

Legislative Council

Wednesday, 23 August, 1978

Ku-ring-gai Municipal Council (Warrawee Avenue Public Reserve) Bill (Int., first reading and Select Committee)—Questions without Notice—Governor's Speech: Address in Reply (Fourth Day's Debate)—Special Adjournment—Adjournment (Business of the House)—Select Committee on Crime Control.

The President took the chair at 3 p.m.

The Prayer was read.

KU-RING-GAI MUNICIPAL COUNCIL (WARRAWE AVENUE PUBLIC RESERVE) BILL

Petition

The Hon. F. N. **Duncan** presented a petition from **Rowland James Traill** praying that leave be given to bring in a bill to enable the Council of the Municipality of Ku-ring-gai to convey and transfer certain land at Warrawee in exchange for certain other land; to amend the Local Government Act, 1919; and for purposes connected therewith.

Petition received on motion by the Hon. F. N. **Duncan**.

Suspension of Standing Orders

Suspension of certain standing orders agreed to on motion (as a matter of necessity and without previous notice) by the Hon. F. N. **Duncan**.

Introduction and First Reading

Leave granted for the introduction of the bill, on motion by **the Hon. F. N. Duncan**.

Bill presented and, on motion by the Hon. F. N. **Duncan**, read a **first** time.

Select Committee

Motion (by the Hon. F. N. **Duncan**) agreed to:

(1) That the Ku-ring-gai Municipal Council (Warrawee Avenue Public Reserve) Bill be referred to a Select Committee for consideration and report, with leave to sit during any adjournment of the House and power to take

evidence and to send for persons and papers; to make visits of inspection to such areas as the Committee may deem expedient, and if necessary, take evidence **thereat**.

(2) That such Committee consist of the following Members, viz.: Mrs Anderson, Mrs Lloyd, Mr McPherson, Mr Melville, Mr Percival, Mr Solomons, Mr Turner and the Mover.

QUESTIONS WITHOUT NOTICE

UNANSWERED QUESTIONS

The Hon. F. M. MacDIARMID: My question is directed to the Vice-President of the Executive Council and Minister for Planning and Environment. Is it a fact that during the last session of the Parliament several questions of great public interest that were asked in the House remained unanswered, despite the passage of many months? Is it a fact also that many of these questions were relevant to primary industry? If these are facts, do they indicate the Minister's total lack of interest in matters pertaining to the primary sector? Will he inform the House whether it is his intention to continue the policy of ignoring questions in the present session of the Parliament?

The Hon. D. P. LANDA: I am surprised that the Hon. F. M. MacDiarmid should have such a fundamental ignorance of the way questions and the answers thereto operate when Parliament is prorogued. The honourable member should be aware that when Parliament is prorogued questions lapse. If an honourable member has sufficient interest, there is no prohibition against his asking the question again. I can only take the fact that the honourable member has not raised questions again as an intimation that he regards them of small importance. **All** questions are treated with diligence by the Government, given the resources of government to attend to normal day-to-day business. The Government does not engage in time-consuming, expensive, fishing operations for the information of honourable members who could obtain the information for themselves from the Parliamentary Library or other services.

PRICE OF MILK

The Hon. J. W. KENNEDY: Will the Vice-President of the Executive Council inform the House of the percentage of price increase to various sections of the milk industry as recently recommended by the Dairy Industry Authority Prices Tribunal to the Minister for Primary Industries? Is it a fact that the recommendations, if implemented, would have resulted in an increase of 1.780 cents a litre to the farmer, amounting to 50.85 per cent of the increase to the consumer plus freight adjustment of 0.225 cents a litre, which would have given the producer an effective 57.27 per cent of the increase?

The Hon. D. P. LANDA: At this stage the details of the recommendation of the tribunal are matters between the tribunal and the Minister. They were considered by Cabinet and certain **public** announcements were made by the Premier and the Minister in that regard. The essence of the announcement was that the Government **fully** recognized the plight and financial position of the section of the industry that has been **affected** by flood and seasonal conditions and pressure that has been exerted because of the continuing inflationary factors on the country areas of the State.

The **Government** obtained a recommendation from **the tribunal** which, as the honourable **member** may or may not **know**, it was bound **either to accept or** reject in totality. In a nutshell, the Government **has** a duty also to consumers to **ensure** that any price rise granted is fair and equitable and does not have **within** it a factor weighted in favour of the middle man or some other person who has not suffered in any appreciable way. The **recommendation** of the tribunal was unacceptable to the **Government** because of the level of the rise and the effect it would have had upon milk consumers—**principally** young children, mothers and families. Cabinet is considering what is a fair and equitable basis of return to the producers who are genuinely **affected** by the prevailing conditions and have a genuine claim. If my memory serves me right, the Minister in another place will come a recommendation to Cabinet in the not-too-distant future.

GOVERNOR'S SPEECH: ADDRESS IN REPLY

Fourth Day's Debate

Debate resumed (from 22nd August, *vide* page 339) on motion by the Hon. Edna S. Roper:

That the following Address be presented by the whole House to the Governor, in reply to the Speech which His Excellency had been pleased to make to **both** Houses of Parliament, **viz.:**

To His Excellency Sir ARTHUR RODEN CUTLER, upon whom has been conferred the decoration of the Victoria Cross, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order, Commander of the Most Excellent Order of the British Empire, Knight of the Most Venerable Order of St John of Jerusalem, Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia

May it Please Your Excellency—

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

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

The Hon. P. S. M. PHILIPS [3.15]: As the Prime Minister said in federal Parliament yesterday, it is quite plain that the violence at Sydney Stock Exchange on Monday flowed from the meeting held under the auspices of the federal Leader of the Opposition and the Premier of New South Wales. He went on to say that he was rather surprised at the Premier of New South Wales' association with that kind of violent demonstration, which had hitherto been uncharacteristic of **him**.

The Hon. D. P. Landa: On a point of order: The honourable **member** has cast an aspersion against the Premier by suggesting that he was involved in a violent demonstration. **The** honourable member knows that is untrue and I ask him to withdraw it.

The Hon. P. S. M. **Philips**: On the point of order. I was quoting *verbatim* from the *Australian* in both cases, relating to remarks that the Prime Minister made in another place yesterday in which he merely referred to the fact that violence flowed from the meeting.

The Hon. D. P. Landa: On the point of order. It is clearly offensive to allege that someone was involved in a violent demonstration. I ask the honourable member to withdraw the offensive remark made against a person in the Legislature, whether the honourable member was quoting from some source or not.

The PRESIDENT: If the honourable member is quoting something that the Prime Minister said, I do not think any point of order is involved. If the honourable member is making a statement on his own authority, the Minister is entitled to take objection. Is the honourable member quoting from the Prime Minister's statement?

The Hon. P. S. M. **Philips**: I am quoting from the *Australian* newspaper in each case.

The PRESIDENT: Did the Prime Minister say this?

The Hon. P. S. M. **Philips**: Communications with Canberra are out of order. I have been attempting today to telex Canberra to check the exact text but have found it impossible to do so.

The Hon. D. P. Landa: The honourable member is adopting it himself.

The Hon. Edna S. Roper: On the point of order. I support the Minister's point of order and take another point of order, that the honourable member is reflecting upon the character of a member in another place, the Premier of New South Wales, who is not here in this Chamber to answer the offensive remarks made against him. I take offence at the statement by the honourable member and I ask that he should withdraw it.

The Hon. P. S. M. **Philips**: On the point of order. The statement is that violence flowed from the meeting. That speaks for itself.

The Hon. M. F. Willis: On the point of order. The Hon. P. S. M. **Philips** has made his position clear. He is quoting from a newspaper something which that newspaper has printed. As it has been published in the newspaper it is public information. The honourable member has in no way at this stage said that he associates himself with what the newspaper says or indeed that he believes that what the paper contains is correct. If an honourable member is not permitted to quote from a newspaper, a great deal of what is said in this House relating to quotations from newspapers could not be said.

The PRESIDENT: Is the honourable member in fact quoting from a newspaper?

The Hon. P. S. M. **Philips**: Yes. The Minister knows perfectly well what I am doing. I show him the item in the newspaper. There it is.

The PRESIDENT: What is the quotation?

The Hon. P. S. M. **Philips**: The quotation is:

"It is quite plain that the violence flowed from a meeting held under the auspices of the Leader of the Opposition and the Premier of N.S.W.," Mr Fraser added.

The other quotation is:

"I am rather surprised at the Premier of N.S.W.'s association in that kind of violent demonstration, which hitherto has been uncharacteristic of him."

That is what I was quoting.

The PRESIDENT: I do not think there is any point of order if the honourable member is quoting from a newspaper. It is open for other members to challenge the accuracy of what is in the newspaper. For the time being there is no point of order.

The Hon. P. S. M. PHILIPS: The words used by the Premier in his speech at the rally may have been unobjectionable. It was the inflammatory way in which he delivered his speech that caused the trouble. As the Prime Minister said in federal Parliament yesterday:

There's an old technique in public speaking, a technique of arousing people to fever pitch and inciting them to doing something, and then denying that which they do when at the same time you have suggested that they do it.

Anybody who watched television on Monday night would know that Mr Wran's speech could only recall the demagoguery of Mr Whitlam in his dying moments. I doubt whether there are any democrats who were not appalled by Mr Whitlam's famous "maintain the rage" speech which he made at that time. I have no doubt that the Premier's speech on Monday appalled television viewers and will appal others as it becomes better known. The damage done by demonstrators at the stock exchange has been widely publicized.

A brief newspaper account of a radio or television news item, of course, fails to convey the ugliness and the potential for very real danger in such mindless mob demonstrations. I personally witnessed the distress and physical damage caused to two ordinary law-abiding citizens who had the misfortune to find themselves in the pathway of this scientifically stimulated and carefully orchestrated mob.

It is not generally appreciated that, but for the courage and resourcefulness of the stock exchange operators, who managed to stop the demonstrators from entering the stock exchange trading floor itself, there would have been immeasurably more damage to persons and property. However, what continues to appal me is the lack of understanding of the relevance of the stock exchange in relation to economic recovery and employment. Through the Governor's Speech at the opening of this Parliament, the Government pledged itself to attempt to increase activity and employment, and claimed a good record in that regard. Yet the Premier's meeting resulted in an unruly mob attacking the stock exchange, which provides the necessary machinery for the efficient working of the capital market that is essential to the stimulation of employment and activity. The Government simply does not understand this, and does not understand why confidence is important to the proper working of the capital market.

I spoke at length on this subject on 20th November, 1976; my speech on that occasion was widely reprinted. I again commend that speech to the Government as required reading. The Minister's cavalier reply to my question on this subject yesterday demonstrates the Government's lack of understanding of this subject, and how absurd was the Premier's claim in the Australian on 10th November, 1976, when he said:

But to the extent that the States can do it, I am not going to do anything that can discourage people from investing—because more investment means more jobs.

By sparking off the attack on the stock exchange on Monday, the Premier has most assuredly done something that will discourage investment and reduce job opportunities.

The Hon. H. J. McPherson: On a point of order. Mr President, on an earlier point of order you intimated that a member would be out of order if he expressed personal opinions. The Hon. P. S. M. Philips started by using to bolster up an argument a quotation of the Prime Minister which appeared in a newspaper. He is now developing it on a personal plane, in the form of a personal **attack** on the Premier of this State. Of course, he is taking a roundabout and underhand way of accusing the Premier of inciting a rabble to attack the stock exchange. I am quite certain there was nothing further from the Premier's mind. My point of order is that the Hon. P. S. M. Philips is now expressing his personal opinion, **which** he introduced under the guise of a quotation of what the Prime Minister said, as reported in a newspaper.

The PRESIDENT: I think what the Hon. P. S. M. Philips is saying is a matter of opinion. He is making a statement, and it is open to honourable members to challenge the accuracy of that statement. I do not see that there is any point of order.

The Hon. P. S. M. PHILIPS: By discouraging investment and reducing job opportunities, the Premier has done a tragic thing. But so much for the "Wransacking" of the stock exchange. History gave us Attila the Hun; federal politics gave us Rex the Strangler; now State politics have given us Wran the Wransacker.

I now come to a subject entirely unrelated to the matters I have discussed so far. In the debate on the Appropriation Bill on 15th November last I called for the appointment of a select committee to update the aged Audit Act of 1902. In the debate on the motion to appoint a select committee of the Legislative Council to investigate public accounts and the financial accounts of statutory authorities, which took place on 9th February this year, I advocated the establishment of a public accounts committee with teeth. I advocated also that the Government produce a handbook to enable adequate understanding of the Budget. The select committee referred to was constituted on 2nd March, and brought down its interim report on 4th April this year.

With respect to the proposed establishment of a public accounts committee with teeth, the select committee confirmed that the Public Accounts Committee of the Legislative Assembly constituted by the Audit Act, 1902, had inadequate powers, as at present constituted, and **fulfills** only a formal purpose. This proposition now **seems** to be accepted by the Government, and the Premier has stated that he agrees in principle that the Public Accounts Committee should be enlarged and reconstituted along the lines suggested. He went on to say that it might be better if the Public Accounts Committee were reconstituted by separate legislation rather than by the Audit Act. I cannot see any objection to this.

The select committee in its interim report made a total of seventeen recommendations, eleven of which relate to the recommended form for a proper New South Wales Public Accounts Committee. In summary, the **committee** recommended a new Public Accounts Committee with significantly wider powers and responsibilities. It said that it believed that the Government should take legislative action as a matter of urgency to overcome the serious deficiency in the form and extent of the present procedures for parliamentary scrutiny of the State's public accounts and the financial accounts of statutory authorities. The committee stated also that it saw the need for early action to be taken to implement the use of efficiency audits by the Auditor-General as a means of obtaining better value for the taxpayer's dollar. In this connection, the **committee** had taken evidence that 20 per cent of the federal Public Accounts Committee's time was now devoted to efficiency audits and that this percentage would steadily increase.

In view of the **select** committee's recommendations, I **call** upon the **Government** to clarify its intentions in relation to the **select** committee's eleven public accounts **committee** recommendations **because** although the Premier **has** said that **he** agrees in principle with these **recommendation**, the Hon. P. D. Hills has already said **something** different. Specifically, the Premier, in a different section of the speech to **which** I have referred, **implies** that he will **accept** the **committee's** interim report recommendations in **toto**, by referring to the fact that the new proposed joint committee will make only the further inquiries that the Legislative Council select committee had in mind **and**, by necessary inference, it can be assumed that this statement **means** that the new joint committee will not reinvestigate the **old** select committee's findings. **As** the old select committee had completed its **recommendations** with respect to the **reconstituted** Public Accounts Committee, this statement implies that that section of its work is recognized as acceptable and complete. However, the Hon. P. D. **Hills**, in **another place**, has said that, whilst he agrees that the existing Public Accounts **Committee** **should** be dramatically changed, these changes will be dependent on the recommendations of the new joint **committee**.

I obviously **take** a great interest in this matter, and the matter of possible amendments to the Audit Act as **recommended** by the old **select** committee, **as** I sponsored both areas of investigation in the **first** place. In **this** regard I note **with** regret that the Government has not nominated me as a member of **the** proposed new joint committee, despite the **Erskine** May authority and the 1957 pronouncements by the Hon. R. R. Downing that joint committee of the two Houses should have **equal** representation from each House. In this connection, I agree, of **course**, that **now** **this** House is to be reconstituted the proposed Public Accounts Committee should be a joint-House Public **Accounts** Committee.

Having said that, and subject **as** mentioned, I **ask** the Government to accept in **toto** the select **committee's** recommendations with respect to the reconstituted Public Accounts **Committee**—**as** the Premier has implied **will** be done, **but which** the Hon. P. D. Hills has said will not be done—so that the new joint committee can **deal** with new material and not waste taxpayers' money unnecessarily. Legislation **flowing** from the interim report will be debated by the Legislative Assembly anyway, and it is therefore quite unnecessary for this part of the report to be reinvestigated as the Leader of the Government in this House has suggested, so that the report **itself** **can** be debated in another place. Finally, I object, as others have done, to the erroneous remarks made by the Premier, and by the Minister here, with respect to the powers of this House in financial matters, when the **correct** position has been asserted over and over again down the years, not only by the Hon. R. R. Downing, **but** also in the very recent past by some of my **colleagues** and myself.

