament Alby Schultz to block any future funding for the centre because a media statement highly critical of Messrs Schultz and Cochran and their stance on the Goodradigbee wilderness was sent by a local person on the centre's publicly available user-pays facsimile service. The letter by the Gundagai Neighbourhood Centre to Minister Longley, widely copied around the Department of Community Services, states:

. . . this Management Committee and Staff believe it would be an invasion of a user's privacy to inspect material [before allowing use of the facsimile]. We consider this to be a grave invasion of our authority, and highly improper behaviour on Mr Schultz's part.

In other damaging evidence, a letter has surfaced written by Mr Schultz to a local constituent contradicting the public position of the rogue members of Parliament with regard to the Goodradigbee wilderness. The letter, dated 14 February 1994 - one day before a joint party meeting on the issue - states:

You are correct in saying there will be no new road closures as part of the [Goodradigbee] wilderness declaration . . . This compares with numerous statements by Mr Schultz and the rogue MPs, including at the full Government meeting, that the wilderness decision is a dire threat to current recreations such as 4wd.

All lies by the feather duster club rednecks. Thank heavens they are leaving Parliament. We will have a party for them and burn them in effigy when they leave.

**The Hon. J. F. Ryan:** That is a bit rough.

**The Hon. R. S. L. JONES:** It is a good thing they are going. They are bringing this Government down. They are hangovers from the last century. They should not be here. They should go before they do any more harm. I am talking about the feather duster club and the rednecks who support that club. There are about 20 of them all together.

**The Hon. J. F. Ryan:** I would not give them that much credit.

**The Hon. R. S. L. JONES:** There are hangers-on. There are a couple of younger members of the club who are not feather dusters yet. They have not been thrown out of their seats yet. I can only hope that they will go. I will not put this information on the record because there is too much of it. I will spare members the detail. However, I have a whole series of questions that I will put on record over the next few days to reveal some of the record in wilderness nominations and how people were given extraordinary concessions for no apparent reason. I will read one or two for the edification of members. First:

If the Greiner Government can acquire 30,000 hectares of Crown leasehold in the heart of the Macleay Gorges wilderness in the worst recession since the 1930s, how come your Government can't afford to purchase a hectare of Crown leasehold for addition to this national park within the Member for Tamworth's electorate.

Another one states:

For what bizarre political motives did the Government agree with the honourable member for Lismore to exclude 4,000 ha of the World Heritage Listed Border Ranges National Park which is already managed as wilderness as the Paddys Mountain Remote Natural Area created under the park plan of management?

What rational reason can this Government give to justify agreement with the demand by the honourable member for Lismore to exclude approximately 500 hectares of the Tweed range escarpment of the Mebbin State Forest when the area is too steep to log and State Forests do not oppose its addition to the Border Ranges National Park or its declaration as wilderness? How can this Government claim to be protecting the wilderness when old growth logging is occurring in 931 hectares of Enmore State Forest, 42 hectares of Styx River State Forest, 7,500 hectares of Buccleuch State Forest, 487 hectares of Torrington State Forest, 2,773 hectares of Little Spirabo State Forest, 2,920 hectares of Nadgee State Forest, 100 hectares of Brother State Forest, 2,844 hectares of Paddys Land State Forest, which are all within wilderness areas identified by the Director of National Parks and Wildlife. These are enough to keep us going for the time being but there are many more that I will put on the record in a few days' time.

The important thing is that we are losing our biodiversity in this State at an extraordinary rate just to shore up jobs which are going to go anyway very shortly. For example, we do know that the owners of Boral in the southeast of the State whose mill was supposed to be shored up by extension of the interim protection Act over the southeast forests were, in fact, considering closing this mill anyway. They have offered this mill for sale to their employees and they would not be doing that unless it is not worth very

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much at all, we can be sure of that. It is a marginal mill. That mill will close anyway so it is actually not true to say that the interim protection Act is being extended to save that mill. That mill is going to go.

We are fortunate that the pine forests are coming on stream next year in the southeast forest. Although we do not have any eucalyptus plantations coming on stream down there, which should have been planted 20 years ago at the same time that the loggers were destroying the other areas, at least the pine plantations are coming on stream. Those will replace the jobs which will certainly be lost in the southeast forest over the next few years. These jobs will be lost because the loggers are running out of timber for a start and, secondly, because the woodchip industry, as we have heard before, is in dire straits, at least in New South Wales.

Harris Daishowa is putting off workers. The company is selling off property. Seeing that Japan has zero growth this year, it is not an impossibility that Harris Daishowa will close that mill altogether. The Daishowa

paper corporation has enormous problems overseas, particularly in Canada, a multibillion dollar debt the company has been told to reduce, and it is very likely that it will be closing that woodchip mill anyway. The destruction of the southeast forest will be for very short-term jobs indeed.

Something will happen. We have seen the restructuring of State Forests, now under the new Minister. I must say he is quite enlightened. We have some good new people moving up. They are taking a much broader view of what forests are about, not just purely for selling them to Boral and the Japanese but maybe for a broader community use as well. We might well see some changes. I acknowledge that there are people in this Government of very good will, good people hampered sometimes by the feather duster club. They are good people and if only they could shake off the feather duster club they would be able to do much more. In 12 months they will be freed from the shackles of these people and will be able to do much more creative things with our forests, save jobs, save the environment, and improve tourism as well. An article that appeared in the *Daily Telegraph Mirror* on Wednesday, 9 March 1994 headed "Green Groups Propose 15pc Timber Levy":

More than 15,000 jobs could be created in a \$50 million package to save Australia's native forests, conservation groups said yesterday. In a submission for this year's Budget, the conservation movement said jobs will come from shifting logging away from forests and into plantations. It also proposes a 15 per cent levy on companies removing timber from forests, which will raise about \$26 million in 1994-95. The total package has been costed at \$130 million with a revenue projection of \$80 million. Sixteen conservation groups were involved in the preparation of the package which has already received support from the Greens and the Democrats. The movement is seeking a meeting with the Environment Minister, Graham Richardson.

It is likely that we will see Carmen Lawrence moving into the ministry in a few days' time.

**The Hon. Virginia Chadwick:** Which one, do you think?

**The Hon. R. S. L. JONES:** Carmen Lawrence? She might possibly be given environment. She is the one who knocked off duck shooting in Western Australia against the protests of the rednecks. The present Government is not trying to revoke that either because it knows the community actually wanted that. They find there is about 80 per cent support in the community. She took a difficult decision at that time to buck the gun lobby, and she did that. The new Liberal Government, even though it could not be called the most enlightened Government because it is fairly right-wing on a number of issues, has nevertheless not moved to remove that ban on duck shooting because it knows that the community supports it.

**The Hon. Virginia Chadwick:** Do you think Carmen is going to get the environment portfolio?

**The Hon. R. S. L. JONES:** I am not a soothsayer but obviously Richardson cannot do both environment and health; he cannot carry both portfolios. He may want to take on environment again and hand health to her but I would suspect she might go for environment.

**The Hon. Virginia Chadwick:** He may keep that and give her health?

**The Hon. R. S. L. JONES:** His own health is not so good. He might give her health and do environment so he can go bushwalking and get his health back again. Graham Richardson travelled the road to Damascus in the World Heritage Listing area of Tasmania and became converted when he realised what we were actually losing. This hardened right-winger of the New South Wales head kickers -

**The Hon. Virginia Chadwick:** You believe that?

**The Hon. R. S. L. JONES:** I know what his actions were; his actions spoke louder than Ros Kelly's.

**The Hon. Virginia Chadwick:** No whiteboard, that was the problem.

**The Hon. R. S. L. JONES:** He did not need a whiteboard to work it out, fortunately, but there is no doubt about that he is a true-blue politician. He is politically very cluey. If he were the Minister for the

Environment he would do far more for the environment than Ros Kelly has done in her whole time in that portfolio. Greening Australia has called for a \$48 million three-year program to fund environmental projects, involving the long-term unemployed. When in Australia chief executive Winsome McCaughey said that the program was a modest price to pay to combat the economic and ecological impact of land degradation which costs Australia up to \$1.5 billion a year. In the submission to the jobs white paper to be handed down in April, Greening Australia recommended 48,000 places be created for long-term job-seekers to work in

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environmental jobs in 48 regions. Some green groups and others are looking to long-term job creation programs to place people who have been on the unemployment list for far too long.

The other day I was at a showing of "The Last Whale" in the library next door. I met up with an old friend from the CSIRO who I knew 20 years ago. The Hon. Jim Samios was there. I was very impressed by that film and I am sure he was too. It is a very moving film. It has been shown twice on CNN globally. The people who made the film are actually friends of mine and happened to know Ted Turner and Jane Fonda. They managed to get them to put it on twice globally because it was part of that connection. They have also been involved in "Crocodile Dundee". "The Last Whale" is being shown all around the world, and they are now making a follow-up. They are making a whole series of films that will be shown globally. These people are not short of a dollar or two. They will be able to make these films and get major impact around the world. They live at Byron Bay.

This person I met from the CSIRO is a senior person there. I asked him for information on the orange roughy. I said, "What is happening to our fish stocks?" In this House I have asked on a number of occasions about the orange roughy. I had information from biologists that they were heading for trouble. I now have a stock assessment summary of orange roughy dated September 1993. It is the latest information published on 1 October, and regrettably what I have been saying in this House for the last five or six years has come true. The orange roughy is a very long-lived species. An article in the *Daily Telegraph Mirror* the other day stated "The orange roughy you are likely to eat may be 150 years old". They are right. They do not reach maturity until 20 to 30 years, so they are slow growing, slow reproducing.

Statistics show that they are fishing orange roughy at something like four to five times the sustainable rate. During the time that I have been asking questions in this House about the stocks of orange roughy the population has dropped by 65 per cent. There is roughly 35 per cent left of the eastern and southern stock. Not much is known about the western stock. During the time I have been asking questions orange roughy stock has gone down from an estimated 100 per cent of 205,000 tonnes to 72,000 tonnes. This was a very thorough survey. We have lost 65 per cent of the population of these creatures since 1989. They know they are fishing these fish to extinction. They know that is the reality. There is nothing they can do about it. Catches reported in the log book for the eastern management zone in 1992-93 were 7,423 and 1,154 in the eastern region zone - the 1,154 is to June 1993 only - and for the southern management zones 8,007 and 5,429 tonnes to June 1993.

The estimated sustainable take for both those zones is 3,300 tonnes. In 1992 the take was 15,430 tonnes. To June last year the take was 6,583 tonnes, a 12-month figure of 13,166, which is four to five times the estimated sustainable catch. Though orange roughy is very popular in the shops now, within five years it will be as scarce as gemfish. We are deliberately fishing these fish to extinction. It is a conscious, known policy - the Federal Government knows it, the Commonwealth Scientific and Industrial Research Organization knows it, State Fisheries knows it, but they are not doing anything about it. We talk about biodiversity. In the course of roughly 10 years these fish will be effectively extinct, at least in the zones around Australia.

While I was on Norfolk Island a couple of weekends ago, my self-appointed task when working with Greenpeace and the International Fund for Animal Welfare was to talk to the delegates from Dominica, St Lucia and Grenada. I spoke to the delegates from these countries at great length. A French proposal - which is now an Australian proposal - provides for an ocean sanctuary below 40 degrees in the Southern Hemisphere for all whales, including minke whales. If that proposal goes through it will effectively mean the end of whaling in the Southern Hemisphere. It needs a 75 per cent vote in the International Whaling Commission in Mexico City

in May. Dominica and St Lucia have only recently joined the commission; Grenada joined only last year. They have been receiving enormous aid from the Japanese, and the film "The Last Whale" revealed that they have been given fishery treatment plants.

Among them was an American bagman ordering them what to do. I spoke to them at great length and, though they were sympathetic, there was nothing they could do; they were sticking to their guns. These countries have only 80,000 to 100,000 people, but one vote of Dominica, one vote of St Lucia, and one vote of Grenada will each equate the votes of three other countries. I spent a lot of time with the Grenada delegate - Grenada has about 80,000 people in the country - and he will effectively neutralise the United States of America, France and England; St Lucia will neutralise Australia, New Zealand and Korea. An enormous battle is occurring as to whether or not these countries will remain in the commission. France is about to put great pressure on these three countries because it is the biggest supplier of aid. The French Government will do that a couple of months before the May meeting.

The Solomon Islands have had pressure put on them as well. They also were going to vote with the Japanese against the sanctuary. The Prime Minister, Mr Francis Billy Hilly, has issued a statement saying they may not be at the IWC meeting in May because they have not paid their dues. I have heard from New Zealand that in fact they will not go. So that is one vote we have managed to neutralise with the very heavy mailing campaign. While on Norfolk Island I met a very old friend, David McTaggart, who was the founder of Greenpeace about 20 years ago. He is still going strong and waging international campaigns. It is amazing that one such person can found an organisation which has global implications.

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I also met a man called Dr Roger Payne, who has worked for 25 years with whales off the coast of South America. He is acknowledged as one of the leading experts in the world on whales. We had many discussions. Dr Payne believes the human race is heading towards inevitable extinction. He says we are the most unsuccessful evolutionary experiment ever and one of the shortest lived species, and the only thing that gives him comfort is to know that the earth will last approximately 2½ billion years and there will be five more complete evolutionary cycles during that time. He and other major scientists have given up on the human race. They have given up on planet earth. They know we are heading for destruction. They know a lot about this.