With respect to the Audit Act of 1902, the Select Committee made four recommendations. These were that the Audit Act be further amended to provide that present-day audit requirements, procedures and practices be adopted by the Auditor-General; that the Auditor-General be expressly required to present the audited accounts of statutory authorities to Parliament in his annual report; that the Auditor-General be required to inform Parliament of any matter arising from the audit of statutory authorities which in his opinion calls for particular mention; and that the Auditor-General as part of his duties be required to undertake efficiency or operational audits. I ask the Minister to inform the House whether the Government intends to implement these recommendations. In addition to making the recommendations referred to, the select committee stood over six matters concerning the Audit Act for further investigation.

Taking the broad view, it is clear that the Audit Act of 1902 needs redrafting *ab initio*. Accordingly, I ask the Government, through the Minister, whether it will arrange for the terms of reference of the proposed joint House committee to be amended to **provide** that the aged Audit Act of 1902 be completely redrafted. To this end I ask that a draftsman or draftsmen be made available to the proposed joint House committee; or that a subcommittee of experts nominated by the Government and the Opposition be constituted to re-write the Audit Act; or, as a last resort, that a subcommittee of experts appointed by the Government be constituted for the same purpose. Finally, I note that the select committee recommended that the Government produce a handbook to enable adequate understanding of the Budget. I ask the Minister whether the Government intends to implement this recommendation.

As the Minister would expect, I now turn to the Property Compensation (Just Terms) Bill, and note that since the bill was **introduced** there have been a number of relevant developments. These include the Australian Law Reform Commission's discussion paper on lands acquisition law reform proposals, the **Gobbo** report on town planning **compensation** in Victoria, and the New **South** Wales Government's interdepartmental committee report on land acquisition procedures. I note that each of these reports postulates a situation that is vastly more equitable than the present highly unsatisfactory property compensation law in New South Wales. However, I think that it would be most relevant if I were to deal shortly with the **interdepartmental** committee report which, if accepted by the Government in whole or in part, will vastly improve the present land resumption mess. The committee was critical of the Property Compensation (Just Terms) **Bill**. It said:

Notwithstanding these judicial pronouncements this committee does not consider that to blandly provide in legislation that compensation on just terms is to **be** payable when property is **compulsorily** acquired (as was **proposed** to be done in the Property Compensation (Just Terms) Bill, **1977**) is a satisfactory way in which to ensure acquisition on just terms in this State. The committee does not adopt this viewpoint so that the door may be left open for the acquisition of land on unjust terms. On the contrary the strong view of the committee is that acquisition at all times should be on terms that are just. But in the opinion of the committee the decision as to whether terms are just, being a subjective rather than a legal decision, is one that belongs more properly to the legislature than to the judiciary.

With **respect** to this last observation, which is the only part of the quotation that merits **comment**, I say that I flatly disagree. I argue that, though a decision as to what constitutes just terms may be a subjective decision, it is nevertheless a decision that must be required to be based on objective criteria. This decision—in the relatively rare case where the matter gets to the courts at all—should be a decision made by the judiciary.

As a general observation I would say that those of anti-socialist philosophy have traditionally credited the judiciary with total impartiality and objectivity, and have traditionally been prepared to entrust to the courts' good and equitable commonsense interpretations of general phraseology without dictating unnecessarily limited criteria to the courts. The Just Terms Bill illustrates this sort of trust. The socialist Labor Party has, of course, tended to rely more on administrative decisions. In this respect the interdepartmental committee has adopted the socialist position. Later in the report the committee said:

The proposals of this committee thus spring from and reflect the concept of the changing nature of public activities, the broader concept of compensation which ought now to prevail, and the need to remove inequities.

The Hon. P. S. M. Philips]

The committee noticed that the Property Compensation (Just Terms) Bill, introduced into the Parliament by the Opposition, attempted to rectify these inequities by wide-ranging blanket proposals which would have had a major impact on established law, and would have involved tremendous costs to meet new compensation entitlements.

It is the belief of this committee, however, that the inequities can be remedied only by specific, and not by general, legislative provisions.

I comment that it is about time that proposals such as the Property Compensation (Just Terms) Bill did have a major impact on established law. What the committee does not say is that, if the bill had become law, the major impact would have been in the direction of removing inequities and introducing a degree of sensible uniformity, as opposed to the present hotchpotch situation. The reference to "tremendous costs" misses the point. If the Property Compensation (Just Terms) Bill had become law it is a fact that planning bodies would have had to assess more carefully the impact of their schemes upon individual owners before rezoning commenced. In short, the tremendous costs would result only from tremendous planning schemes..

Implementation of an equitable property compensation policy will, of course, require a closer relationship between Treasury and the Minister for Planning and Environment so that planning schemes in future are within the capacity of the community to pay. An important matter of principle is involved. Why should members of the community subsidize the community as a whole except on the basis of generally accepted equitable principles, such as income tax? When I sponsored the bill in the first place I gave reasons why the inequities referred to by the committee can best be remedied by general legislative provisions rather than by specific provisions at length. It is sufficient here merely to quote from Mr Bird's article in the *Valuer* of October, 1976. Mr Bird is one of the members of the interdepartmental committee. He said:

I hold a strong conviction that compensation entitlements expressed in broad general terms will be more beneficial to dispossessed householders than the alternative of having such entitlements particularized . . .

Suffice it to say again that I agree with Mr Bird's views as Valuer-General rather than Mr Bird's views as a member of the interdepartmental committee. With respect to other matters covered by the Property Compensation (Just Terms) Bill, the committee recommended as follows:

The land acquisition laws of this State should be replaced by a new uniform code.

- (a) The principal objects of the new code should be to:
 - (ii) Ensure that whenever a person's land is acquired for public purposes the same ground rules, with as few variations as possible, will apply no matter by which authority the land is being acquired;
 - (iii) Provide for the payment of compensation of an amount that will adequately compensate the claimant for the loss he suffers by reason of the acquisition of his land;
 - (vi) Provide compensation for injurious affection to land-owners seriously and prejudicially affected by the construction and use of public works.

Paragraph (ii) would be a great step forward. It would achieve, with some exceptions, the same result as would have been achieved by the Property Compensation (Just Terms) Bill. Paragraph (iii) introduces what is described as the judicial concept of

"value to the owner", rather than market value. I comment that "just terms" is also a judicial concept, and at least as precise in its meaning as "value to the owner". The advantage of **"just terms"** is that it is the only formula that can apply Australia wide. It is interesting that, while recommending the "value to the owner" formula, which cannot have Australia-wide application, the interdepartmental committee said:

As the Commonwealth as well as the State acquires land for public purposes in this State it is desirable that there should be at least a basic similarity, if not uniformity, in Commonwealth and State Lands Acquisition Law. The interests of uniformity may be that further consideration may need to be given to some of the recommendations of this committee.

The interdepartmental committee cannot have it both ways. For the reason that it gives in the report, I should have thought that it was bound to prefer the just terms approach rather than the value to the owner approach. For these reasons I continue to prefer the "just terms" concept to the now recommended "value to the owner" concept, although I acknowledge that the committee's recommendation is probably an improvement on the present situation.

Paragraph (vi) narrows and expands the entitlement to compensation for injurious affection given by the Property Compensation (Just Terms) Bill. The committee recommended:

(d) Where land resumed is at the date of resumption **affected** by a **planning** restriction for public purposes under the provisions of Part XIIA of the Local Government Act, 1919, and the restriction is of such a nature as to affect the market value of the land at the date of resumption the existence of the planning restriction should be ignored in determining the compensation payable in respect of the resumed land and such compensation should be determined upon the assumption that at the date of resumption the resumed land had the status that it would have had if it had not been made the subject of that planning restriction.

(e) **As** a corollary to recommendation (d), the provisions of Part XIIA of the Local Government Act, 1919, which **provide** for **compensation** for injurious affection should be repealed.

As I interpret the committee's recommendation, there would be no compensation for injurious affection resulting from planning restrictions unless there was a subsequent resumption. This, in my view, is inequitable. Of course, it is contrary to what the situation would have been under the Property Compensation (Just Terms) Bill, and what it was under the Local Government Act in respect of the County of **Cumberland** Planning Scheme.

The interdepartmental committee's report, however, expands the entitlement under the Property Compensation (Just Terms) Bill and the current law in that, to cover property compensation, the draft bill recommended by the committee provides in section 86 a right to landholders to compensation for injurious affection in certain circumstances where the land in question does not form part of the land directly affected. Section 86 empowers the declaration of lands adjoining or in the vicinity of a public work to be an affected area. An owner **within** such an area may claim compensation for injurious **affection** resulting from the construction and use of the public work, subject however to the offsetting of enhancement that has resulted from implementation from the proposal to carry out the work. **In** order to reduce the number of **small** or vexatious claims, compensation is not to be payable unless it exceeds a prescribed amount.

The Hon. P. S. M. Philips]

A further implement of control is contained in proposed **section 86(6)**, which provides that a notification declaring an affected area may limit the grounds upon which compensation for injurious **affection** may be claimed, and where such grounds are so limited **compensation** shall not be payable on any other ground. I take the **position** that either there is injurious affection, or there is not. If there is, there **should** be compensation. Accordingly, I should like to **know** on what grounds the notification **will limit** claims. To make this **aspect** the subject of a political decision is, in my **view**, **highly** undesirable to say the least.

In summary, I take the view with respect to resumptions that just terms of compensation are preferable to introducing a new value to the owner concept. I have **noted** the **comments** made by the interdepartmental committee on the Property Compensation (Just Terms) Bill generally, but I **am** not convinced. The present laws on property resumptions and in relation to injurious **affection** in New South Wales are highly unsatisfactory, as the Government concedes. The Government has been thinking about the position for well over a year. I urge it to take action promptly to ensure **that**, at long last, property-owners get justice.

The Hon. D. R. BURTON [3.45]: I support the motion **moved** by the Deputy Leader of the Government. I congratulate her on the manner in which she addressed herself to the motion. It is possible that this will be her last speech in the House. I congratulate her on a long and distinguished career, both in the House and in the Labor Party. For more than thirty years the Hon. Edna S. **Roper** **has** been a dour fighter for women's **affairs** within the party to which I belong. I **well** remember her efforts to have the first woman representative of the **Labor** Party elected to this House, and subsequently she had the honour to succeed her as a member of this Chamber.

I shall address myself to some aspects of the Speech which I believe warrant special commendation. The first concerns the abolition of appeals to **the** Privy Council. For those honourable members who have been on the receiving end of the law, those in the trade union movement, there has always been **the** threat that, having gone through **all** the processes of law in Australia, one was likely to finish up before the Privy Council. A number of organizations have been **involved** in lengthy and costly litigation that ended before the Privy Council. I am heartened by the fact that the Wran Government will abolish appeals to the Privy Council. Consonant with that, the State **will** be given the right to appoint its own representatives of the Queen without the possibility of veto by the Government of the United **Kingdom**. This, too, has been the cause of great political contention over the years at both federal and State level. Some honourable members will remember the difficulties that a federal Labor government, the Scullin Government, encountered back in 1929 when it attempted to have Sir Isaac Isaacs, a distinguished jurist, appointed as the first Australian Governor-General. A long and bitter struggle was successfully waged by the **Labor** Government towards that end. Coupled with the reform of this Chamber, which has been a signal success for the Government, this will shake off the last vestige of colonialism in New South Wales.

The Government is to be congratulated on its initiative on this matter. The Speech confirms the Government's commitment to four areas to which State governments usually commit themselves—transport, education, health and welfare. In those endeavours the State Government has not had much assistance from the Fraser Government. I shall refer to this later. I want to set out the State Government's success in public transport, in which it has been the most successful government in living memory, and **probably** in the annals of responsible government in New South Wales.

The Hon. M. F. Willis: How does the Hon. D. R. **Burton** measure success?

The Hon. D. R. BURTON: I shall **come** to that later. I measure it against the success that your Government did not have. The policy of the **Labor** Government when it came to office in 1976 was to upgrade and modernize public transport in New South Wales. A firm commitment was given to the electors of the State. The Government has not backed away from it. It was a most **important** commitment because eleven years of government in New South Wales by the Liberal Party and Country Party had left the transport system in a **run-down** condition. Honourable members will recall the number of derailments and the changes in the structure of the public transport system. A commissioner was appointed and died. Four different Ministers held the transport portfolio and there was general confusion in transport. The record of the Government stands for everyone to see. Its policy is there for the people to see. It will be judged by the electors on its record. Its first **commitment** was to reduce fares. It has come under fire from the Opposition for the reduction in fares. The Opposition has continually harped and **complained** that country people pay for city people. I shall deal with that aspect later.

The **Labor** Government's five year programme of updating public transport has been a success even though it has been less than two and a half years in office. I shall enumerate some of the successes and refer to some of the areas where this Government's initiative has had a markedly improved effect upon public transport. The Government undertook a **\$200** million track maintenance programme. It is well and truly **under** way, particularly on the western line which is subject to heavy traffic including the *Indian Pacific*.

The Government has pressed on with increased vigour with the completion of the Eastern Suburbs Railway. A study was undertaken of the real capabilities and potential of this railway. The Government can **forsee** with a reasonable degree of accuracy that the Eastern Suburbs Railway will be operating in **1979**. It is investigating new methods of ticket sales and other passenger and customer relations ideas. Some of them will be introduced shortly. These initiatives have been brought forward by the Wran Government through the Minister for Transport and Minister for Highways.

In addition, **150** new double-deck rail cars have been put into service and **200** more are on order. Tenders have been called for 100 new rail passenger cars for country service. No fewer than **40** new locomotives are on order. This is but part of the commitment that tendering must be on a continuing basis. The stop-and-start tendering that in the past has upset the railways and rolling stock manufacturers in this country was one of the prime reasons why orders were not fulfilled on time. Labor policy is for continuing tendering, which so far has shown good results.

Motive power is important. One of the reasons for the inability of the railways to accept additional business over the past two or three years has been lack of motive power. It is one thing to sell transportation but another to move the goods. Motive power was one of the problems. Another problem **was** that many engines were in a state of disrepair or obsolete. Approximately **950** freight waggons and containers have been put into service or are on order. Also, 25 new air-conditioned inter-urban carriages have been put into service and 5 more are on order. I have mentioned only some of the things achieved by the Wran Government in a little more than two years in office.

In regard to motor transport, 200 Mercedes buses have been put on the road and **550** more have been ordered. Production and delivery rate is running at 5 buses a week. This, too, is the result of a system of continuing tendering which allows manufacturers to tool up and offer a better rate of delivery than has previously been available. A new hydrofoil has been purchased and two new ferries ordered from

the Newcastle State dockyard. They are some of the achievements on one side. On another side are other achievements such as no increases in motor vehicle registration fees or drivers' licences. Further, motor vehicle third **party** premiums have been pegged.

One of the most lauded achievements of this Government is the banning of smoking on public transport. As a non-smoker I favour this move. However, anyone who uses public transport would agree that the banning of smoking has been a real innovation. It has resulted in a better standard of cleanliness and comfort. The Opposition made great play about the amount of money that the Public Transport Commission **allegedly** loses. Public **transport** is a **social** responsibility. The public demands a public transport service.

The concept put forward by the Opposition is that the user should pay. Under that concept there would be no public transport. It would be priced out of reach of the person whom it is designed to serve. It is a social responsibility of the Government. **much** the same as is health, law enforcement and education. If one were to follow the suggestion of the Opposition, city dwellers would be hard hit. Using the Opposition's argument, in a country town where there is only one policeman it might be said that local residents should not have to contribute to law-enforcement throughout the State. Of course, that would be a ludicrous suggestion. These things are social responsibilities. Their cost must be met by the Government.

The alleged deficit that the Public Transport Commission accumulates may be substantially offset by assessing its value to the community and making the appropriate deduction. What sort of State would this be without public transport? People must get to work and goods must be transported. These things cannot be achieved by private contractors using the highways, **though** the Hon. E. P. Pickering suggested that that was the panacea for public transport in this State. Throughout the world public transport operates at a loss. No State and no government that operates public transport can say that on an ordinary operational basis public transport pays. It is impossible to run public transport out of the till. It is not on, and never has been. It is not possible to make it pay. Therefore it is only right and proper that the community should pay for the whole of the service and that it should be subsidized from consolidated revenue.

The Hon. E. P. Pickering referred to money spent over the past two years. He drew attention to the differential between money spent on public transport in the Wollongong area and money spent on transport services in the Newcastle area and the Gosford district. His proposition was that the Government was spending money in a couple of shaky electorates that it was trying to shore up. Those of us who have had some experience with public transport are aware that under the former coalition Government commuters from Gosford had to carry umbrellas with them during the winter to keep dry while travelling on trains. The Premier, when Leader of the **Opposition** before the last election, looked at the problem and made a commitment to the commuters from Gosford that if Labor were elected it would do something about the problem. That has been done.

Another electorate that **Labor** is alleged to be attempting to shore up is Blue Mountains, on the main western line. If anyone cares to assess the number of derailments on the Blue Mountains two or two and a half years ago, he would immediately be aware that hardly a day passed without a derailment. It is natural that this Government should devote some of its energies and funds towards upgrading that line. In fact, that is where a considerable **amount** of the \$200 million track maintenance programme has been expended. Certainly it has not been used to shore up any electorates. In fact,

anyone studying the most recent Gallup polls would know that **Labor** does not need to do any shoring **up**, though the Liberal Party and the Country Party might be forgiven if they were to look at that sort of approach to **help them**.

The reason that money has been spent in those areas, apart from the necessity arising out of their being on the main tracks north and west, is that both the Blue Mountains and Gosford areas are dormitory areas of Sydney. **Wollongong** cannot be said to be in that category. The number of passengers **who** travel daily from Wollongong to Sydney, as compared with those who travel from the Blue Mountains and **Gosford**, is infinitesimal. Wollongong is not on the main southern line, of course, and priorities must be allotted according to **where the need is greatest**.

Obviously those were the appropriate areas, regardless of who held the electorates. Besides that, not long ago both the electorates in those areas returned Liberal members to this Parliament. One **would** have thought that they would have done something about it when they were in office. But that was the proposition put up by the Hon. E. P. Pickering. At the outset of his speech I thought he intended to make a serious contribution on public transport, but he quickly abandoned that approach after making a few wild statements about what the Government had done and what it had not done. He described how one road in Wollongong was slipping into the sea, and commented that this trouble had existed for a long **time**. Therefore, one can conclude it was slipping into the sea when his party was in office, and that nothing had been done about it. But he quickly abandoned that stance, and revealed himself **in his true colours—as the** political hit man for the coalowners. The rest of his speech was devoted purely to that subject.

The Hon. E. P. Pickering said that the Wollongong area was broken down, and that the people of Wollongong were heartily sick and tired of the treatment they had received from the Government. He mentioned, also, that there were **four** electorates in the area, but he forgot to mention that they were all represented by **Labor** members. One would have thought that, if there is any substance in what he said, those members would have long since departed the political scene. The honourable member criticized the lack of public transport in Wollongong, but in the next breath said that he did not want public transport in the area; he seemed to want some sort of private transport that would be subsidized by the Government. He believed that any old sort of transport would be all right, as long as the Government did not run it. The honourable member went on to say that he believed there had been neglect on a grand **scale, but he failed to give** details of the alleged neglect.

The Hon. J. W. **Kennedy** was the next honourable member who contributed to this debate; we heard his remarks in the early hours of this morning when he raised the Country Party standard. I thought for a while that the honourable member would storm the ramparts and really lay into the **Labor** Party. However, he left his weapons at home, and decided to treat us to a rather gentle exercise in nostalgia. One can always guarantee that the Country Party, whenever it gets one of its supporters to make a speech on politics, will always hanker for the good old days—whenever they might have been. In my view the only good day is tomorrow, but the Country Party always talks about days long past, when everything was calm, everyone had money, and everyone was happy. I have lived a few years, and I cannot remember those good old days. I can remember some days that I am glad are past, and I look forward always **hopefully** to the future: I never look back to what happened in the past.

The main thrust of the honourable member's argument about the good old days was that in those days schoolteachers apparently were the major-domos of society and what they said was correct. The honourable member told us that in his good old school days, if the teacher said that white was black, so far as he was concerned it was black. I am afraid he had greater confidence in his schoolteachers than I had

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in mine, because if one of my schoolteachers had told me that white was black, I would have told him to get his spectacles changed. I certainly would not agree with him simply because he was a schoolteacher. The honourable member went on to produce evidence about what schoolteachers were doing, and described how some of the naughty boys had gone on strike. He said that they should not have gone on strike but should have got on with the business of teaching the children. He said that they should not take part in education policy making and should not be able to protest.

The honourable member should realize that this is the age of protest. Everyone protests. It is the way in which society is being organized at the present time, and it is a phase through which we shall pass. The world has gone through phases before when various societies have been developing. I hope that we shall never have a time in this country when people who have a legitimate chip on their shoulder cannot get up and protest. If that day ever arrives, we shall no longer have democracy. These days a few schoolteachers might want to march or to go on strike over varying issues—sometimes for money, but mostly over education policies or something they think should be done in the education area. Schoolteachers are not all singularly minded so far as money is concerned. However, these actions do not mean that many schoolteachers do not make great contributions to the education standards of this country.

There was no great cry from the Opposition when the truckdrivers parked their vehicles outside Parliament House, or when the dairyfarmers brought a few cows down and milked them outside Parliament House. We did not send for the constabulary and have those people ordered to take Daisy back to the pastures outside Newcastle. Also, we were quite tolerant with the poultry farmers when they decided to give away their eggs. They have a right to protest, but honourable members opposite cannot have it both ways. They cannot be critical about the rights of workers to protest but at the same time support the same right for the entrepreneur class. However, this is the stance adopted continually by the Opposition, at least while I have been a member of this House.

When one examines these protests, one finds that they take place when people believe that they have no other means of getting their arguments across to the public. One has only to look to see the difficulties that confront trade unions and other groups when they want to get their point of view over. The newspapers of this country are owned by about three groups; the same applies to television stations. Is it any wonder, when people cannot get their message across in those areas, which are the legitimate and proper areas for airing views, that they adopt other means of getting their message to the public. Surely they should be able to do this when they believe that they are not getting a fair go from the media. This is what the game is all about, and no one should get up-tight simply because a few people decide to have some sort of protest in order to bring some matter before the public.

At the outset I said that I wanted to say a few words about the federal Government—not that I think it deserves many words. It certainly deserves no words of praise, although it might deserve some of condemnation. However, this State is closely tied to the federal Government because that Government holds the purse strings. However, I must point out that so far as the federal Government is concerned there has been a whole saga of broken promises. The first I can recall is the famous Medibank statement made by the Prime Minister, who said, “We will maintain Medibank.” Wow wrong we were to believe that that promise would be fulfilled. But possibly the greatest fiddle has been in the area of taxation. The Prime Minister came to office waving the banner of taxation reductions and all sorts of things that he wanted to do about tax reform laws. He promised, also, that he

would index taxation, but that was an election stunt to shore up his electoral prospect.?. He did index taxation, but then welshed on it. He said, "We shall have only half indexation of taxation." Now, because the deficit has gone much higher than he told the Australian people it would, because he believed a few half-truths from the Treasury about how big the deficit would be, and because the deficit had to be faced and he was in a flurry in Canberra about what the Opposition might be saying concerning his statements on financial matters, he decided on a panic move in the last Budget, and introduced a levy on taxation. Of course, it was to be a temporary levy but, as one correspondent said, it will probably be as temporary as the wartime buildings in Canberra. The 1½ per cent impost on taxation is nothing more or less than another chapter in the attempt to redistribute the wealth of this country. The **Fraser** Government has undertaken the greatest and the most massive and savage redistribution of the national wealth that any government has ever attempted in the history of federation. If anyone wants to look at the demonstration on the money going from workers and back to business, the figures are available for everyone to see.

I shall quote from the *Australian Financial Review*, a journal that is not noted for its love of the Labor Party. In its editorial of Tuesday, 22nd August, it summarized quite succinctly the fiddle that was made on taxation. This article should be compulsory reading, particularly for members of the Opposition. It is headed "Giving weight to empty slogans" and says:

"Make the rich pay" is the slogan demonstrators daubed on the wall of the Sydney Stock Exchange yesterday——

This will make the Hon. P. S. M. Philips ecstatic——

when they raided the building causing trading to be interrupted.

It is a cry we will doubtless hear repeated because it is evident that the first Howard Budget is going to do little in the short run to improve the domestic economy even though the stock market has enjoyed a selective stimulation and will continue to enjoy even more support if the basic strategy proves correct.

As Treasurer John Howard has put it in his first post-Budget speech: "One basic message of the Budget, uncluttered by the details of individual decisions, (is that) it is dedicated to a further reduction in inflation, reductions in interest rates and improvement in international perceptions of the Australian economy."

We would all agree with that, if that is what it does.

It is in the stock market that the success of this strategy must be first reflected.

Many would argue that what is good for the market is good for Australia, though such a simplistic view would be confounded by the view of the American market where the bulls are in charge and inflation is moving upwards.

Rather the situation is much more complex and must, despite Mr Howard's earnest wishes, be dependent on the details of the individual decisions—not just the final aggregate of the deficit figure.

It would be easy to dismiss the emotive cry "Make the rich pay" as being a typical class-based attack upon a non-Labor Budget. A sort of slogan for all occasions. It was of course trotted out during the Menzies years when budgets were without exception structured with a keen eye on equity.

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The same cannot be said about the Howard Budget. It is a singularly insensitive document that uses the guise of austerity to engage in a number of redistributive exercises which have as their direct consequence a shift in the burden of taxation and economic adjustment to the lower end of the income scale.

This is the whole crux of the matter. The article goes on:

The most obvious of these shifts, was in the income tax proposals. Treasurer Howard sought to put the increase in income tax charges in its best possible light by his description of the changes.

"The standard rate of personal income tax will be increased by 1.1 per cent, from 32 to 33.4 per cent; there will be corresponding increases, to 47.3 per cent and 61½ per cent, at higher levels of income."

Only by having a non-mathematical mind and a truly finely attuned political calculator can it be said that that statement is a true reflection of the situation.

The increase is of the order of 1½ cents in the dollar—not 1½ per cent.

At the lower end of the scale this represents an increase of 5 per cent—it will be actually 8 per cent when collected out of the pay-packet because the Government will collect 12 months pay over a period of eight months.

That was not highlighted in the Budget Speech or in announcements made since. The article continues:

At the next higher level of income the increase is of the order of 3 per cent though it will be a 6 per cent increase in actual payments after November 1. At the highest range of income-tax payments the Howard increase is half in percentage terms of that levied on the lowest rung. It is 2.5 per cent and 5 per cent for the period after November.

This shift in the burden of equity was neither acknowledged, explained nor justified in the Budget.

That is a quotation from the *Australian Financial Review*, which I repeat is a journal that has not demonstrated any continuing love for the Labor Party or its policy. That is a true statement. This has been the whole thrust of the policies of the Fraser Government since that gentleman hit the Treasury benches in Canberra—to take that which the Whitlam Government had given to workers in this country and redistribute it to the rich. The second point I wish to make arising out of the federal Budget concerns the attack on the workers of this country by way of taxation on accumulated leave. Again, let us hear what the *Australian Financial Review* has to say:

Another probably more inflammatory area of equity juggling without explanation occurs in the Howard proposals to tax accumulated leave and long-service leave but not lump-sum payments.

The Asprey inquiry into taxation looked at this very difficult area of tax policy in its report on the taxation system. It pointed to the way in which retiring executives were able to exploit the tax laws by having lump-sum golden handshakes taxed on only 5 per cent of their value.

Such executives, the committee pointed out, usually received "very large amounts" from the companies' superannuation funds and also were often under service contracts. The committee recommended the phasing-in of a system which led to the taxation of all lump-sum payments.

In the Howard Budget this practice is left untouched. Instead, the Government announced it would **tax** accumulated holiday leave and accumulated long-service leave.

These two items represent to many in the lower-income groups their only superannuation arrangements. They are all that they can accumulate in the way of a lump-sum payment on severance or retirement.

Their rather tiny lump sums are now to be taxed. Golden handshakes remain protected from the depredations of the Tax Commissioner.

Apart from the questions of equity which arise from such a policy, the effect of the Howard proposal will be to hinder the process of structural change the Government is supposedly trying to encourage.

That is the story of the Fraser Government and its attack on the working class of this country. That Government has continually aimed every financial policy at taking away from those who have the least and giving to those who have the most. One could go on giving examples of the deceptions of the federal Government but they are well documented and they need no emphasis from me. Sufficient to say that that Government, which has an all-time record majority in Parliament, is now *so* embattled that it is desperately trying to hold some of its own supporters. If one wants to see where there are stirrings in the dovecote one should read the **statements** of Mr Michael Hodgman, who is one of the leading stirrers in the Liberal ranks.

Finally I refer to some remarks made by the Hon. P. S. M. Philips who preceded me in this debate. He referred to the joint committee on public accounts, to which I am honoured to have been elected a member. The honourable member harped on whether the Government would restrict the committee in some way so that it looked at only matters that the previous committee did not look at. I suggest to the honourable member that the easiest way to find out that information is to read the terms of reference. They are exactly the same as the terms of reference of the committee that was set up by his party in this Chamber. It is useless coming into this Chamber and preaching a lot of nonsense about what we might or might not do. The terms of reference are there for anyone to read. The commitment given by the Premier should be sufficient to allay any fears that anyone might have. I return to the theme that I adopted at the beginning of my remarks. The Government's programme as detailed in the Address by His Excellency the Governor is imaginative and enthusiastic. It is the sort of programme that one can expect from a Labor government-enthusiastic and forward-looking. It reflects the style of government the State can look forward to having for many years to come.

The Hon. N. M. ORR [4.20]: Before commenting on the motion before the House I should like to place on record my appreciation of Sir John Fuller who, until recently, was the Leader of the Opposition. Though I was a new member, he helped and advised me in a way that I appreciated. I should like that to go on record. I hope that his retirement is a long and happy one. I should also like to express admiration of the Hon. Edna S. Roper, though I have not got to know her as well as some honourable members who have been here a long time. I am a bit of an old square as I always like to put women up on a pedestal. I have often felt that if women came down into the hurly-burly of public life they would lose something. But I congratulate the Hon. Edna S. Roper on the way she has fulfilled her task in the House: it has been much to the credit of the womenfolk of the nation.

Many words, **have been spoken** already **about** the **Governor's** Speech, which is a statement of **the** intention of the Government for the period ahead, however short it may be. There are, however, one or two points to which I should like to draw the attention of the House. The first appears on page **3** of the Governor's Address, as follows:

My Government takes encouragement for the longer-term prospects for New **South Wales** from the upsurge of local and international interest in coal as a source of energy.

The Government is pursuing an integrated energy policy, which includes **a** financial commitment to research on the **development** of solar energy and the conversion of coal **into** oil by the liquefaction process.

Those things of themselves are good and I agree with **them** but I believe that the Government has made a big mistake. Recently a world conference on alcohol fuel took place in Sydney. **Honourable** members who have had anything to do with the subject will realize that alcohol is a source of energy that has been used in Australia for some time. Australia is suitable for **growing** the things from which alcohol fuel is distilled. The processing of fuel from coal is costly and is still in a state of research. In the time available to me I could not go into the full details of this matter but I have here a number of clippings, most of them from the *Sydney Morning Herald*, and I should like to read short excerpts from them. I hope that they will highlight the potential for alcohol fuel as something that will save the nation from a big fuel **problem** in the near future.

The **Hon. J. S. Thompson**: It would also save **many** other parts of the world.

The Hon. N. M. ORR: I agree, but I **am** directing my remarks to the position in Australia. The first clipping I should like to read is as follows:

Alcohol produced from sugar **cane** and cassava could be used as a petrol additive to save Australia about **\$300** million a year in imported crude oil by the **mid-1980s**, a **CSR** executive told a conference on **alcohol** fuels yesterday.