**The Hon. Virginia Chadwick:** You do not believe this, do you?

**The Hon. R. S. L. JONES:** The world's scientists believe it. I am not a world scientist.

**The Hon. Virginia Chadwick:** But do you?

**The Hon. R. S. L. JONES:** I am not a world scientist.

**The Hon. Virginia Chadwick:** I do not believe that; I am an optimist.

**The Hon. R. S. L. JONES:** Of course you do not; you live in a comfortable cocoon. You do not have to believe it, you do not see the facts. If you were out there in South America watching what is being done to the biodiversity of this world and seeing the extinctions taking place every single day, you would believe it. But you are not, you are in a cocoon. You are in a very comfortable cocoon, insulated from all that.

**The Hon. Virginia Chadwick:** Do you think the world is going to end?

**The Hon. R. S. L. JONES:** I think the human race is heading towards extinction, yes, inevitably.

**The Hon. Virginia Chadwick:** When?

**The Hon. R. S. L. JONES:** It is impossible to say - perhaps 500 years, perhaps 300 years, perhaps 200



years, but certainly it is heading towards extinction, there is no question about it, in a very short space of time. Look at all the graphs. Whether it be greenhouse gases, extinction, or population, every graph shows that we are heading towards a major catastrophe. I do not think we yet have the intelligence to stop that major catastrophe from happening. We are technologically very advanced but our brains have not advanced as fast as our technology, unfortunately. I am quite sure we are heading towards extinction, yes, but not in my lifetime. I will try to do what I can to save it, but only one member in this House, or perhaps two or three, actually care. I am sure two or three members are aware of this, but others are hopeless; they have no idea what is going on at all.

I visited the whaling station at Norfolk Island where humpback whales were killed from 1956 for about five years. All that is left is a great big boiler. One entire whale could be boiled in that boiler. The quota of about 140 crashed to seven one year. To give some idea of what has happened to the whales around the world, the humpback whale population in 1910 was 100,000; it is now about 12,000. The blue whale population, the largest animal ever to exist on earth, was estimated to be 250,000 in 1910; it is now down to about 1,000 and is probably headed for extinction. The fin whale population was about 500,000 in 1910; there are about 20,000 of those left. We have no idea how many southern rights are left - a few hundred - or sperm whales - many thousands. The sei whale is down from 180,000 in 1910 to about 40,000 now. There has been a massive drop in the whale population, yet still the Japanese want to kill them. They say, "It is like a samurai war for us. We do not want to be beaten on this". They ask why we are so hypocritical; they think baby sheep are cute. An article released by Australian Associated Press recently was quite amusing. It concerned a Norwegian making a stand on whaling:

A Norwegian national on holiday in Australia has applied to the Immigration Department for refugee status saying he can't go back to a country that continues commercial whaling. Bjorn Unafjord, a former sub-lieutenant in the Royal Norwegian Navy, believes a loophole in immigration laws may give him political asylum in Australia and the chance to continue a campaign against Norwegian whaling.

I have spoken to other people who have said they cannot understand how their country, which is otherwise so civilised and has one of the highest incomes in the world, continues to kill whales. They cannot understand it. We cannot understand some of the things we do in this country either. I saw a note in the *Northern Star* recently, an aside I found interesting, about ballast coming in from Japanese woodchip ships, and the number of organisms that have come in from those ships. I asked a question about this some time ago. A man called Peter Kerkenezov, who is a seaborne veterinarian, estimates that one-third of the bulk carriers that come from Japan carry into Australia in their ballast tanks non-indigenous marine organisms such as diatoms, dinoflagellates, blue-green algae, viruses, molluscs, fish, macroalgae, annelides, crustaceans, bacteria, gastropods and starfish.

Among the dinoflagellates - unicellular aquatic organisms - around the world are those producing potent toxins. One species introduced in the Hobart port area in 1980 resulted in dense plankton blooms in 1986 and 1991 which closed 15 oyster and mussel farms in southern waters. He made the interesting comment that if the woodchip ships start operating between Japan and the Clarence River they could be implicated in any future appearance of exotic marine species in northern New South Wales including, of course, blue-green algae outbreaks.

These Japanese ships are taking our woodchip and making it into paper, only to be thrown away after about three days. These ships may well bring us an AIDS of the sea via the organisms that they bring with them. It is extraordinary that some people still believe that the greenhouse effect is so much fantasy, that it does not really exist, that it is just a natural

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phenomenon. I have here a paper called the *Climate Times*, produced by my friends at Greenpeace International, published in February 1994 in Geneva. I do not want to put too much on the record, but to give honourable members some idea of whether or not the greenhouse effect is actually taking place, I will quote some of the more scientific material.

I will start from June 1990. "British researchers suggest that the Arctic ice cap might be thinning by as much as 15 per cent over an area of 300,000 square kilometres". Also that same year, "French scientists reported that water deep in the Mediterranean is now 0.12 degrees Centigrade warmer than it was in 1959. And ocean temperatures off California have shown significant warming over the past 42 years". That same year, "Alaskan scientists reported a 40 per cent increase in Arctic ocean temperatures. Temperatures 9 degrees Centigrade higher than the summer time average meant summer ice floes drifted out to sea and melted, instead of joining the ice pack in October as usual". In November 1990, "Canadian researchers report that over the last 20 years, air and lake temperatures in northwest Ontario have increased by 2 degrees Centigrade and the length of the ice-free season has increased by three weeks". In March 1991, "British researchers publish satellite images of the rapid disintegration of the Wordie ice shelf in Antarctica after several years of warmer than normal temperatures".

In 1991 also, "Scientists in northern Siberia report especially high water temperatures, almost a degree Centigrade warmer than they were in the same depth in 1987. A Soviet icebreaker which smashed its way to the North Pole in 1990 says ice thickness was 20 to 30 per cent less than normal". In June 1991, "Glaciers in Alaska are retreating as mean summer temperatures rise between 2-3 degrees Centigrade since 1900". In July of that same year, "NASA reports a 2 per cent decline in the extent of the Arctic ice cap between 1978 and 1987". In February 1992, "Ice core data from glaciers in China, Russia and Peru show temperatures between 1937 and 1987 were higher than for any 50-year period for 12,000 years". Meanwhile, the Japanese Maritime Safety Agency said the oceans off the coast of Japan increased 0.7 degrees Centigrade between 1984 and 1992 and have announced that "the global warming phenomena has been proved by the change in water temperature". In January 1993, "Russian average temperature is fully 4.5 degrees warmer than normal. Russian scientists report the winter temperatures have been rising for the past five years".

These are scientists from around the world speaking about increased temperatures worldwide. These are not isolated facts. The effect on the world will be quite dramatic. Recently a number of species of frogs disappeared. It is believed that the disappearance of the frogs globally is a result of greenhouse gases and increasing temperatures. In areas untouched by humans, trees are growing faster in the rainforest and they are dying faster. Species will disappear as a result, because the slower growing species will be crowded out by the faster growing ones. The international intergovernmental panel on climate change has put out some basic facts for ignoramuses. This IPCC comprises the world's leading scientists and it is an agreement that current climatic patterns are threatened by the growth in greenhouse gas emissions.

The IPCC has categorically stated that emissions resulting from human activities are substantially increasing the atmospheric concentrations of the greenhouse gases, carbon dioxide, methane, chlorofluorocarbons and nitrous oxide. These increases will result in an average warming of the globe. The concentrations of carbon dioxide, nitrous oxide and CFCs adjust slowly to emission rate. Therefore, the longer emissions continue to increase at present day rates, greater reductions will have to be made. At current greenhouse gas emission rates the average mean sea levels will rise between three and 10 centimetres every 10 years.

Energy generation and use accounts for about 63 per cent of greenhouse gases in Australia, of which carbon dioxide is the largest element. Australia has one of the largest per capita greenhouse gas emissions of all Organisation for Economic Co-operation and Development countries. In New South Wales, 48 per cent of the State's carbon dioxide emissions come from the electricity industry. A 60 to 80 per cent cut in carbon dioxide emissions will be required to stop the continued build up of greenhouse gases in the atmosphere. It is not likely that there will be any chance of that cut happening with this Government.

To give honourable members an idea of how much of a dirty old man Australia is, I shall quote some of the OECD environmental indicators. These OECD environmental indicators come from the framework for environmental statistics from the Australian Bureau of Statistics, "Australia, Environmental Issues and Facts". So far as carbon dioxide emissions from energy use, Australia is third in the OECD countries with a per capita emission of 4.3 tonnes, which is approximately 3.6 times the world average. As for greenhouse gas emissions, Australia is first in the world. We lead the OECD countries in emissions of carbon. The per capita tonnes of

carbon emitted in Australia is 11 tonnes, which is 4.4 times the world average.

As a contrast, we have one of the lowest rates of protected areas, approximately half of that of the United States and the United Kingdom. So our percentage of land area protected is approximately half of Canada, the United States and the United Kingdom, in fact way under the UK. We are falling way behind the rest of the world in protected land, which means also protected biodiversity. Australia is the world's second in the generation of municipal waste. Australia generates per capita 681 tonnes, which compares to the United States of America of 864 tonnes, Canada of 632 tonnes, Sweden of 317 tonnes, and the United Kingdom of 353 tonnes. The world average is not available but it is much less. Australia produces more garbage than the OECD average.

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We believe for some strange reason that we are ahead of the world in environmental matters. We are actually 18 out of 23. We are way down the bottom of the list. We have slipped behind because of the lack of action by government after government. We sit here complacently, thinking we are doing very well, thank you very much, but we are not. We are doing very badly indeed. We signed the biodiversity convention in Rio a couple of years ago but we have done nothing. We have increased the rate of extinction of our species with assistance from the feather duster club.

I have here a list of the number of rare or threatened flora, families, genera and species for New South Wales. There are 87 families at risk, 226 genera and 532 species. The causes of extinction and past and present threats to endangered plant species appear in table 2.21 on page 25. Grazing and agriculture are predominant among these. The number of species presumed extinct as a result of grazing is 34 species and as a result of agriculture 44 species; compared to industrial and urban development, three species; mining, one species; erosion, one species. By far most species are endangered by grazing and agriculture. The number of species endangered by grazing in the past is 51, and by agriculture 112; the present and future threat is 55 by grazing and 50 by agriculture.

It surprises me that we still find it acceptable to drive around in our vehicles emitting emissions in the city of Sydney. Smoking in most parts of this building has been banned. That is obviously a lot better for those of us who do not smoke. It is tough luck for those who have to smoke on balconies, but it is much better for all of us that we are able now to breathe air that is a certain amount cleaner. Outside, the air is worse. The air is actually cleaner inside this building than it is outside. I have asked the Parliamentary Counsel to prepare quite complicated legislation which will not be introduced for a couple of years yet until it has a chance of passing.

It would take about 10 years to implement this legislation because of complications. I forecast here for the first time on the record, for the edification of the Minister for Education, Training and Youth Affairs, that I propose the introduction of a system to license pollution from motor vehicles within a certain area of the city of Sydney. Honourable members would know about the collection of tolls by the use of underroad electronic impulses in Singapore. I propose a ring around a defined area of the city - we are still working out whether the ring should be three square kilometres or 10 square kilometres -

**The Hon. Virginia Chadwick:** Like a ring of confidence.

**The Hon. R. S. L. JONES:** A ring of confidence for the city of Sydney. That description might be used in the future. When a vehicle passes over the electronic pollution licence monitor, the owner of the vehicle will be charged and billed monthly, or quarterly, depending on the size of the bill. When the bill amounts to \$100 he will receive a bill. I propose that vehicles be graded from zero emission to heavy emission, possibly on a 1:10 basis. The vehicles with heavy emission would equal 10 and would be charged \$50 every time they entered the city of Sydney. Those with zero emission, being electric cars - which are being introduced in Los Angeles over the next two years - will not be charged. Gradually polluting vehicles would be forced out of the city of Sydney via a licensing system.

**The Hon. Virginia Chadwick:** Is this Democrat policy?

**The Hon. R. S. L. JONES:** This is long-term thinking taking us into the twenty-first century. It will not become a reality until past the end of the century. It will take that long to introduce the system. It will certainly take a number of years, mainly because there are no zero emission vehicles because the various governments are slack in telling car manufacturers to get off their butts and stop selling vehicles that pollute our air. I have made a couple of submissions to Peter Collins for the upcoming budget, which he says he will consider. One of these is a proposal to increase weight tax.

**The Hon. J. R. Johnson:** You cannot release budgetary matters in advance. You could get the Treasurer the sack.

**The Hon. R. S. L. JONES:** I do not think so. I will release only one of them as I am halfway through it now. One submission is to increase the differential for weight tax between lighter and heavier vehicles. Those with lighter vehicles pay the same but those with heavier vehicles pay increasingly more because of their greater impact in terms of density, road damage and pollution emission. The lighter vehicles will be paying less and the heavier vehicles significantly more. I have suggested that that system be implemented over a number of years. I have made other submissions in previous budgets that were accepted by Cabinet and became government policy, though no one knows about it.

I guess the Minister for Education, Training and Youth Affairs knows about that. That is the only one I have mentioned so far; the other ones I have not mentioned, but they are known about. I have made submissions to Peter Collins, who said, "Yes, we will do that". I have not done it with fanfare but in a quiet, sensible way. I have done my figures on it. In some cases it is revenue neutral; in other cases it raises revenue. Nevertheless, it is a helpful submission. We did not beat our breasts over it but quietly made submissions. I wonder how many other members have taken the trouble to analyse revenue.

**The Hon. Virginia Chadwick:** Not a lot, I suspect.

**The Hon. R. S. L. JONES:** I am sad to hear that. When one runs a few businesses one tends to think about such things. An interesting report on a pilot study on the evaluation of air quality issues for the development of the Macarthur South and South Creek Valley regions of Sydney was released in December 1990. It stated:

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The data previously published by the State Pollution Control Commission of New South Wales (SPCC) seriously underestimates the current severity of photochemical smog in the Sydney region.