It could also provide "substantial social benefits" to the rural economy including about **6 000** jobs, Dr D. M. Smythe, chief manager of technical development for **CSR**, said.

Another report in the *Sydney Morning Herald* of 4th August reads:

A future petrol shortage could be solved by turning to sugar cane alcohol, a Melbourne seminar on the future of Australia's transport fuel was told yesterday.

That was a reference to Mr Ted Pritchard, the inventor of a steam engine for use in motor cars. One of the problems is that steam has to be created. The simplest method is a fuel. Modifications are necessary to use the fuel in an ordinary piston engine but that can be overcome as there is no problem about the type of fuel one can use to generate steam for the steam car. A lot of money has been spent in developing the steam car and it is an area to which honourable members should be directing their attention. Use of steam eliminates pollution. A steam engine can be used for **a** long time because steam does not **corrode**. I shall quote from another article in the *Sydney Morning Herald* of 9th August:

Professor Urbano Stumpf of Brazil has been in the forefront of **re-**search on the establishment of Brazil's National **Alcohol** Program, aimed at replacing with alcohol **20** per **cent** of that **country's** 100 per cent petroleum **imports** by the **early 1980s**.

An extract from the *Sydney Morning Herald* of 2nd February reads:

It's an old idea. In fact one of the interested groups—CSR—already owns a distillery at Sarina in Queensland which produces power alcohol in limited quantities for industrial use.

A surprising statement to me, and doubtless it will be surprising to many honourable members, was that from 1929 to 1956 alcohol was used by law as a 15 per cent additive in certain parts of Queensland. So, we are not dealing with something that is new. It is feasible and it is completely necessary in a short space of time. Brazil is saving \$800 million a year by this method. When Australia brings its oil to full parity price its fuel bill will be \$3,000 million a year, if more oil is not found. It is good sense to suggest to the Government that money should be spent on something that is used already in a process that is feasible. I am sad that the Government in its statement of intention presented by the Governor did not think to mention this aspect. I hope something is done quickly about the matter. I could give more details but I think I have said sufficient to intimate that the matter should be looked at quickly. Another point made in the Governor's Speech reads:

In its efforts to restore the New South Wales economy my Government will continue to place the highest importance on the contribution of the rural sector.

The Government says that with tongue in cheek. I hope consideration will be given to freight rates as rail freight rates have increased by 15 per cent in the past year. A surcharge of 8 per cent on water in the irrigation areas has been made at a time when the rural economy is struggling. Having been a producer of wheat all my life, I think I can claim some expertise in that area. Recently I put out a survey that was widely circulated in Australia and the contents of which have not been contradicted. The figures show that it takes \$58.88 to produce and market a tonne of wheat. Since that survey, last year's costs have become available. The earlier figures show handling costs of \$7.50 but because of the diminished crop last year and input to the silo system being less than normal, the handling cost increased to more than \$10. It now costs more than \$60 a tonne to produce wheat. The State's production average is 22 or 23 bushels, or three-quarters of a tonne, to the acre. With the return from world markets—which dropped this year—the return will be about \$80 a tonne.

The wheat industry, which has been described as affluent, is in fact facing a critical situation. Only one-third of this season's crop is up out of the ground, another third has just been sown and the other third will not be sown following adverse weather conditions over the past few months. The wheat industry has had to meet freight charges imposed on the basis that the industry could bear them. The industry cannot bear those charges any longer. Most wheat is carried by the railways. As there is a heavy deficit in public transport, perhaps it will look for a further return from its wheat-carting activities.

His Excellency referred to the trade mission to Saudi Arabia, which was said to be successful. It might more accurately be described as not unsuccessful. What that trade mission should have done, if anything, was to find out what the potential customers wanted. We are all aware of the problems associated with the export of sheep. There are difficulties with the abattoirs system and it is suggested that people will lose jobs if live sheep are exported. The real situation is that they would lose their jobs anyway because the market is falling. We must supply the market that is available. We must be careful not to lose the Eastern market.

The Government should bring pressure to bear upon unions to ensure that common sense prevails and that the whole problem is rationalized so that Australia may supply this available market. It must be borne in mind that we should not try
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to tell the market what it wants but rather give the market what it **wants**. The Governor said that \$159 million would be spent on **a** paper and **pulper** mill at **Albury**, \$25 million on a casings factory at Bathurst and \$12 million on a new brewery on the North Coast. They are good moves in decentralization and development and I applaud them. However, it is a pity that these developments are to take place in **electorates** that might be won or lost. Perhaps my colleague the Hon. E. P. Pickering and his people in Wollongong might be interested in these proposals.

The Commonwealth Government has been given a bit of a hammering in this House today. His Excellency said that the severity of the Commonwealth Government's **financial** measures had posed great problems for the State in maintaining essential spending in the four great areas of the public sector—transport, education, health and welfare. To my mind that is merely passing the buck. My leader made that quite clear yesterday when he quoted figures. I should like to quote from a recent press release that has not been challenged in any way by the **Labor Party**:

Despite the fact there have been no increases in the rate of State taxation in the past two years the actual revenue **collected in this period** has increased by \$241.5 million, or 21.9%.

All of these extra charges and this huge increase in tax revenue have taken enormous amounts of liquid funds out of private enterprise in the State, thus, **making business recovery difficult** and doing nothing more than adding to the State's cash balances which were standing at \$650 million at the end of the March quarter.

When the Government suggests that the State is having difficulty doing certain things and cannot continue with the freeway programme because it has no money and cannot build a coal loader because it does not have the funds, what about the \$650 million in its cash balances? Perhaps some of that might be used instead of being left gathering interest.

Another matter to which I wish to invite attention, though perhaps it is a little petty, is something that smacks of double standards. His Excellency said, "My Government is concerned by the increase of drug abuse." Perhaps that statement can be taken with a grain of salt. One of the senior members of the Wran Government has suggested that drugs might be grown in backyards for private use. At the very least I would suggest that that statement is ambiguous. The Governor said also:

In the last two years approval has been given to the acquisition of some 600000 hectares of land for addition to national parks and nature reserves throughout the State.

The Speech refers to the proclamation of Mungo National Park, which is welcomed. That 600000 hectares will bring the total area set aside for national parks and nature reserves in New South Wales to more than 5 million acres. I have no complaint about that, **but** those who live adjacent to national parks know that they have become breeding grounds for vermin. For instance, a major problem has arisen in the southern tablelands. Some people with properties bordered by national parks have had to give up sheep grazing as they lost all their lambs to marauding animals. Recently on a shooting expedition with a few friends on a property about fifty miles from a national park, fourteen pigs were shot in a couple of hours. Most people know that it is difficult to shoot pigs in open country. My point is that 5 million acres is a lot of property.

With the heavy elimination of rabbits undergrowth has become dense and **offers** potential breeding grounds to goats, pigs and kangaroos. Many people in country areas have fitted bull-bars to their motor vehicles to reduce damage from impact **with** kangaroos. Kangaroos and pigs proliferate in **almost** every part of **the**

State where there is timber. There is great potential danger if foot-and-mouth disease were to come to Australia. The maintenance of 5 million acres of parkland **is** a difficult problem. I could not hazard a guess at what it would cost to eliminate foot-and-mouth disease were it introduced into Australia and spread among animals in **national** parks. The cost would be untold millions of dollars.

Already pigs **and** goats are at the nuisance **level** in many parts of the State. **If** the Government continues to tie up areas for national parks it will create a problem for years ahead unless those areas are properly maintained. A plan should be put into operation to control breeding of pigs and goats, and in many parts of the State to eliminate them altogether. Conservationists, either by ignorance or design, have made a great fuss about getting rid of dingoes. If they had any real understanding of these things they would know that dingoes keep away from the fringes. The real problem there is the wild dog. Unfortunately, elimination of this pest by the poison 1080 has been stopped. The Government should not be influenced by conservationists who seek headlines in newspapers. Most of them probably never go past Penrith. The Government should talk to the experts, the people who live in country areas, and learn what are the real problems.

I wish to raise the matters of omissions from the Governor's Speech. The document is rather comprehensive, but does not display a great deal of statesmanship. If ever in the history of our race statesmanship were needed it is needed now. The document ignores the fact that this nation, in common with the rest of the world, is on the threshold of a cataclysmic social revolution.

We have **all** the problems in the world between labour and management. We have the problems also that are brought about by automation, computerization and technical advancement. These are introducing unavoidable changes in the relationship between the work force and management. These changes must be examined. However, there is no suggestion that they will be in the Speech that was delivered by His Excellency. Probably the greatest fundamental problem of this age is the more equitable distribution of the world's wealth, but in attempts to achieve this people are acting in an *ad hoc* manner. They are trying by legislation to block holes here and there, without touching the cause. We are evaluating everything in terms of votes, and in this regard the Government has painted itself into a corner. Of course, I am speaking of all governments in this regard, but at the moment the House is discussing the **Labor** Government of New South Wales. In politics, survival is number one priority. At one time statesmanship came before politics, but today politics wmes first. Indeed, how long could any **party** last if it did not adopt this view?

I believe that part of the answer is for the leaders of the work force, management, commerce, industry and government to get together to identify and isolate the **problems**. If the social pressures, work relationship and the other industrial problems that plague our community today can be isolated they can be dealt with. If answers and solutions are to be found this must be done, but all sections must agree what the problems are and how they should be solved. *Ad hoc* striking, with unco-ordinated attempts being made to bring in a social change, will achieve no purpose. We are all intelligent people, and I believe that we all agree that, because we are political, if we do something today that loses votes we shall not be in Parliament in future to effect any changes. **This** is the corner into which we have painted ourselves. Efforts must be made to recognize the problems that have been brought about by modern automation, computerization and technology in this **affluent** age. Few of the old **social** approaches are effective when it comes to **solving** these **problems**. This is

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a new ball game, and we must start at the beginning. I shall read to honourable members an article written by Sir Mark **Oliphant** and published in the Sydney Morning Herald. Sir Mark **quoted** from **Tolstoy** in these terms:

As in dreams, in order to escape the horror of what is happening to us, and, above all, the horrors we ourselves are doing, we must rise to self-consciousness and, realizing that we are dreaming, wake up: so also in life, in order to escape from that horror in the midst of which we are dreaming, wake up: so also in life, in order to escape from that horror in the midst of which we are living and in which we are participating, we must rise to self-consciousness and call forth the moral sentiment and moral effort which is natural to the reasonable man.

Sir Mark **Oliphant** went on to say:

Tolstoy was a Christian, and not a Bolshevik. But he saw clearly, as we see today, that there is something fundamentally wrong with the way the ordinary man is governed, and the great gulf between what is good and decent, and what happens to us individually. There is a profound difference between what we know, instinctively, is right and proper, and what we are compelled to do by those who govern us, be they Liberal or **Labor**.

In the concluding paragraph Sir Mark said:

There is no morality, no compassion in business. That is why today, as in Tolstoy's time, we **must** seek a different organization of society, which cannot be either capitalism or socialism, both of which have failed humanity.

It is heartbreaking to find that the triumphs of science and technology have not indicated how to find **solutions** to **our** problems of **human** behaviour.

That puts it in a nutshell. We who have been elected to Parliament in order to serve the people have to move away from those principles. There is an answer. I have **often** said—and history has proved it—that one cannot legislate for morality. That is the starting **point**. There is an old saying that, if morality is taken out of the community—and morality is going out of our community—the only people left **will** be savages who will commit crimes such as murder, rape, **arson**, pillage and hold-ups. One reads of these crimes every day in the headlines in the newspapers. However things are **not hopeless**. I believe that the answer **is** contained in a thought **that** I wish to leave **with** my colleagues on both sides of this House. The only thing that has ever changed the face of humanity, and the only thing that wilt, is a return to the Christian ethic.

The Hon. P. J. **BALDWIN** [4.47]: I intend to focus in this debate on a number of **controversial educational** issues. **This** is in the context of a campaign currently being waged by the **Opposition** to try to convince the public **that** there has been a decline in educational standards—specifically in the three R's, the basic skills of reading, writing and numeracy. These people allege that the decline can be attributed to a **move** away from traditional concepts in **education**, away from rote learning and **external examinations**.

What the Liberal and Country parties propose—and this is echoed in their **policy** that has been released on this question recently—is essentially a return to the old, traditional teaching techniques of rote learning, with teacher-centred education, and so on. This received an airing in the recent **Earlwood** by-election. It was one of the four issues that the **Liberal** Party tried to get some mileage out of **on** that occasion. It is not entirely inappropriate that the Liberal candidate for the seat was a former teacher at King's School, **Parramatta**, an education **institution** renowned throughout the land for its mediaeval concepts. Some members **might** be familiar with what happens to the inmates of that institution, **who are forced to wear bizarre ruritanian** uniforms.

I understand that there is still a system under which prefects are permitted to inflict corporal punishment on younger students. Perhaps a case can be made to allow for that kind of thing between consenting adults in private, but it is a bit rough when it is inflicted on non-consenting pupils. If that is the sort of education practice that the Liberal and Country parties want to uphold, we will face a serious situation if they ever get back to office.

I shall return now to the substantive issues that I wish to raise. The distinguishing characteristic of the irrational campaign being waged in the education field is that it is based on anecdotal evidence and nostalgic mythologizing about an alleged golden age of education when everything was all right, students knew their place and teachers did not go on strike. That golden age seems to be a permanent feature in the popular culture of education. Statements like this have been made from ancient times until now. There is nothing new in what supporters of the Liberal and Country parties allege about educational standards.

It is interesting that this so-called golden age is alleged to have been twenty to thirty years ago. This is probably not coincidental. That happens to be the time when those who vouch for its existence were going through school. It is based mainly on anecdotal evidence and one of the main sources of that evidence is employer groups who complain about a reduced standard of literacy in job applicants. What people fail to take into account is that considerably more people are now going on to higher education than those who did so even a few years ago. In 1962, 19 per cent of people completed a full secondary education, that is, going through to the final examination, whereas in 1972 the comparable figure was 32 per cent. Somebody interviewing a job applicant who had completed his intermediate certificate or school certificate would be dealing with a lower percentile of the age group than would have been the case in previous years, so it is not surprising that employers encounter a lower standard of literacy for a given educational level. But that does not mean it is a reflection on the educational system.

If one is really interested in assessing whether standards in this area have declined, the first point that has to be made—and it is made by all serious researchers in the field—is that enormous methodological problems are involved. Not the least of them is the sheer lack of hard data on which to base the assessments. There are few situations where standard tests have been applied to people in a certain age group over a significant time period. Even when that has happened, there are major problems of interpretation. If tests of literacy were administered to people twenty years apart, theoretically one would think that they would be a reasonable guide to trends in literacy over that period, but the problem is that if one administers the same test, taking into account changes in English usage over that period, a reasonable test of the first group would penalize the group taking the test twenty years later because over that time some English usage would have become obsolescent.

There is, however, some evidence on whether there has been a decline or improvement. This was surveyed in an article by Dr Malcolm Skilbeck, director of the curriculum development centre in the Australian Schools Commission. He delivered a paper entitled "Standards: Perspectives on Performance and Prospectives for Future Initiatives" at a conference of professional educators. I shall quote the view of this acknowledged expert in this field. He said:

I will state my own view unequivocally. My reading of the evidence is that, in the whole range of English language and mathematical skills, as professional educationists we would not be justified in sharing the publicly voiced opinion that measured standards of pupil attainment indicate a significant overall decline in the quality of schooling during the past 20 years or so.

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He was prepared to make an unequivocal statement that claims such as that made yesterday by the Hon. M. F. Willis that standards are declining are false. His view is supported by a wide range of evidence, including evidence by the Australian Council of Educational Research. Substantial work on this subject was done by Bourke and Keeves of ACER, who came to the conclusion there is no evidence of a decline. That conclusion is supported by evidence from surveys conducted under the auspices of educational authorities in New South Wales and **Western** Australia. In other words, if one looks at the serious empirical evidence, there is no evidence of a decline in standards. Recently the Hon. M. F. Willis stated that there had been such a decline. He did not say an alleged decline or a possible decline; he stated it as a matter of fact. He simply did not get the story straight.