There are gross deficiencies in the knowledge of the causes and of the distribution of photochemical smog in Sydney. This lack of knowledge is likely to disadvantage proposals for urban and industrial development of the area.

In the absence of further pollution controls, urban growth during the next 20 years is set to give rises of up to 50% in western Sydney ozone concentration.

We know that ozone has a serious effect upon women in particular. The report continues:

Since the 1970s there have been changes in the relative amount of hydrocarbons and nitrogen oxide . . . emitted into the air . . . These changes have resulted in a change in the air chemistry, so that now ozone is produced further downwind from the emissions sources. This in turn has caused a shift in the location of the main smog cloud to outside the boundaries of the SPCC monitoring network . . . although over the past 15 years there has been a substantial reduction in ozone concentration measured in the eastern district of Sydney, now smog episodes occur most frequently in the western sectors of the region, in areas scheduled for rapid urbanisation and where little air quality monitoring has been undertaken . . .

Future urban and industrial development in the Hawkesbury Basin and in the other districts of Sydney should take account of the fact that there is a finite capacity of an airshed to assimilate pollutant emissions and maintain acceptable air quality. This places a restriction on the total amount of development that can be sustained, or alternatively, pollutant emission controls appropriate to the extent of development must be implemented.

Most air pollution originates from motor vehicles but, in the absence of a more detailed quantitative smog evaluation, the findings of this pilot study may make it difficult for proponents of new industrial developments to demonstrate that they have pollution controls adequate to protect the air environment.

Later the report gives an idea of the trends in pollution concentrations for weather conducive to photochemical smog. Between 1990 and 2011 the percentage increase in ozone concentration projected to occur in St Marys is 50 per cent; in Windsor, 42 per cent; in Campbelltown, 13 per cent; in Albion Park, 26 per cent; in Liverpool, 13 per cent; in Wentworthville, 13 per cent. Decreases will occur in Lidcombe and Marrickville of 0.1 per cent and 1 per cent respectively. I have explained previously why that will be so. The study also dealt with nitrogen oxide and hydrocarbon emissions, which show considerable upward trends over the next 10, 12 and 14 years.

We need to take this issue seriously and analyse means of improving transport. It is unfortunate that the Minister for Roads and Public Transport spends more time promoting new motorways, which will exacerbate the problem. For the populace as a whole I hope the Minister will look at better public transport systems, and light and heavy rail systems. The Democrats in the Federal Parliament have provided some hope. They had a success in the 1993-94 budget with a four-year \$20 million bounty scheme to subsidise ethanol production, which has prompted a flurry of interest in gasohol. Gasohol, which is now available in many areas, is mandatory in many major United States cities with air pollution problems on a par with those of Sydney and Melbourne.

For many years gasohol has been fostered in Brazil, where some vehicles run on 100 per cent ethanol, although these require special engine conversion. Ethanol has a cleansing effect that tends to pick up dirt from the fuel system, such as rust from the bottom of petrol tanks, and flush it out; the fuel filter quickly clogs in some cars. Bogas, the company producing gasohol, has hit on a policy of supplying free fuel-filter replacement. Bogas sold 50 million litres of blended fuel and had a problem with only 25 cars, which is a good record. Within the next year the company plans to extend gasohol to 110 service stations in the Sydney-Newcastle-Wollongong area and to 400 service stations in New South Wales. It is taking off very fast. Brazil makes gasohol from molasses - a product of sugar cane; the United States of America makes it from corn; in Australia CSR in Queensland is making it from molasses and the Manildra Group in New South Wales from wheat starch.

The proponents of gasohol claim that it not only cuts carbon monoxide emission from cars but burns cooler and cleaner than pure petrol. In unleaded gasohol the ethanol's octane-enhancing effect makes it ideal for cars designed to run on leaded petrol. Senator John Coulter was aware of this, and finally convinced the Government not to increase steeply the tax on leaded petrol but to introduce gasohol so that people could use gasohol in cars normally running on leaded petrol.

That was a very good initiative, and I am grateful that he took it, for all our sakes. Recently I noted that our friends from Greenpeace took action to prevent the export of batteries. There has been a major scandal around the world over Australia's export of toxic wastes. Greenpeace visited lead acid battery smelters in South-east Asia and Latin America and found that the batteries were poisoning workers in villages and contaminating fluid and water sources. In 1993 Greenpeace visited Indonesia, the Philippines, Taiwan, Thailand, Brazil and Mexico. They said that a flood of waste batteries from industrial countries such as the United States of America, Great Britain and Germany have been exported to the developing world to be reprocessed under Dickensian conditions.

In Indonesia hair samples contained lead far in excess of acceptable levels, and in Taiwan 22 out of 36 children at a kindergarten downwind from a smelter were found to have high levels of lead in their blood. Greenpeace has been working on this problem and recently managed to stop a shipment. I understand that the

battery manufacturer involved will not now export batteries to Indonesia or other countries. Australia has been named by Greenpeace as the world's biggest exporter of toxic and hazardous waste to Third World countries. Senator John Coulter asked a question in Parliament in which he accused the Government of breaking the Basel convention that it signed along with 100 other nations in 1989 to control toxic waste dumping in other nations.

About 98 per cent of the world's toxic and hazardous waste is produced in Organisation for Economic Co-operation and Development countries, and Australia is actively involved in dumping its

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environmental problems on its Asian neighbours. Each year Australia dumps thousands of tonnes of contaminated plastic waste, lead, cadmium, nickel, copper and other metals primarily into India and the Philippines and also in Papua New Guinea, Taiwan, Pakistan, China and other near neighbours. Yet the Basel convention requires Australia to develop and implement environmental technologies for dealing with waste, rather than simply dumping it, and to minimise hazardous waste production. So far the Federal Government has failed, elevating Australia to the rank of an international toxic criminal.

I spoke before about the Government making ad hoc decisions. I was interested to note that the Minister for the Environment quickly cancelled the Metromix mining proposal off the coast of New South Wales. I knew about this problem, and an editorial appeared in the *Sydney Morning Herald* on 10 March that posed the question whether the ban was imposed too hastily. The question posed in the editorial, and it is one that I sought to ask, was where would the sand come from if not from that mining project. I have not looked closely at the issue but I have examined it and spoken to people about it. From the information I have received so far I do not believe that the mining of the sand would have an effect on our beaches. It involves separate sand bars that have been in the area for a long time and are not connected to the beach sand in any way. I do not believe that project would have any effect on our beaches. It is easy to raise those fears.

The *Sydney Morning Herald* editorial asked about the threat posed by the present disturbances of the sea floor by trawlers. What does happen? Do sea trawlers stir up these pollutants? I am sure they do. What damage do they do and how does that compare to mining the ocean sand? That was an ad hoc decision made by a Government without vision, because the Premier said that he believes that vision is "bullshit". We must think ahead. Will the sand now come from the Newnes Plateau or the beaches of Newcastle, or will it come from the Premier's electorate? There is a proposal to mine sand in the Premier's electorate. He also proposes to have a large private tip located over a hanging swamp in that electorate, though that proposal has been opposed by the Environment Protection Authority and the Water Board. I hope that, with a bit of luck, the project will not get knocked on the head.

At this point I should travel into the future. What will life be like in New South Wales in 2094? Has anyone in the Government given a thought to that? Does anyone care? No, of course they do not. I refer to an interesting article "How many more people?" by Harry Recher, Associate Professor, Department of Ecosystem Management, University of New England, Armidale, which appeared in an *Australians for an Ecologically Sustainable Population Incorporated* newsletter of March 1994. He said:

Technically we have the skills to solve the world's environmental problems and resolve even the most difficult social and economic conflicts. We know what the problems are and how they have been caused. I might therefore be positive, but for two human failings. The first is our constant demand for more, far more than we need. The second is our reluctance to accept population increase as a problem.

The Hon. J. R. Johnson said it is Malthusian bunkum. The article continues:

10,000 years ago, about the time agricultural societies arose, the world's human population was about five million and doubling every 1500 years.

**The Hon. J. R. Johnson:** That is Malthusian bunkum.

**The Hon. R. S. L. JONES:** The Hon. J. R. Johnson interjects again to say it is Malthusian bunkum. The

article says:

300 years ago the population had increased to 500 million and was doubling every 200 years. It reached one billion (1000 million) in the 1850s and two billion in the 1930s, just before I was born. By that time it was growing at a rate at which it would double in 45 years. We hit four billion 18 years ago.

The world's population now exceeds 5.5 billion and is increasing by more than 93 million a year. During this decade alone, as many people will be added to the population as were alive in 1850. Eighteen years into the future, the population will be nearly eight billion and doubling every 42 years . . .

By 2084 we will have between 15 billion and 16 billion; by 2094 we will have approximately 30 billion people on this planet Earth. Good luck! What will they live on and where will they be? Right now the human race, with a population of 5.5 billion, uses at least 40 per cent of the biomass on Earth. If we were to increase the population five times, we would use 2½ times what the Earth is capable of producing to feed us. If we were to cast our minds forward, we would know a number of things about 2094. By then the population of Sydney will be between 5 million and 9 million, according to these figures. I wonder where those people will go. Probably there will be high-rise buildings throughout Liberal Party held seats. We do know something about what it will be like in 2094. All the primeval forests, outside of national parks and nature reserves, will have been logged. The forests of Eden we are giving to the Japanese to produce their throw-away comics, and they will be long gone.

I wonder what the great-grandchildren of those 28 employees of the mill at Eden will be doing for a living. Their forebears will have destroyed the whale populations, the tuna and gemfish populations and all the available forests. Is it possible that 100 years from now we will be managing our eucalypt, pine and rainforest plantations on a genuinely long-term sustainable basis? If State Forests finally gets its act together and can avoid the shady deals that have been done in the past, it will have planted vast plantations of timber for the use of our great-grandchildren. If the latest figures are any guide, the population of Sydney will be approaching 9 million. Can anyone possibly imagine where those people will live?

The question to be asked is: will we allow the population of Sydney to grow and grow, regardless of its capacity? No one has yet grasped the nettle and

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declared that Sydney is now full. There has been tremendous timidity on the part of government and a failure to ensure that full infrastructure costs have been recovered for new development. As a result, taxpayers have been subsidising new developments in western Sydney and subsidising degradation of the Hawkesbury-Nepean river system and the pollution of Sydney's air. Even if full infrastructure costs had been recovered, the population would have grown, albeit at a slower rate, and would continue to grow. What would the quality of life be like in a city with a population of 9 million? If it were today, roads would be absolutely choked, the air would be unbreathable, the crime rate would be high and life would be as miserable as it is for the people of Mexico City and Sao Paulo. Growth is not always good.

I hope that governments will decide to declare a limit on the population of Sydney and, indeed, of Australia. I hope the population of Sydney will not have grown to more than five million by 2094. In all probability, many more people will be living within the heart of the doughnut. The only private vehicles allowed within the city area will be zero emission vehicles approximately one-third the size and one-fifth the weight of today's absurdly heavy polluting vehicles. It is ridiculous that some people take one tonne of metal to and from work every day. The air in the city by then will have a far higher quality than today. I hope also that the tree planting program will continue apace and that Sydney will be even greener than today, with more pedestrian malls and open-air restaurants.

What kind of jobs will there be? The information superhighway will be well developed by then, and there is no doubt that many of tomorrow's jobs will be in the field of communications. No doubt the division between rich and poor, which has been progressively widening under the Federal Labor Government, will be even wider. No doubt it will lead to rich people employing many in the service industries. I believe the

countryside of New South Wales will undergo radical changes over the next 100 years. A megatrend has been well charted by American futurists towards vegetarianism. There is little doubt that the great majority of people in 2094 will be vegetarians. Already, 13 per cent of Britons are vegetarian, and the number is growing rapidly. Not the least reason for this is the fear of mad cow disease and bovine AIDS.

When the full health effects of eating meat and dairy products are known, many more will turn away from eating their fellow inhabitants of this planet. Apart from health aspects the ethics of eating other sentient beings will drive many to a non-meat diet. It is strange that so many people still eat meat when our bodies and digestive systems are not designed for it. It is also stranger that those who declare themselves to be Christians, Muslims, Buddhists and members of other religions can eat meat when the founders of those religions did not approve of the habit. Buddha, who was a vegetarian, said 2,500 years ago:

All things are born of the unborn, and from this unity of life flows brotherhood and compassion for all creatures.

Mohammed, who also was a vegetarian, said:

There is not an animal on the earth, nor a flying creature on two wings, but they are people like unto you.

Of course, Jesus Christ, a man of great compassion, was also a vegetarian. Vast areas of New South Wales now wasted running cattle and sheep will provide other more valuable crops to feed, clothe, house and provide fuel for the populace. Although we will undoubtedly lose a number of species by then, one would hope, as the rednecks of today will be long buried, that future more enlightened governments will protect the numerous species not conserved in our current national park system in a comprehensive interlinked park system. The farmers of tomorrow will be happy to be hosts for our unique wildlife, unlike some of today's rednecks. The concept of acquiring 25,000 acres of land and clearing the lot, as one honourable member said the other day, will be alien to the people of the next century. The New South Wales of 2094 will be much less polluted, virtually pesticide free, much greener and more enlightened. They will look back upon us today as barbaric savages, and they will be right.

**The Hon. L. D. W. COLEMAN** [10.3]: I support the Address in Reply motion by the Hon. Dr B. P. V. Pezzutti and compliment him on his excellent speech.