Another point made by Dr Skilbeck in his paper is that there is no evidence from either local or sources overseas about the relative effectiveness of **traditional**—as opposed to progressive—educational techniques as far as technical competency is concerned. This includes material emanating from the United States. One of the few studies that show a clear trend in standards in the three Rs was made under the auspices of the Tasmanian Department of Education. It evaluated changes in reading skills over a two-year period starting in 1975, when a **Labor** government was in office in that State, and showed that there had been a 4 per cent improvement in reading skills in that period. It showed also—and this is most significant—that the improvement could be casually related to a number of remedial programmes that were instituted at this time.

If the Liberal—Country party Opposition were serious about wanting to improve standards of competency in the three Rs, it would not rant about the need to return to old-time religion and talk about the golden age. Instead it would advocate an extension and expansion of remedial programmes that have been effective, though costly. They cannot be implemented effectively without a reduction of class sizes. If the Opposition were serious about this, rather than acting as apologists for the federal Government's cutbacks it would point out the truth, namely, that if we are interested in results we must pay for them.

That proposition about the efficacy of remedial programmes is confirmed by evidence of improvement following remedial programmes in local schools in New South Wales. Some evidence from Balmain high school showed improvement in competence in these skills resulting from certain types of remedial programmes that were not related to the three Rs. It is interesting to look at statistics of literacy in the various age groups. They shed some light on claims about declining standards. I have some figures on the percentage of functionally illiterate Australian-born people in various age groups. For the under thirties it is 1.6 per cent, rising to 4.5 per cent for the 50 to 59 age group. It rises to 11.9 per cent for people over the age of 60—the product of the golden age of education.

Traditionalists persistently fail to take into account another aspect of this matter. They never look beyond mere technical competency, nor do they look at the benefits of modern education. It is not claimed that modern educational techniques lead to an improvement in technical competency. However, they do lead to an improvement in other areas, such as problem-solving capability and creativity. It is difficult to get hard evidence, but I shall quote from a paper given by Graham Little, inspector in charge of English marking for the higher school certificate. He prepared a paper in 1975 based on evidence compiled from twenty chief examiners who had been marking English papers for ten years or more.

The examiners were involved in marking the higher school certificate examination results. The survey showed that there had been no decline in technical competency but there appeared to be some evidence of improvement in creativity and innovativeness.

I turn to another aspect of the Liberal Party's education programme, relating to the school certificate. I put the proposition that restoration of the external system of examination would be a retrograde step and cannot be justified by hard evidence.

Critics of examinations cite a number of things that **are** wrong with **the** examination form of assessment. The first is its unreliability. In 1968 the statistics branch of the New South Wales Department of Education was commissioned by the Board of Senior School Studies to study the question and report. It took twenty-eight English papers for the higher school certificate. It had multiple hand-written copies made of the papers and slipped the same examination papers into the piles to be marked by a number of different examiners. It found that of twenty-eight papers the top eight all got passes from all examiners. The bottom seven received failures but other than that the rest received a combination of passes and failures.

The same examination papers were resubmitted to the same examiners and, when re-marked three weeks later, showed a marked disparity by the same examiners. Obviously that is an unreliable method. It is a poor predictor of future academic performance. External examinations have not been found to be good predictors of subsequent academic success. That is the conclusion of a study conducted under the auspices of the Victorian Department of Education and reported in the Victorian Secondary Teachers Association journal last year. It showed a poor correlation between examination results and subsequent academic success. That relates not **only** to the **humanities** but also to hard-core quantitative subjects like mathematics. Admittedly it is better in mathematics than in other subjects, but it is still unreliable.

The external examination system generates a class-biased group of people who attend tertiary institutions. The professional and managerial class constitutes only 25 per cent of the population but their children constitute 65 per cent of university enrolments. Manual workers constitute 59 per cent of the population but only 20 per cent of university enrolments. People like members of the Victorian Secondary Teachers Association advocate a system that goes **some** way to eliminating the class-biased examination system based on skills acquired as a result of middle-class upbringing.

The Hon. E. P. Pickering: You do not suggest that examinations promote class bias?

The Hon. P. J. **BALDWIN**: The statistics speak for themselves. Another aspect is that examination-based assessment places a premium on rote learning. One would expect that to be the case in medicine or in similar area of study but not in physics, for example. In that case it would be reasonable to expect that a premium would be placed on problem-solving capability. But studies indicate, oddly enough, that that is not the case. I shall quote from a paper written by P. J. Black, entitled "University Examinations" and published in a British journal called "Physics Education, 1968". Mr **Black** concluded:

Most of these papers were of a common pattern, testing the same ability, that high marks could be obtained through a well-organized memory
 . . .

That was his assertion related to physics examinations where one **would** think the importance of rote learning would be relatively low. It **could** be argued that external examinations are an unreliable predictor but they are the best available. That was **not** borne out by studies conducted under the auspices of the Victorian Department of Education which indicated that school-based assessments are no worse as predictors of subsequent academic success. That was a surprising result but nevertheless it was their conclusion.

The Hon. E. P. Pickering: Is that why the university failure rate is continuing to grow?

The Hon. P. J. **BALDWIN**: That is probably a combination of a number of things. The most serious criticism is the **distortion** that the system of external examination introduces into the education process. The student becomes geared to answering **multiple-choice** questions or a limited type of problem solving and no premium is placed on the capacity to carry out long-term research projects. It penalises a significant proportion of people who go off their heads under examination conditions. The whole education process is reduced to cramming a few weeks before examinations. In other words a massive distortion is introduced into the process. That reduces its effectiveness as a predictor of how those students will perform in the future. There is evidence that school-based assessments, scaled and normalized, using **State-wide** tests, are equally good as predictors.

The Hon. E. P. Pickering: It surely favours students who are willing to work?

The Hon. P. J. **BALDWIN**: So does the skill-based assessment. Skill-based assessments appear to be as good a predictor of future performance as external examinations but without the distortion that external examinations produce. I should like to quote a passage from the **OECD** education committee's paper of October, 1976, titled "Review of Education in Australia". I shall read from page 36, paragraph 97:

In our view the assessment of a pupil's progress and achievement by the schools rather than by a single external examination is a critical factor in the reform of the upper secondary curriculum.

I have discussed two aspects of the Liberal Party's educational policy. The first is the restoration of traditional teaching and the second is the restoration of a significant external examination component in the School Certificate. I believe that I have demonstrated that those changes will amount to a regression. They will not improve technical competency or the prediction of future academic performance. They will reintroduce the distortion of the education process that resulted from the old system.

There are **other** aspects of the policy. If people are concerned about **com-**pctency in the three R's one would have thought that schools attended by pupils in the lower socio-economic bracket would be favoured. But, at the federal and State level the Liberal Party favours redistributing limited funds from the government sector to the non-government sector. That is part of the New South Wales Liberal Party policy. It is said that funds for non-government schools **will** be increased but not at the expense of government schools—without increasing the overall spending on **education**. This piece of gymnastics and the way it is to be performed is nebulous at best, invoking forlorn hopes about lower than expected inflation rates. In reality it will mean a redistribution from the government sector to the non-government sector.

The Hon. E. P. Pickering: Would the honourable member like to see more per capita funds go to non-government schools?

The Hon. P. J. **BALDWIN**: I do not favour increasing them to 25 per cent of the total cost of educating a student in the State school. My own personal view, which is not government policy, is that I would tend to favour the phasing out of the private education system. The real concern of the Liberal Party and the Country Party is not to improve competency in the three R's; they are advocating an hierarchial and class-biased education system where the introduction of any material that would in any way incite people to question the existing social order is to be expurgated.

This has reached its height in Queensland, as part of that State's slide into totalitarianism, with the arbitrary banning of course materials such as M.A.C.O.S. and S.E.M.P., prepared by respected bodies in charge of curriculum developed in Australia and overseas. I believe there are groups in New South Wales that would favour similar development here. They are receiving added comfort from the Liberal and Country parties who have jumped on the bandwaggon with their new education policy. My conclusion is that their education policy, if implemented, would be an absolute, unmitigated disaster.

The Hon. F. M. **MacDIARMID** [5.12]: I reaffirm my loyalty to Her Majesty the Queen through the distinguished presence of His Excellency the Governor who opened this session of the Parliament. It is always difficult at this stage of an Address-in-Reply debate to make a speech which does not necessarily repeat what other members have said. Realizing that at this late hour some people might be bored, I nevertheless want to say some things. In my time here I cannot recall a longer policy speech than that prepared by the Premier and given by His Excellency to Parliament on this occasion. I hope the Government will be able to live up to its promises although it has not done so in some areas since it came to office. Alternatively, if rumour proves correct, it may be that we on this side of the House will have the opportunity to put our policy into effect in the near future. Time will tell.

I join with other honourable members in extending my sympathy to the relatives of the late Jim Cahill, whose funeral took place today. In my knowledge of him he was a first-class citizen and a first-class Australian. We can ill afford to lose a man of this calibre from this Parliament and from the community.

I want to place on record my tribute to my colleague and former leader, Sir John Fuller. I regard Sir John as one of the great parliamentarians of our time. I have known him and worked with him for many years. We were made vice-presidents of the Graziers Association together back in 1965. He left that association to come here and become the Leader of the Government. I had the responsibility then of leading the Graziers Association and in some ways I was quite envious of him. In a sense Sir John's great talents could have been better used on the national scene. As fate would have it he entered State politics and we on both sides of this House are grateful for his presence. He is a great parliamentarian, a man of impeccable integrity, of great political skill **and** recognized by people as a great ambassador for this country **wherever** he went and by whomever he met. The Country Party is very proud to have produced a man of Sir John's calibre.

I pay tribute also to other colleagues in the Country Party who will be leaving this Parliament at the end of this term. I include you, Mr President, whom I believe to be the longest serving member in this House, recognized for your distinguished service not only as a member but as the President. You have been renowned for your great impartiality. I consider you the epitome of a gentleman, gentle but **firm** in decision. Your service will be long remembered. We of the Country Party are very proud to have had both the President and, at one time, the Leader of the Government in this House, and then the Leader of the Opposition in our ranks.

Another colleague who will be leaving us shortly is the Hon. Sir Asher Joel, who has had twenty-one years' service in this House. He is a man of great skill in his profession. For his service to the community was rewarded by Her Majesty a few years ago. With due deference to you, Mr President, I venture to say that no one in the House knows parliamentary procedure better than the Hon. Sir Asher Joel. He was a great attribute to the House, both in government and in-opposition, and certainly to our party.

I should be remiss if I passed over another man who is close to my heart—the Country Party Whip, the Hon. R. W. Manyweathers. He is the salt of the earth, a first-class citizen by any standards. He is a man of immense character and, in simple terms, a very good man indeed. He has always had pride in his party, his district, his church and his fellow man. We will certainly be the poorer on his moving from this House.

I pay tribute also to the Hon. O. M. Falkiner, who on many occasions endeared himself to us with his folklore stories of the great pastoral industry. His name is synonymous with the great Merino industry, not only in this country but round the world. He has been to Merino producing countries such as Russia and South America.

Honourable members may be aware that recently the Hon. O. M. Falkiner married, I believe for the third time. His father was heard to say one day that the Falkiners were great judges of sheep but poor judges of women. I hope sincerely that that observation does not apply to his new wife. The Falkiner empire was a great one but unfortunately it has passed to new hands. Perhaps another great Australian identity in the person of Rupert Murdoch will carry on the tradition of the famous Boonoke stud and the Falkiner empire.

The Hon. W. G. Keighley is a faithful colleague and close friend of mine. He is a man of unusual intellect and ability. He brought with him into the Legislative Council an independent mind. After all, that is what this House is all about. I hope that that tradition will continue, though I have my doubts. He had the unusual experience and privilege of having been educated at the old and distinguished institutions of Eton and Oxford. No doubt the Hon. P. J. Baldwin would be aghast to learn that. We have all benefited from the contributions made by Geoffrey Keighley. I commend him for displaying his independence of mind. He achieved something unusual in the field of sport also. He played cricket for Yorkshire. Few men other than Yorkshiremen are chosen to represent that county. Many stores are told about the Yorkshire cricket club. It is virtually a closed shop. Our colleague, a foreigner to Yorkshire, had the extraordinary distinction of being an Australian selected to play for that county. That is one of his abilities, together with flying aircraft, grazing cattle and many others. I am sad to see his departure from this House.

Another colleague about to leave us is the Hon. R. B. Raines who has been here but a short time. Nevertheless, he has made great contributions to our deliberations not only in the House but also in the party room and behind the scenes in the political spectrum. I am certain he will continue to work with us though he will not be here in person. I commend all these honourable members and number them among my friends. We of the Country Party are proud to have had each and every one of them representing us here. The Country Party hopes to continue to throw up to the Parliament and the political spectrum of this country men of this calibre. I wish them all well in their retirement. I hasten to add that I have not mentioned my colleague who is on the official ticket but may not get back this time. Lest he be worried about my showing some sort of differential approach towards him, that is not so.

I include among my remarks tributes to members of the Liberal Party, our colleagues. I should like to refer particularly to the Hon. Tom Mackay who has been an impartial Chairman of Committees and brought great decorum to that appointment. It is now history that this House will be reformed by the will of the **people**. We are servants of the people and we must accept their **will**. Despite the slurs **cast** upon this House by the **Premier** and others I believe that the Legislative Council has served the people well since its inception. It has been a true House of review. I was surprised that the Premier adopted the attitude that he displayed. After all, he came from among us.

The Legislative Council has converted into better legislation a lot of bad legislation brought forward by the **Labor** Government. The Opposition had the numbers in this House and was able to improve measures by amending them. I refer particularly to the Stamp Duties (Amendment) Bill and the Anti-Discrimination Bill. I am certain that the general public is aware that the Stamp Duties (Amendment) Bill in its original form was a bad piece of legislation. I am quite certain that amendments which the Legislative Council put into that measure were in the best interests of the people. I have no doubt that that will be remembered. People associated with churches and other organizations are aware that the Opposition in this House did the right thing with regard to the Anti-Discrimination Bill. I hope that when the reformation of this House takes place it will **continue** in its former role.

It is most desirable to have a House of review. The situation that prevails in Queensland is a good example of that. It does not matter who is in power. Premier **Bjelke-Petersen** is in control now. Previously **Labor** was in office for twenty-five years. The Queensland Government can rush through legislation in a matter of hours without any opportunity for the measure to be reviewed. That is bad. It is an example of what we in New South Wales do not want. Of course, the **Labor** Party has a platform that all upper Houses should be abolished. I hope that our colleagues in this House will not pursue that course. The Premier has called all of us in this Chamber geriatrics. I remind honourable members that the former Liberal leader in the Parliament of Great Britain, now in a great deal of trouble in relation to other matters, Jeremy Thorpe, was once heard to say that the House of Lords proves one thing and that is that there is life after death. I do not think any of us have reached that stage.

It is not my intention tonight to refer to His Excellency's Speech bit by bit. Other members have already done that. The Hon. M. F. **Willis** highlighted the broken promises of **Labor** since it came to office. I do not intend to dissect the Governor's Speech and develop it into a general argument. However, I should **like** to make a few comments on two specific matters. During the previous Parliament I placed a question on the notice paper. I am aware that when Parliament prorogues questions unanswered are eliminated.

There is grave concern in tourism and the hotel-motel industries in this **country** as to the effect penalty rates are having on those industries. My **colleague** the Hon. J. W. Kennedy said last night that perhaps the unions have been **too** successful in obtaining wage increases. I have said before and I repeat, I have never opposed a fair day's pay for a fair day's work. In fact, if the country is prosperous everyone should share in the cake and we should make the cake bigger all the time. I wonder if the union movement, in a practical sense, would look at the difficulties created by **penalty** rates. The problem does not apply solely to the hotel-motel industry and the tourist industry. A good example is our national airline, Qantas. On figures recently published British Airways turned in a profit last year of **£33** million sterling. Had that organization been required to meet wages and salaries at rates paid by Qantas

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it would have suffered a loss of £14 million sterling. **Qantas** is burdened by penalty rates for overtime and weekend work. Australia is the only country in the world with that onerous **commitment**. Penalty rates have a detrimental effect on the viability of the tourist industry and on the hotel-motel industry.