**The Hon. J. R. Johnson:** The Governor or Dr Pezzutti?

**The Hon. L. D. W. COLEMAN:** I will come to the Governor. Thank you for mentioning it. When recently I welcomed the Governor to Grenfell I said he was not unlike General MacArthur: he is already planning his return as he leaves. As a leader he has proved himself in many fields, including the navy, the Nyngan floods, and now, of course, as Governor. He is popular among traditional National Party people, the people with whom I am most familiar, and he is always welcome. His Excellency and Mrs Sinclair are a human and interesting couple, and I compliment them on a job well done.

I now wish to refer to the contribution of the Hon. R. S. L. Jones. Recently I spent a week at the University of Queensland attending a conference on conservation through the sustainable use of wildlife. The New South Wales Government was the only government to have a member of Parliament present at the conference. That demonstrates the commitment of this Government. The conference was hosted by organisations such as Australian and New Zealand Environment and Conservation Council, the Centre of Conservation Biology and the University of Queensland. The steering committee, for instance, was organised by the Queensland Department of Environment and Heritage, the Department of Zoology, the University of Queensland, the Centre for Conservation Biology, the Australian Nature Conservation Agency, the Department of Botany and the CSIRO Institute of Natural Resources, all quite moderate but caring and genuine conservationists -



**The Hon. R. S. L. Jones:** Rednecks.

**The Hon. L. D. W. COLEMAN:** I would like it placed on the record that the Hon. R. S. L. Jones has called the people I have mentioned rednecks. That is an insult, though in the context of what the Hon. R. S. L. Jones said, I am honoured to be called a redneck because I was more than happy to spend a week with these people learning how to conserve our wildlife for the benefit of all. Unlike other people, I spend considerable time with my constituents examining their problems. In the real world people have families to feed. Others might obtain social security benefits, but the people I deal with want to earn a living and they are worried about resource management.

I spent six weeks on the North Coast, where resource management of the timber industry is of great concern. New equipment is available to make better use of our timber resources and value added benefits are limited - we are talking about increasing the value of the produce 20 and 30 times. At present we are doing everything in our power to curtail that. Recently many biblical names have been mentioned. However, those who read the Bible are aware that Jesus made it clear there was only one place in his world, and that was for those who utilised their resources; there was no place for those who did not. We often forget that. The national parks are becoming overgrown with weeds such as lantana and scotts broom.

**The Hon. J. R. Johnson:** What about Bathurst burr?

**The Hon. L. D. W. COLEMAN:** That occurs further out. Blackberry bushes are a huge problem. The problem is that the national parks are not being looked after. Resources must be reallocated so that these problems are attended to. I am in favour of that but I am not in favour of lantana. For the past 40,000 years the countryside has been tempered by and become used to low-intensity and occasional high-intensity wild fires. However, changes are being noted in fauna and flora in rural areas. On a recent visit to Barrington Tops I saw about 12 inches of dead grass with nothing below it. I ran into a small mob of brumbies. That concerned me but locals said, "Don't worry about them, they are dying out". I could not work out why that should be so until I worked systematically through the food cycle and found the young had nothing to live on and they actually died of starvation and colic. After a shower of rain in that area I went for a long walk and had a close look at the country. I found little evidence of tracks indicating animal life, and that was 24 hours after rain.

Mankind is changing the environment. Recently a huge area needlessly went up in smoke. That area will not be quite the same again - the first time that has happened in 40,000 years because of intensive wild fires. One need only read the journals of the explorers to gain an impression of the way things were. During summer time the explorers were far more worried about the effect of wild fires than about local native people. The explorers had never seen fire come back on itself. At night time they would see a fire gradually turn back on itself, and if they were carrying ammunition or other explosives in their carts, they knew they were in great danger. That experience is documented in the journals of Mitchell, an explorer who came through my home country.

Mistakes have been made. We should learn from those mistakes. It is essential to look forward not backward. Lessons may be learnt from the "7.30 Report" last Thursday night and Barry Morris' film footage on the Blue Mountains. I thought the "7.30 Report" was being critical of the National Parks and Wildlife Service, which believes, rightly or wrongly, it is doing the best for the area it is looking after. I flew low over that area in the late spring. On returning from that area I pointed out to senior National Park and Wildlife Service people, during a later briefing, my great concern about that build up. However, it is no good crying over spilt milk.

I am deeply concerned about the amount of good timber resources being locked up unnecessarily. That resource will end up as over-mature timber and will be wasted. The great value of that timber could be used to improve our parks and manage them in other respects. That resource is not unique and can be regrown, but it will be wasted. I spend a lot of time out in the bush, but apart from a feral cat I have not shot a live animal for many years. The uneducated and uninitiated public believe that shooting is for rednecks. Shooting is about young people, just like those I met recently at the Sydney High School Rifle Club. Shooting is about fellows

like Angus Edwards and Nathan Scudder, who enjoyed shooting when they were boys at school. They got off their backsides and are raising money to send a Sydney high school shooting team of young boys and a girl across to England. That will be a tremendous opportunity for those kids to see the world.

I place on record my praise and admiration for people so young putting something back into the community. Recently I had the pleasure of attending a gathering of the Sydney Rifle Club, which has been in existence for 150 years. That is a wonderful record for any sporting club. Very few if any sporting clubs in New South Wales are as old. I hope that the previous speaker and those who agree with his sentiments become more broad-minded and open-minded. I hope they get out and talk to people whose jobs are at stake. I remind honourable members that at mills such as at Grafton timber is being changed from being virtually valueless into laminated timber, which is now replacing rainforest timber in Asia. The laminated timber is being exported and is bringing money into this country. That timber may be used and reused many times. I support the motion.

**Debate adjourned on motion by the Hon. Dorothy Isaksen.**

## **ADJOURNMENT**

**The Hon. VIRGINIA CHADWICK** (Minister for Education, Training and Youth Affairs, Minister for Tourism, and Minister Assisting the Premier) [10.18]: I move:

That this House do now adjourn.

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## **DEATH OF Mr KEN HALL**

**The Hon. J. M. SAMIOS** [10.18]: Recently I accompanied the Minister for the Arts, Peter Collins, together with key film and television industry representatives, and attended the funeral of Ken Hall to pay respects to one of Australia's most outstanding film producers and directors. During his extensive career, Ken Hall also worked as a writer, reporter, publicist, cinema manager and television executive. The Minister for the Arts said the memory of Ken Hall will serve as an inspiration to our burgeoning film and television industry for many years. The Minister made the following statement:

With the death of one of the pioneers of the Australian film and television industry we can reflect on the great successes we have had in New South Wales.

NSW can boast sixty per cent of the country's film and TV production. Without doubt, there has been a vigorous renaissance in the film and television industry in New South Wales, bringing national pride and economic benefit to the State.

It is my objective to see that the high standard of excellence set by people like Ken Hall continues through the Fahey Government's commitment to developing the Arts.