It is nonsensical that in cities like Sydney—or even Melbourne or Albury—good restaurants close on Saturday night because they cannot **afford** penalty rates for their staff. With a big unemployment problem in Australia, surely it is better to have two jobs than none, or even one. If something can be done about penalty rates in this area, more employment would be created. This must be in the interests of the working people of this nation. I am not suggesting that people should earn less money for their efforts. What I suggest **would** create more jobs. The trade union movement should take a hard look at it.

The Hon. J. R. Hallam has given notice of his intention to move a motion criticizing the federal Government and the Prime Minister's policy. Since the Government changed in Canberra many initiatives by the Government in the primary sector have been worthy of mention. The Commonwealth Government introduced taxation concessions, income classification deposits, family allowances and pensions, unemployment benefits, rural credit, training subsidies, and beef industry incentive payments. The lastmentioned benefit has been of vital importance to the beef industry at a critical **time** in its history. In the field of Commonwealth-State measures, I refer to rural credit, natural disaster relief, the rural adjustment scheme, and brucellosis and tuberculosis slaughter **compensation**, which has been a worthwhile innovation in the light of export markets. Also, there have been bluetongue relief measures, and the **brigalow** land loan moratorium. The Primary Industry Bank has been set up. This has been criticized by the farming sector and others, perhaps deservedly because these people believe that the interest rates are too high. However, in a commercial sense it is not possible for the rural sector to get **lower** interest rates on long-term finance. It is my understanding of the new bank that it will be willing to make loans available up to twenty-five years. That is a big improvement on what has been available through the normal trading banks. Also, it is an improvement in relation to the interest rate paid. I have advocated for many years that this type of thing should be introduced in Australia, not as a hand-out to the primary sector but as an offset to variations in season and export markets. **Long-term** finance is needed. I **commend** the federal Government for that innovation.

I shall not spend much time on what the Hon. P. J. **Baldwin** said, but at least he is **on** record as putting, in plain language, his attitude to education. Obviously he does not believe in tradition, but I hope that some members **of** this House believe in the traditions that are maintained by the King's School and other schools conducted by churches and **other organizations**. Tradition got the Western world out of trouble in the past. Without tradition there is nothing. I for one **am** proud to be a traditionalist. I hope that I shall remain one. I do **not** intend to comment on the arguments that have been advanced by other speakers, for I believe they have been well covered. I realize, also, that other speakers, particularly those who will be retiring, wish to contribute to this debate. However, I should like to say to honourable members who will be leaving this Chamber that I wish them well in their retirement, or whatever else they do.

The Hon. DELCIA KITE [5.35]: I **congratulate** the **Hon.** Edna S. **Roper** on the speech she made when moving the motion for the adoption of the Address-in-Reply to His Excellency's Speech. Her retirement from this Chamber at the next election will be a loss to this House. Her presence will be sadly missed. I wish to express also my

thanks to the Hon. W. R. Coulter, who has been a good friend to me and has given me encouragement and assistance whenever I have needed it since I came to this House.

My contribution to this debate will be a brief discussion on the federal Budget. Last Tuesday night the people of Australia were treated to the worst possible political cynicism that has ever occurred in the history of this country. I wish to take this opportunity of placing on **record** my total opposition to that disgraceful federal Budget, which will have disastrous effects on every man, woman and child in this State. I challenge every member of the Opposition to declare himself on this horror of all horror budgets. The people have a right to know where members of the Opposition stand on this vital issue. When they are finally dragged reluctantly to the people at the next general elections, members of this House who sit on the Opposition benches will be judged on where they stand on the federal Budget. Do they, like their colleagues in another place, support increased income tax? Do they, like the Leader of the Opposition in another place, support the destruction of Medibank? Do they, like the Leader of the Country Party in another place, support the increase of 16 cents a gallon in the price of petrol? This increase will savagely hit rural dwellers and the man on the land. Do they support the meanest of all cuts in **expenditure**—the decision to index pensions only once a year, resulting in another cutback in the already poor standard of living of hundreds of thousands of senior citizens?

As I have said, the federal Budget will have a disastrous effect on every person in this State. I hope it will have a good side effect, namely, that never again will the people trust the word of Prime Minister Fraser, who now ranks with the great political tricksters of all time. His word is of as much value as a three-dollar note. Only last November he told the people of Australia that his Government had—to use his own words—ended the big tax rip-off. He went on to promise that the Government would reduce taxes further, not increase them. Now, less than nine months later, he has imposed an across-the-board tax increase. In his 1975 policy speech before the election, following his conspiracy with Kerr to destroy the Whitlam Government, the Prime Minister gave a clear and unequivocal promise in these words, "We will maintain Medibank." In fact, the Prime Minister has done the exact opposite, for step by step he has destroyed Medibank, which is one of the greatest advances in health in the Western world, if not the greatest. This question needs to be asked: Why has he been so determined to destroy something that was obviously of such tremendous benefit to the vast majority of people? Perhaps the answer lies in the massive election campaign contributions made to the Liberal Party by the private health **funds** before the 1975 election.

The giant American **motor** vehicle manufacturers are the only **other** section of the community that will benefit from the Budget. The sales tax on motor **cars** has been slashed to boost falling car sales, and accordingly to boost the profits of General Motors-Holden Limited and Ford. I am glad that the Prime Minister is **reported** to have said that he has had second thoughts regarding the Budget proposals to penalize young people who have part-time jobs, such as paper boys or check-out girls, by reducing family allowances. The concessions to the car manufacturers **will cost** the taxpayers \$196 million a year, but some of that will be saved immediately by revenue from tax on annual leave and long service leave. The effect of the **federal** Budget will be to increase further the already disgraceful and intolerable rate of unemployment. The federal Government admits this, but contemptuously brushes aside forecasts of half a million unemployed next year. That figure is more than the **combined** populations of Newcastle and Wollongong. While those people and their **families** are forced to exist on the dole, the Prime Minister stays in \$600-a-night **hotel** suites overseas.

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I should like to conclude by quoting to the House the reactions to the Budget from some of our conservative newspapers, in case members opposite might be inclined to delude **themselves** into **thinking** that it is only the **Labor** Party and the trade-union movement that are opposed to the present federal Government's financial policies. **The Sydney Morning Herald** said "that many of the **Government's proposals** **can** only be described as mean". It went on with its criticism in these terms:

The most important single objection to the Budget was its singular lack of concern for the plight of the unemployed.

Whatever the constraints on budgetary stimulus, whatever the need to cut spending, and reduce the deficit, we do not need to go to the lengths of slashing the special youth employment training programme and freezing the level of unemployment benefits for people without dependants.

The *Australian*, referring to the federal Government's decision to **impose** a taxation increase and cut pensions and family allowances, said:

The money could be saved, not by starving the widows and orphans as Mr Howard naively suggests, but by the **Government** getting on with its job of governing, instead of handing over responsibility and decision making to a **multiplicity** of boards and authorities which clutter up the bureaucratic scene.

The *Daily Telegraph* described it as "almost a Budget of despair". The *Daily Mirror* called it simply "a bloody disgrace". And I think that properly **sums** it up.

I should like to refer to the Governor's Speech in opening this session. The Speech is but another example of what the people of New South Wales are **seeking**—stable, responsible government with a progressive approach and a reforming zeal. New South Wales has now had the benefit of more than two years of a **Labor** Government after eleven years of disastrous Liberal–Country party misrule. We have been able to achieve much despite massive cutbacks in federal funds.

For example, this year the welfare housing allocation has been cut by \$25 million; funding for hospital construction has been abandoned; capital funds for vital community health projects have been slashed by 50 per cent and the State capital works programme has been cut by \$37 million—exactly the amount needed to provide essential water and sewerage services to country towns. Despite these cuts and earlier reductions made by the Fraser Government, our Government has been able to reduce some taxes and avoid any type of tax increase. We are aiming to do the same this year, and I point out that this will be the first time this has been achieved in almost thirty years. **This is** our record, and the people appreciate it as they showed at the **Earlwood** by-election, when **Labor** achieved a swing of almost 10 per cent. I am sure that they will show the same confidence at the next general election, whenever it may be called.

The Hon. ANNE PRESS [5.54]: Perhaps it is right and proper that I should follow the Hon. **Delcia** Kite, who bemoaned the fact that the federal Budget will **destroy** Australia. We should not forget that Mr **Whitlam** and Mr **Barnard** **destroyed** the economy of Australia in ten days. This, I suppose, will be my swan song. I am no swan and I cannot sing, so I am a dead loss in that capacity, but I had better say a few words to thank all the people who have been so wonderful to me during my nearly nineteen years in this House. That goes for everyone. I have worked hard and enjoyed their friendship. I shall remember those nineteen years with happiness. I must congratulate the Hon. Edna S. Roper. I was unable to hear all of her speech—someone was chasing **me**—**but** she has truly graced this Parliament. **She** has been everything that any woman politician would want to be, and I am proud to have been associated with her for so many years.

Something attempted, something done, has earned a few **years'** reward. There was so much to do when I came to Parliament. A heart-lung machine was required to enable **the** heart surgeon at the children's hospital to double his work on blue babies. How did I achieve that? Certainly the hard way so far as I was concerned. I had to go into the theatre **clad** in a green gown, cap, shoes and mask, watch the team at work on a little 9 year old boy, then come into this House and raise hell. Mostly, I raised the late Kevin **Ellis**, who abused me but gave the necessary money from the Heart Foundation for the extra machine. Then **P.K.—Phenyl Keteneuria**—a dear friend, whose grandson was affected by this dread disease until it was too late, alerted me. Through this House I was able to make the Department of Health aware of the importance of early diagnosis, to have the high protein formula which was too expensive for the average family placed on the pharmaceutical list. When I spoke on **P.K.** the late Mac **Hewitt** congratulated me—something that he did not often do—saying, "**Anne**, you have really educated me tonight". Then the Department of Special Education was my baby, Sir John Fuller made me talk that one out. The Hon. Edna S. Roper said to me: "Why didn't you insist on the vote? It would have been carried." However, I achieved my purpose and specialist teachers are now able to gain promotion in their field of education without going out into the main stream and so depriving the specialist field of their services.

The **girls'** home at Hay was considered unfit for male prisoners so it was turned into a home for obstreperous girls between the ages of 13 and 18 years. The conditions when I first visited the place were so hard that it was difficult to believe they existed outside a Dickens novel. My first achievement was getting the Salvation Army lasses in there. The other ministers of religion were a dead loss. One man of God said to me: "Let them stew in their own juice". I got the girls away from stitching canvas mail bags on to using their hands to make articles of beauty. After a few visits the principal grew less suspicious of me and allowed me to study the case histories of the inmates. They were without exception unwanted, unloved and ill-treated as children. The principal saw to me "many of them came off the street and will most probably go back to it when they leave here". In one homfic case a father flogged a daughter if she did not bring a certain amount of money to him for her night's work. Incest was rife with fathers, stepfathers and uncles. It had to be realized that these girls never had anything and never expected anything, but when I got the Salvation Army lasses to go there they did a magnificent job. I went to Hay—I do not know how many times—to see how things were progressing. As I said, eventually the principal was not suspicious of me and **knew** that I only wanted to do something worthwhile for the girls. I unloaded my wrath in this House to **the** discomfort of some of the members, especially some **who** believed that ministers of religion were true Christians.

The Hon. R. G. Melville: Have you some doubts on that?

The Hon. ANNE PRESS: Yes, I have. I have had many small triumphs. For example, I begged His Honour Judge **Bruxner** to release a little pregnant girl to her fiancée's sister, so enabling her to be married and keep her baby. Today she is a happily married woman with a wonderful husband and four beautiful children. Her fiancée, the father of her expected child, came to Sydney and hired a barrister to appear for her.

The barrister rang me at Parliament House and said that everything was falling apart as he did not have anyone to put in the witness-box to speak for Wendy. I said to him, "You have me". He said to me, "Will you come?" I said that I most certainly would. I appealed to Judge **Bruxner**. At the end he was a little sarcastic. When he said I could go back to my seat in the court, he added that he had better let Mrs Press go back to Parliament House in case they did something wrong in her absence. I do

not think anyone knows of my work for better State school education through the Federation of Parents and Citizens Associations of New South Wales or my experience in the Australian Council of State Schools Organization. I have been a councillor in the first organization I named since 1950. I have been a delegate in the latter organization on many occasions. On one occasion I thought I would opt out but the president at that time said, "We cannot afford to lose you".

That work went on for another few years. The other day at the conference the president asked me whether I had been nominated for the council. I said that I had not. She said to me, "Well, you have now". She still thinks that I have a contribution to make despite the fact that I am a geriatric but the other description does not apply to me.

Looking back over those twenty-eight years, I am amazed at the progress that has been made. I shall always remember two Ministers for Education, the late Bob Heffron and the late Ernie Wetherell, with great affection. They always paid profound attention to anything I said. I remember their courtesy, kindness and willingness to act on my advice in cases where that was possible. Today the Federation of Parents and Citizens Associations is well established and well recognized. It has a seat on the Education Commission. It has recently been included in the Board of Senior School Studies as well as on the Secondary School Board. It participates in syllabus committees and building committees at State and regional level. There is constant consultation at departmental and regional level, as well as at informal working groups. Participation also occurs in government seminars on education in providing speakers and leaders and so on.

The parents and citizens organizations are questioning the traditional role they have had and are now opening up to members who want to talk to members of the staff about education. When I first went on to the Federation of Parents and Citizens Associations it was more or less a money-raising body for the schools. I knew that something more had to be done. Education had to be made available to all children. That was my aim. I worked at that tirelessly through the federation and through the parents and citizens as well as through my other interests. Today the whole attitude towards education is changing but as the mother and mother-in-law of teachers and the grandmother of students I feel that education is there if people want it. If they want it, they can get it. One of my grandsons is studying veterinary science at Sydney University. He was a student of the Condobolin high school and came in the top 3 per cent in the State. That is a tribute to country high schools. He was not the only one to do that; many other pupils have done it.

At one time I was known as the bus lady because I realized that many children would be deprived of secondary education if they did not have the means of getting to schools. Consequently I had to try to have little country schools closed and the children go to other schools by bus so that there would be enough children for a bus to be put on. In that way they would receive secondary school education. I think that was an achievement.

I served eleven years as public representative on the Taxi Advisory Council. At that time the Commissioner for Transport said to the Minister for Transport, "For heaven's sake don't give me a woman politician. They are not worth their salt". For eleven years I was the chairman of every subcommittee except one, and I got half-way through that one. The member nominated for chairman said that he did not know how much work there was in it. There was a member of the Metropolitan Taxi Council, the Australian Taxi Council and two members of the Australian Workers Union. I was the meat in the sandwich but I always got agreement between them. I would not say how many subcommittees there were but there were literally hundreds.

We met every fortnight. I did that in an honorary capacity though I was presented with a beautiful silver tray by the Metropolitan Taxi Council for my service. I maintained that the most important thing was to have a clean, reliable, cheap cab service with courteous drivers. I aimed at that all the way through and I think that I achieved that purpose. Let us not forget, in this day of reform of the Legislative Council, that but for me and seven of my colleagues there would be no Council here to reform.

The Hon. D. F. MOPPETT [5.58]: In speaking to the motion I should like to say that I count it a singular honour to have been present at the opening of Parliament in the capacity of a member of the House. I greatly appreciate the opportunity afforded in the debate to affirm my profound and enduring loyalty to Her Majesty and to add to that of other members my expression of the highest esteem for her representative, His Excellency the Governor. His record is an example to us all. As to the latter part of the motion before the House, my assurance of earnest application to the business to be placed before the House is limited only by my appreciation of the possibility of an early election, which seems to have been widely canvassed. Having listened to speeches made by members on the government benches, I say with some regret that it would seem that we were facing a federal election rather than a State election. The business of the House should be properly confined to that of the State. The Government has announced an extensive programme which should be proceeded with until it is determined by the Parliament. The tactic, which seems to be rife, of basing an election on the federal Budget is a cynical absurdity. The Government should hasten to assure the people that it will stick to its commitment to serve a full term of office.

In the Speech of His Excellency a great deal of prominence was given to education services. I do not think there would be any doubt that education is one of the most important activities of the Government of New South Wales. To illustrate that point, I quote from the Rydge committee report:

Education is undoubtedly a field of community endeavour which is being transformed, a field in which vitality and vision in the organization are of immeasurable importance. It is now generally accepted that our technological and economic progress and, indeed, the very quality of life in our society depend in large measure on the effectiveness of our public education system.

There is no doubt, in terms of the importance as indicated by that quotation and in terms of importance in a budgetary sense, that education is the most critical and important field with which this Government has to deal. It was with some dismay that I heard the Hon. P. J. Baldwin speak in this debate earlier with such unmitigated bias and bigotry about aspects of education in this State. I was shocked to hear his remarks, to which I shall refer at greater length later.

I draw the attention of honourable members to His Excellency's reference to the subject of standards of achievement of curriculum and examination methods. This was also referred to in the speech of the Hon. P. J. Baldwin. It struck me forcibly that, although he denied there had been any drop in standards of achievement in our State schools, there is special reference to it by His Excellency the Governor in his Speech. I listened with great interest to his reference to public concern about the standards achieved in our schools. His Excellency said this involved parents, employers and teachers. If one were to take the advice of the Hon. P. J. Baldwin, it would seem it was some concoction of members of the Opposition—and I flatly refute that.

I want to make our position on this subject quite clear. The Opposition realizes that this public controversy, which is a legitimate form of public scrutiny of Government activities, should be properly investigated. It should not be the matter of some obscure departmental inquiry. The Rydge committee report observed, to a lesser degree than is the case at the present time, that back in 1967–1969 there was some public criticism of the achievements of the Department of Education. It has been an ongoing matter. Ever since there has been an education service in New South Wales there has been criticism of standards achieved. The round of seminars announced by the Governor as the Government's answer to the controversy is totally inadequate. The Opposition's policy can clearly be said to support a public inquiry so that people who have expressed their views can come forward and substantiate their claims. We do not claim standards have dropped but we claim that is a matter which should properly be the subject of extensive inquiry.

In the light of the reluctance of the working party on the establishment of an Education Commission to look into the broader aspects of its terms of reference to investigate and report on the adequacy of education services, the move that has been made in this House to establish a select committee to look into all the aspects of education services and the standards being attained is a very worthwhile move. I will strongly support it when it comes forward. Should such an investigation establish the need for a change in fundamental curriculum or policy, or a change in emphasis on certain subsections, or direction in our education programme as a result of changing social and economic circumstances, I am confident that the existing statutory bodies within the Ministry of Education are able to make the necessary adjustments.

I want to clarify my views in this matter by referring to a policy document of which I was the principal author. It was adopted by the New South Wales Country Party and submitted for inclusion in the 1975 federal policy. It stated that we support professional educators having the right and responsibility to set standards for their profession. I firmly adhere to this view, that teachers should be accorded the rights of professional status and bear the responsibilities of that position in society. One of the criteria for being regarded as of professional status is self-regulation of ethics and standards, and custody of the evolution and development of the profession for the good of society. This will be best served by continuation of the present system of change within the services of education which currently incorporate the complete autonomy of universities and colleges of advanced education, and control of standards in secondary schools and centres of technical and further education. More important, in the long run it will involve a growing degree of freedom of the teacher of primary education and junior secondary education.

I strongly uphold that view, which puts the lie to the accusation of the Hon. P. J. Baldwin about a regressive policy of the Opposition, going back into the past in its approach to standards. I uphold the view that the administration of the setting of standards of education is the responsibility of this State and all the other States. It is something that in this House we should fight strongly to preserve. I see no future in a monolithic federal education system which sets uniform standards throughout the country. Education is essentially an innovative and evolutionary field. There is to be observed a difference from State to State in education services and the independent education system. There would be no advantage to our society in having a monolithic structure in this State such as is proposed in the programme of education by way of an education comanission which would have a complete hegemony over employment conditions on the one hand and, on the other hand, the formulation of policies and goals.

Another aspect of His Excellency's Speech that attracted my attention is the Government's record of assistance to non-government schools. It must have been a surprise to members of the Government to hear the Hon. P. J. Baldwin expressing his personal view—and I concede it was a personal view—about the role of the non-government schools in the education system of this State. It must have been a considerable shock to them in view of what they claim to be their record in the support of these schools.

I welcome, without any qualification, the provision of access to government stores for denominational and private schools along with other important bodies. I cannot concede that enough is being done by way of *per* capita grants to non-government schools. I say this particularly from my point of view as a country person, for I am fully aware of the vital services that independent schools offer country children. Earlier in the debate I was staggered to hear the biased, bigoted and completely unjustified attack on one of the long-standing schools of our independent schools system, The King's School. It did no credit to the honourable member to offer those views about that establishment. Those remarks were completely out of kilter with accepted patterns in education. It reflected poorly on the Government that one of its supporters should offer innuendoes put forward by way of addendum to remarks about corporal punishment administered in The King's School.

Every school in New South Wales is subject to the scrutiny of the Department of Education administered by this Government. If practices carried out in a school are unacceptable to departmental inspectors the school is deregistered. That would be the absolute end of the matter. The practices in The King's School are acceptable not only to inspectors of the Department of Education but also to the parents. Further, they are vital to a great number of country children who could not get adequate secondary education with such broadness of curriculum without attending boarding schools, of which The King's School is one of the foremost. I have no particular brief for that school as distinct from any other but it ill behoves members to make snide remarks about institutions which have played such a great and significant role in the education of citizens of New South Wales.

Coming to a broader area of the discussion on non-government schools, as a country person I am well aware that the financial strain on the Catholic systemic schools is far more acute in the country dioceses generally as compared to the Metropolitan Catholic Education Commission. Sporadic criticism of Government help to the non-government sector still occurs, particularly when assistance is increased as it has been by the federal Government. I am uneasy that this Government may not be wholehearted in its enthusiasm to maintain adequately this parallel system. It may not be convinced of the desirability of the alternative to a universal government system.

To illustrate the importance of the contribution of non-government schools I should like to acquaint honourable members with the scope of the Metropolitan Catholic Education Commission to which I referred earlier. It may surprise many to know that 94,000 pupils are enrolled in 264 schools throughout the city and suburbs. Salaries paid to teachers now exceeds \$50 million annually. This makes their contribution to education of the nation's youth equal to or greater than that of the Tasmanian State Government. I remind honourable members that these figures relate to the archdiocese of Sydney only.

The Government's stated policy is to provide 20 per cent of the cost of keeping a pupil in the government schools, though with an important rider—the cost is as determined by the Schools Commission. Experience of the non-government school administration suggests that the overhead or non-classroom costs are not fully considered

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in the formula used by the Schools Commission to determine the average cost of a pupil in the government schools. I strongly urge the Government to examine closely the formula and as a matter of urgency lift the level of support to a realistic 20 per cent of costs. Further, the Government should fully evaluate additional grants on the needs basis concept which the federal Government uses. Honourable members should understand that the State area of support to the non-government schools is on a fixed *per capita* grant. The number of pupils is determined and multiplied by the factor determined by the Schools Commission. Many schools, particularly Catholic systemic schools, and more particularly those located in country areas, need to be assessed again. Otherwise their viability will be seriously threatened and we will live to regret the demise of a great number of schools throughout the country.

The Hon. C. Healey: Tell that to Fraser.

The Hon. D. F. MOPPETT: It is my firm belief that the education in this State is the responsibility of the New South Wales Government. The guidelines and terms under which the Commonwealth Government has come into the field of education are carefully prescribed. The remark made by the Hon. C. Healey is flagrantly tangential to the argument I am putting.

The Hon. C. Healey: What does that mean?

The Hon. D. F. MOPPETT: It means that it has nothing to do with the subject at all. I do not wish to dwell upon the contribution made by the Hon. P. J. Baldwin. It was a substantial contribution on an important subject. The fact that I disagree so strongly with him prompts me to refer again to some aspects of his speech. He has put forward a simplistic view of education administration, as I have attempted to demonstrate, in terms of relationship of non-government schools to government schools. But, he flagrantly showed that he misunderstood completely the administration of even the Government sector of education and its relationship to how standards are set in New South Wales. This was sadly clouded in the shibboleths of the past and slogans of class warfare, which are inappropriate to a logical discussion on where we are going with education. Perhaps in the Government's programme the most important proposal outlined was the establishment of an education commission. The question which I wish to put to the House tonight is whether this proposal to establish an education commission in New South Wales is in the best interests of the people of this State.

The Hon. C. Healey: The proposal was first put up by the coalition Government.

The Hon. D. F. MOPPETT: Indeed, and I shall refer to that. It was to be expected that this measure would be included in the Government's programme of legislation following the completion of investigation and release of the final report by the working party for the establishment of an education commission. We have had a chance to examine and study the report and its two preceding reports. Now we await the detail of the Government's proposal. Much of what I say is in anticipation. I believe that the report of the working party on the education commission points the way of the Government's thinking. The fact that it is mentioned in His Excellency's Speech gives me cause for great alarm. I have applied myself to a study of these reports. I have grave misgivings about the merits of the proposal. I seriously urge the Government to reconsider its commitment to the Teachers Federation to set up an education commission.

I offer no criticism of the caution it has exercised to date, bearing in mind that it was one of its ~~firm~~ election promises in 1976. I rather regard this as a complex issue, in which party issues should be put aside in the paramount interests of the

people of New South Wales. First, in taking a critical look at the report, I do not imply any criticism of the members of the working party, or lack of diligence or purpose on their part. The Government must bear full responsibility for the failure of this report to give a balance view of the proposal.

In studying the three working party reports, one is inevitably drawn to a comparison with the report of the Rydge committee, which was set up in 1967 and worked through to 1969. The Rydge committee was asked to report on broadly the same propositions as this later working party. The fundamental difference between the two reports, which nevertheless have a good deal of common ground, is in their approach. The Rydge committee accepted the responsibility of investigating the proposal, with the option of recommending against the establishment of an education commission. It took up the option and recommended alternative ways of getting around the problems that were recognized at that time. This led to the Teaching Service Act of 1970 and the establishment of the advisory commission, on which the teachers were invited to participate. However, I believe this advisory commission has been a disappointment to not only the previous Government but also the present Government because the Teachers Federation is not satisfied with the representation by the teachers *per se*, taking the view that the representation should be by the Teachers Federation.

To the credit of the working party, it accepted criticism of its proposals, and has documented them fairly and clearly, leaving the final decision to the Government. It has set out the machinery to implement this proposal without, regrettably, challenging its validity or worth to the people of New South Wales. Its different approach is largely explained in the second interim report, where on page 16, it said:

In reaching our conclusions on applying the principle of participation to the management of education services in New South Wales, we have had regard to—

- evidence of frustration among teachers and parents
- the difficulties of departmental structures in adapting to important social change
- the expressed desire of the Teachers' Federation for continuous consultation in industrial relations
- the greater professional expectations of teachers in the work force
- the present relationship between teachers and the Public Service Board as expressed through the N.S.W. Teachers' Federation
- the prospect of increasing strain upon industrial relations brought about by falling enrolments in parts of the system, tighter control over funding, and the adoption of teaching technologies
- the policy of the Government and the Australian Labor Party, N.S.W. Branch

Therefore, I have come to the conclusion that should the Government implement the recommendations of the working party, the biggest single factor that will have operated is the desire of the Government to accommodate the longstanding policy of the Teachers Federation. If it does that, it will abrogate its primary responsibility to act on behalf of the people of New South Wales as a whole, and not simply, in a pusillanimous way, in response to pressure exerted on it by a strong and militant union.

I acknowledge that this has been a longstanding aim and policy of the Teachers Federation. In fact, the roots can be traced to the predecessor of the Teachers Federation, the Teachers Association, back in the 1850's. It has followed its policy with absolute continuity, and with commendable tenacity. But that does

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are vital to the best interests of the people of New South Wales. It is interesting to note that this old chestnut—the proposal to establish an education commission—was first proposed as the establishment of an overall joint control commission, involving the participation of teachers and the Teachers Federation, back in the day of the Bavin Nationalist Government in 1929. As the Hon. D. R. Burton pointed out, it was also an election promise, in the broadest terms, by the Askin Government when it came to office.

The reaction of the Bavin Nationalist Government deserves some attention because, although the long-sought goal was to remove control over the teachers from the Public Service Board to a board of control, they would not support the proposal. They believed that, as it was set out at that time, it did not properly insulate education from political interference. That creditable chapter in their history should now be brought forward as a reminder to them, for it is essential that the administration of the education service should be at all times completely free of political manipulation.

When we are reminiscing about former proposals for an education commission, it is interesting to note that over the twenty-four dismal years of Labor administration after World War II, when the Teachers Federation continually and with increasing vigour proposed to the Government the establishment of an education commission with teachers in control, on all occasions the proposal was totally rejected by that Government. It will be interesting to see exactly what the present Government does about it this time. In its early stages, the Teachers Federation policy of joint control was not bound up with current left-wing thinking about worker control or worker participation; it was a genuine manifestation of their belief that the education services were of such a particular nature, and so different from other government services such as the provision of roads, that a special administration was required, with special modes for handling the problems that came up from time to time within the profession. There is no controversy in this score, and both the working party and the Rydge committee have presented considerable evidence and argument for the acceptance of generalization that a special administration is required to control teachers in New South Wales. Their case is quite overwhelming. However, I believe that no plausible argument is offered by the working party to substantiate the belief that there should be a special administration which should take the form of an overall commission.

It is curious, when a comparison is made of the working party's final report, to note a degree of equivocation about the subject of ministerial control and parliamentary responsibility. In the second report they mentioned that they believed there would be "a contraction of this pristine virtue of the administration of our education". However, when this contraction they spoke about in the second report was criticized by a number of bodies, they gave an unconvincing reply in the final report, in which they played with words and said that the contraction to which they had referred was not real contraction. They tried to beef up their argument, by referring to the Wilenski report, and its theory that ministerial responsibility can no longer be retained in its original concept and, as a real thought, should be abandoned. I do not think honourable members on this side of the Chamber accept that, and when the proposal for this legislation comes through, we shall closely scrutinize it to ensure that, as far as possible, a line is kept between administration and the formulation of its policies, as a strict flow-through to the Minister and to his responsibilities to Parliament.

Another apparent omission from the final report of the working party that is of immense importance to me is any reference to one of the cardinal points of the Teachers' Federation submission. That is what it terms its right of recall. By right of recall the federation implies that if it has statutory representation on the Education Commission and its representatives are not carrying out its policy the federation has the right to recall them and replace them. Carried to its logical

extreme, this is completely unacceptable to any right-thinking person. It is completely outside the Opposition's concept of good administration. It implies that the whole administration of education in this State should be passed back to the Teachers' Federation executive. Members on this side of the House would totally reject that—and I hope and believe that this Government would reject it also.

I had wished to refer to a number of other subjects, but time has crept on. I should like to confine the remainder of my remarks to a subject away from education. It is an important issue that should receive the attention of the Government. Recently in the Coonamble district a female ex-member of the police force addressed a group of people on the role of women in the police force. She advanced a most convincing argument that this State is greatly under-staffed in terms of women police. I do not wish to go into detail about police duties, but one can imagine the difficulties that might be encountered by male members of the force when manhandling female demonstrators or dealing with female victims of assault. Figures supplied to me by the Parliamentary Library give this picture. At present there are 8 494 men in the police force and only 138 women. I appeal strongly to this Government to look into this matter to see whether it can recruit more policewomen.

Perhaps it is a matter of age-old prejudice in the minds of women who feel that police work is not a vocation to which they are called. Perhaps the terms and conditions of employment are not attractive enough. I cannot offer any solution, but I believe that there is an important role for women in the police force and the administration of justice. Recently comments have been published in the newspapers about the Department of Corrective Services. The Speech referred to the administration of justice. These references point to the fact that a much more intense look at the administration of justice is urgently required. The Government should examine whether the establishment of women is adequate.

[The President left the chair at 6.35 p.m. The House resumed at 5 p.m.]