Ken Hall is survived by relatives Lucy and John Brogden, Sue and Frank Hooke and Betty Jeffrey. To commemorate the passing of Ken Hall I would like to refer to an extract from his well-known film work "Dad Rudd MP's Final Speech", in the "Dad and Dave" film series:

Honourable members have spoken of the expense it will entail to build the dam to its originally planned height. Did the men who came before us set the value of work they did in terms of money? Because if they did, the cost would be greater than this or any governments could ever hope to pay.

They fought their way across the rolling plains in their dragging, creaking drays, or strove through the silence of the bush to make it ours. Their names will never be engraved on tablet or tombstone, they have no place in the history of our country so far as it is written

- but they are the men and women who gave our country birth.

They stand together in silence and look down over the vast city that but for them might never have been built. They had faith - a magnificent faith that gave us our heritage. Would that all those who came after them had that same unselfish belief - would that all my countrymen today could say in truth "this is my own native land".

In its past - in its present - in its future - I BELIEVE!

### **SOUTH SYDNEY OCCASIONAL CHILD CARE**

**The Hon. R. D. DYER** [10.20]: I have on a previous occasion during the adjournment debate in this House raised the needs of the residents of the Redfern and Waterloo areas for occasional child care places. I have also made written approaches in the past to the Minister for Community Service, the Hon. Jim Longley, on behalf of The Shop Family and Children's Centre, Waterloo and the mayor of South Sydney, Councillor Vic Smith, concerning funding for occasional care places in the South Sydney area. In reply to these representations the Minister advised me that the Department of Community Services is aware that South Sydney has a high demand for child care services and that the department has identified occasional care as a priority area in the review of children's services.

The Shop Family and Children's Centre advised me recently that it has been approved for funding of seven neighbourhood model occasional care places. Recurrent funding for these places comprises two components, that is \$1,500 per place for 40 hours - a place being equivalent to 40 hours child care per week - from the Commonwealth Government and a salary subsidy of 17 per cent from the New South Wales Department of Community Services. The Shop has indicated to me that while it is pleased to be offered funding for these places, the level of recurrent funding is not enough to run the service in a financially and socially deprived locality such as Redfern-Waterloo.

To qualify for the funding for seven places a service must offer 280 hours of child care, that is seven times 40 hours per week. It is important to note that an identical funding formula is applied throughout the State, which means that a service in Waterloo-Redfern and a service in, for example, Double Bay, receives the same level of government funding. The practical outcome is that while it may be reasonable to charge \$5 per hour in Double Bay, it would be out of the question in Redfern-Waterloo.

I note that the 1991 Australian Bureau of Statistics census disclosed that 66.4 per cent of households in Waterloo and 41.1 per cent in Redfern live in poverty, that is, the household income is below \$16,000 per annum. There are 614 - or 31.4 per cent of the total - one-parent families in Redfern, and 645 - or 47.1 per cent of the total - in Waterloo. In Waterloo 77.6 per cent of dwellings and 40.2 per cent in Redfern are owned by the Department of Housing and both Redfern and Waterloo have high rates of reported child abuse.

At the end of 1993 South Sydney Council resolved to change the use of the Reg Cope Activity Club at Pitt Street in Redfern from an aged centre to a children's services centre which would include Redfern Occasional Care Centre. The capital establishment grant for the seven occasional care places will be used to renovate this building and to buy equipment to meet licensing standards. The capital funds to which I have just referred were provided by the Department of Community Services to a maximum of \$8,000 per child care place for the conversion of these premises.

I realise that both the Commonwealth Government and the State Government have made financial contributions to the creation of the seven occasional care places for the benefit of Redfern and Waterloo residents. However, the harsh reality is that additional recurrent funding is needed to cover the shortfall in the operating budget of the Redfern Occasional Child Care Centre. The Minister has said that it is not possible to vary the funding formula for individual services and that is to ensure the principle of equity. The very point I am trying to make, and which I would like to have conveyed to the Minister,

is that principles of equity virtually dictate that disadvantaged areas such as Redfern and Waterloo cannot be regarded as being on an equal footing in the general socioeconomic sense with other more privileged areas.

In 1988 the New South Wales Child Protection Council found a strong link between child physical abuse and neglect and conditions of social isolation, illiteracy, poor education, high-density living, poverty and unemployment. Social isolation is strongly linked with child abuse as a particular problem of many single parent families. These are the very conditions existing in Redfern and Waterloo. I am advised that a service in the Redfern-Waterloo area, characterised as it is by a large proportion of single-parent and low-income families, living in small units and high-rise public housing, could not charge in excess of \$5 for a five-hour session of child care.

A realistic budget for the operation of occasional child care during four days per week, offering five hours of child care to 14 children per day, would, on my advice, leave an annual shortfall of \$38,000. This community is too disadvantaged to attempt to raise funds to make up this shortfall. Although I understand what the Minister has said regarding the basis on which funding is provided, I do again appeal to the Minister to give some close and sympathetic consideration to the particular difficulties of Redfern and Waterloo in regard to the funding needs of occasional child care in this locality.

#### **HIV-AIDS LEGAL WORKING PARTY REPORT**

**The Hon. ELAINE NILE** [10.24]: Call to Australia condemns the promiscuous Puplick report, which has been produced in the name of AIDS. The report does not contain any moral reference. Call to Australia believes the *Holy Bible* to be the inspired inherent written word of God and the final authority above all man's laws and government. The Government will be condemned if it implements the recommendation of this report. Civil government is under the authority of God. God ordained three institutions. First, the family, which will be affected by this report; second, the church, which will also be

affected by the report; and, third, civil government - each with its own special responsibilities, duties and authority.

The family, consisting of those individuals related by blood or marriage, is the foundation social unit of the nation. Its primary responsibility is the welfare, education and property of its members. I hope that the Minister maintains her objection - which she voiced when the Federal Government recommended a similar scheme - to installing condom vending machines in schools. With regard to marriage, we believe that the Lord Jesus Christ himself taught that in the beginning God created mankind - male and female - and meant for husband and wife to live together honourably in a lasting, loving, life-long, faithful relationship. The so-called "same sex" marriage concept should be condemned by this Government, by the Opposition and by all those who believe in the procreation of children to be brought up in fear and the nurture of the Lord. Such a concept will turn our children away from what they have been taught in the classroom and by the scriptures.

With regard to euthanasia, Call to Australia believes that God is the author of life, that human life originates at conception. Abortion and euthanasia must be opposed under all circumstances as the shedding of innocent blood. God has established laws of sexual morality for the well being of society, prohibiting pornography, adultery, incest, homosexuality and other sexual aberrations which debase man, as well as defile and pollute our nation. We believe that parents have rights. This report, now that it has been made public, should be shown to every parent so that they know exactly what it is about, what it will mean to our nation, our young people and the parents themselves. I hope and pray that this Government will have the sense and the foresight to realise that the general public, especially parents, do not want anything to do with such activity. Children will go as far as they can, as they always have done, but the Government should act responsibly and not accept the recommendations of the promiscuous Puplick report.

**Motion agreed to.**

**House adjourned at 10.29 p.m.**

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