The Hon. T. S. McKAY [8.0]: I shall not give a detailed valedictory to departing colleagues, but before commencing my brief address I should like to congratulate the Deputy Leader of the Government upon a long and valuable period of parliamentary service during which time she has won the admiration, respect and affection of colleagues on both sides of the House. The Hon. Edna S. Roper has made some strong speeches which have left no doubt in anyone's mind of her affiliations, but no bitterness has remained to sour personal relationships with those who do not share her views. She has been tolerant of differences of opinion because she respects the points of view of other people. In fact it will be seen that she has relevance to the burden of the remarks I shall be making later. I wish her well in what I feel will be an active and useful change in her way of life.

I thank the Hon. P. McMahon and the Hon. F. M. MacDiarmid for their remarks. I thank the Hon. P. McMahon also for the manner in which he has received some rulings I have given that were adverse to his propositions. I think he knows that I have always tried to be impartial and I believe that I have succeeded. I may have been wrong: such is human error, but I have never favoured one side or the other in my rulings, some of which have arisen from rather thorny points of procedure.

The House has listened with proper respect and attention to the Speech of our remarkable Governor, whose term of office has done much for our State and much for the post he has held with great distinction for a record period exceeding even that of the heroic but neglected Macquarie. As the Speech proceeded, doubtless honourable members were silently in agreement or disagreement with the points the Governor made. Such attitudes to the enunciated legislative programme were for the most part conditioned by the side of the House on which honourable members sit. In

effect, the outline given by the Governor draws the lines for the forthcoming debates of the new session. One side will support the programme, the other will oppose it irrespective of the strengths or weaknesses revealed, the validity or invalidity of the propositions on which the programme is based and of the order of priorities and emphasis to be placed on such matters.

The die is cast. Those who have propounded policy must and will defend it even though Government members may have some uneasiness about the consequences, both politically and with regard to the public benefit. To do otherwise is to reveal fallibility in the sight of the public, for the media to feed on. On the other hand, the Opposition must, and will oppose the programme, not **necessarily** because it is wrong or bad, but because to appear to be in accord is to give strength to the Government and thus weaken its own position.

Surely these attitudes are absurd and of minimal advantage to the community that all honourable members wish to serve. No programme is wholly right or wholly wrong. But the Government and the Opposition are locked into **this** adversary position. It might be contended that the adversary system in the courts of law grinds out the truth, so why not in politics? The distinction, as I see it, is that in the courts there is a judge to enforce the rules of evidence and to ensure that the jury is not misled. That does not apply in politics. People are subjected to a barrage of different propositions from both sides, supplemented by the comment of so-called experts from the news media, without anyone to act as judge or guide. The adversary system might work in the courts but I believe it merely adds to public confusion in politics.

The Government's attitude is one of assumed infallibility. The Opposition is committed to oppose. A situation exists in which, for the ensuing months, the battle will be waged with little room for reasoned argument or compromise. It is a pity, I think, that when Lord Randolph Churchill in 1830 said that the Opposition's duty is to oppose, a statement which has been followed implicitly, he did not take the matter further and indicate whether, in certain circumstances, the Opposition might in fact concur. I do not subscribe to Lord Randolph's convenient maxim without considerable qualification. I am much concerned that an inflexible attitude leads to divisions within the community and a loss of public faith in the parliamentary institution. Incessant, noisy disagreement in Parliament and in the media has, I believe, caused the electors to wonder whether their representatives are more concerned with obtaining and retaining **office** than the public welfare.

I contend that at the root of this depressing scene is the inflexible adversary system which we follow and from which we seem unable to break free. Can we continue the luxury of infallibility opposed by infallibility? What are the **antidotes**—or palliatives—that might be more appropriate. I cannot see a substantial change in the present system in the immediate future. However, this inflexibility might well be reduced or changed by the adoption of the following suggestions which, I hope, in turn might give the people a better deal. The first suggestion I have to offer is the acceptance, rather than the crucifixion, of members who are sufficiently capable, courageous and honest to differ from the line taken by their parties.

The voice of the minority within political parties is of equal significance to that in the community. It should be heard and encouraged, not stifled. "**Group think**" is not always right in changing times. It is too apt to be conditioned by static and conventional wisdom. The lone voice could be right, and one cannot afford to neglect a new approach. From a practical point of view, diehards might well be surprised at the political mileage gained and public esteem generated by members seen to

follow their beliefs and consciences in what they see as the correct line even if it deviates from party policy. The first palliative therefore is greater tolerance within parties.

The second is a greater pooling of resources—at times rather thin—through joint-party standing committees whose findings and recommendations are given proper weight, rather than shelved. Advice from non-parliamentary leaders in the community could be made available to the committees, thus using one of the better elements of the American system of administration. The recommendations would need to be given publicity compulsorily so that public response, in appropriate cases, can be incorporated in amendments of the proposed legislative programmes. Such committees would be relevant to the major aspects of administration such as finance, health, education, transport and, of ever-increasing importance, the environment. The third proposal ties in with the second and is relevant thereto. It is that the term of the Parliament should be extended, certainly to four years and preferably to five years. There would, of course, be no time in a three-year Parliament—if there is such a thing nowadays—for the procedures I have suggested in regard to committees.

At present we have instant legislation. The Parliament is force-fed by the executive leaving little or no time for the legislative programme to be subjected to examination by select committees or full-dress debate in both Houses. Push it through and amend it later if defects show up in the way it works. Some governments claim credit for the number of bills put through in a parliamentary term without mention of the need for them, if any, or the benefit to the public or the number of amendments that have been required. The public has become accustomed to being given legislation in the same manner as patients are accustomed to receiving prescriptions from their doctors. They feel that their legislators or doctors are not doing their duty if they do not get plenty of both. Often they cannot do without mere placebo.

Needless to say there are many other advantages resulting from a longer parliamentary term. As I dealt with this topic on a previous occasion I shall not weary the House further except to add that a five-year Parliament would tend to reduce inter-party tension and thus prepare the way for a more co-operative and unhurried approach to public problems. I have not put forward these suggestions as being the only ones relevant to our present political plight. There may be others which in practice will prove more effective. All I have done is to try to get things moving towards a lessening of division rather than the reverse, which unhappily we can see happening before our eyes.

If it is conceded that there is a need for a relaxation in the inflexibility of the adversary system at the present time, then surely there must be greater need in future as changes in our social and economic circumstances are brought about to accord with what is now called the post-industrial society. The issues are novel and complex, the consequences of error graver than before. We are plagued with appalling unemployment which unquestionably must wreck our country unless we beat it or adjust to it. It is, of course, not peculiar to Australia. It exists to varying degrees in all countries where employment is not compulsory. Is full employment under our system of government any longer possible? Several years ago, Sir Mark Oliphant who was quoted earlier this evening expressed the view that by the year 2000, it would be a privilege to work. Is the Telecom dispute brought about by the same fears of supersession of labour by machines as led to the destruction of the steam looms last century? No doubt it is, and the fears are not groundless. But what is being done to provide for such radical change? Virtually nothing, because everyone in authority hopes the problem will be corrected by a return to the past—overlooking, of course, that the past is past. and we have to face the present.

The Hon. T. S. McKay]

As we move **from** a society concerned with the production of goods to one which provides services, there will be immense problems. In the face of these, can **we** afford assumed omniscience? Can we do the best for our people with one hand tied behind our back, or worse, fighting the other? I think not, and I feel sure there will be others who will agree that we need now—right now—to adopt a system which promotes the input of the greatest intellectual capacity to provide solutions. I urge that serious consideration be given to the foregoing suggestions for co-operation between the parties, so that we can retain a bipartisan or tri-partisan system which reflects a range of opinion. However, without co-operation, I believe the adversary system will prove to be totally incapable of handling impending changes of great magnitude, and circumstances, such as persistent unemployment, will force upon us a one-party system, a concept abhorrent to us all. I have said before in this House that all parties have as their objective the improvement of the lot of the people of New South Wales. They want to ensure that government continues to provide the highest quality of life for its citizens. I believe this can be best achieved by **greater** co-operation and tolerance, with less emphasis on party infallibility and righteousness. There **seems** to be little likelihood of politics becoming less arduous. It is with these present and future problems in mind that I submit these proposals for the consideration of the House.

The Hon. H. G. PERCIVAL [8.12]: As a relatively new member of the House I treasure very much the privilege of being a member of this House at the time of the opening of Parliament by His Excellency the Governor. His Excellency has become endeared to and respected by the community of New South **Wales**.

One could not but notice the nostalgia with which the Hon. Edna S. Roper, the mover of this motion, spoke. That is understandable. In the short time that I have had to evaluate the members of this House I have come to respect her.

In any debate, whether in this House or anywhere else, one generally finds two types of speaker. There are those who, with reasoned and logical presentation, put their case; and others who, unable to put their case in that way, turn to the personal, character-assassination type of speech. The **Hon.** Edna S. Roper clearly belongs to the first of these categories. She is blessed with a pleasant nature. How much better **it** is to work with people who prefer smiling to scowling. I am sure that the refreshing and pleasant attitude which she has brought to this House will be missed when she is no longer a member.

His Excellency mentioned among twelve other proposed bills the Local Government (Amendment) **Bill**. No **other** reference was made to local government in the Speech. Perhaps that of itself is of no significance, but when one reflects on this Government's outspoken and nefarious attitude to local government in its early days of office, such absence of reference appears to portend ominous intentions.

Councils are now reflecting on the question that is in the minds of a large section of the community, namely, whether local government will remain local. Few will forget that when this Government came to office it threatened large-scale amalgamations about which the Minister said there would be no pussyfooting. Public reaction was strong and spontaneous—so much so that the Government has done some **quick-stepping** rather than pussyfooting in deferring its proposals, but carefully avoiding any assurance that it would leave local government local.

People generally are concerned. Thousands of career employees are particularly concerned, and justifiably so. This State has the benefit of local government staff who are highly trained and capable, and apply themselves with a zest for local involvement

and pride in achievement. Consider briefly the imposing record of local government in electricity distribution. A succession of Ministers of differing party political affiliations have been strong in their knowledge of this fact.

The Hon. Kathleen Anderson: Including Mr Jensen and Mr Hills.

The Hon. H. G. PERCIVAL: Yes, as recently as last May when Mr Hills opened the local government electricity conference. The thirty-six electricity county councils throughout the State, together with the three general purpose councils have established a chain of electricity distribution authorities which, apart from being highly efficient business undertakings, have, by virtue of the local government elected executive, a strong human interest, community value component which normal business or State departments cannot have. Indeed, it is a fact that other States are envious of the New South Wales distribution system. They, of course, operate under a one State authority structure, with the inevitable bureaucratic ineptitude and inefficiency. Now, strong thoughts are afoot that the New South Wales Government is contemplating the abandonment of this commendable county council distribution system in favour of a State authority.

I pose two questions. Does the Government intend to dismantle local government with its mass amalgamation proposals? Does the Government intend to dismantle the local government electricity distribution system in favour of a State authority? Perhaps the Government's intention is to replace local councils with regional development corporations. The people of New South Wales are apprehensive about statements made by the Premier prior to the last elections. He said:

We will establish regional development corporations to carry out acquisition and development of land, communications, public works and provision of amenities.

In other words, to carry out many functions of local government. Regionalizing is another term for dehumanizing, or relieving people of identity, and individual expression, access to locally elected ambassadors. There is disquiet within the community on these issues. They require not only prompt answers but also unequivocal answers from the Government.

The Hon. Sir ASHER JOEL [8.25]: As this will probably be my last speech in this House, I hope I shall be permitted even more than the customary indulgence allowed under its usages to traverse areas other than those directly related to the Speech of His Excellency the Governor to this Chamber. Speaking of His Excellency, Sir Roden Cutler, may I join with other honourable members in paying a tribute to the distinguished service rendered to this State by Sir Roden, and congratulate him on his record term of office as Governor of the State of New South Wales. I believe that no man more deserves the encomiums which have been lavished upon him. He has truly been a great Governor. He is courteous, kindly, but above all one who has applied himself with the utmost diligence and the strictest impartiality to the task entrusted to him by the Queen, whose father, King George VI, he served so valiantly during World War II. With Sir Roden, I couple also the name of his gracious wife, Lady Cutler, who also has made a positive contribution over a wide field of community endeavour. I am indebted to His Excellency and Lady Cutler for the personal kindness which they have extended to me. I place on record their co-operation on the great and notable occasions with which it has been my privilege to be associated.

Though my valedictory remarks will be deferred until later in my speech, I feel that at this stage it would be remiss of me if I did not extend my warmest congratulations to the Hon. Edna S. Roper, who moved the motion for adoption of the Address in Reply. The Hon. Edna S. Roper entered this Chamber on the same day as

I did in 1958. I have been following her, more or less, in the order of speakers ever since. Indeed, I venture to express the opinion that had we both not been happily married it is quite possible in those earlier years I would have followed her for entirely other and different reasons. The Hon. Edna S. Roper has made a valuable contribution to this House. I trust that in the interests of this State her undoubted ability will not be lost in some other field of endeavour when she is no longer a member.

In seconding the Address-in-Reply motion, the Hon. P. McMahon, who made one of his usual well-assembled and informed speeches, was generous enough to make comments regarding some of those members with long service in this Chamber who are retiring. I am grateful to him as he was pleased to include me among those mentioned. I appreciate his tribute, more particularly because I know it was uttered from his heart.

I mentioned earlier that I would be concluding my speech in the form of a valediction. Before doing so, there are some matters in the Speech of His Excellency to which I would like to refer specifically. Appreciating, as we all do, that His Excellency's Speech is voiced on behalf of what is the vice-regal custom referred to as "my Government", members will understand that any criticism of the contents of the Governor's Speech are not intended in any way to reflect upon the Governor. The reason I say this is because the Government has indicated to His Excellency that it believes the expression by the people of New South Wales of their desire, by approving by an overwhelming majority at a referendum on 17th June, 1978, to reform this Chamber, might also be construed as an expression by the electors of their desire to remove any vestige of colonial status from New South Wales.

No such mandate was granted by the people at the referendum, the terms of which, as everyone knows, were clear and simple, dealing only with the future constitution of this House. To attempt to draw any other deduction from that vote is completely fallacious, though upon this flimsy pretext and specious premise the Government proposes to take action. However, following the referendum, these words appeared in His Excellency's Speech:

Accordingly, my Government proposes to take action: firstly, to make the High Court of Australia the final Court of Appeal; and, secondly, to make the appointment of the Queen's representative a matter solely and directly for recommendation to Her Majesty the Queen of Australia by the Government of New South Wales, so that the appointment of this State's nominee shall no longer be subject to endorsement or possible veto by the British Secretary of State for the Foreign and Commonwealth Office and the Government of the United Kingdom.

I do not propose in this my final speech in this Chamber to address myself to the merits or otherwise of the Government's proposed action, but I referred to this subject because, if the Government believes in the role of the Legislative Council and has expressed an intention to do this, it is a complete abrogation of **the very** principles of democratic government, which my colleagues have emphasized was a major reason for presenting to the people of the State the reconstitution of this Chamber. There is no mandate other than to reform the Legislative Council; that is **all** that was granted by the people. The terms were clear **and** simple, that **the** referendum dealt only with the future constitution of this House.

Perhaps if I were challenged I would say that I support these proposals, but the principle involved is whether the people have the right to determine how their constitution will operate, or whether a deduction may be drawn from a vote dealing with another matter which, nevertheless, gives the government of the day, irrespective

of whether it is a Labor government or a Liberal-Country party coalition government, the right to take a certain course of action. I ask my colleagues opposite to consider this, because for any government to take unto itself the right to make the important decisions I have mentioned, without further reference to the people, is a negation of the very principles for which we stand.

The Hon. J. R. Hallam: This is no longer a colony.

The Hon. Sir ASHER JOEL: I mentioned earlier that I was not canvassing the merits of what is proposed. I am questioning the right of the Government to draw a deduction from the referendum that it also has a mandate to do other things which were not covered by the reference to the people. If the Government believes—as His Excellency indicated in his Speech—that the strength of parliamentary democracy requires integrity, then that integrity should also relate not merely to pecuniary matters, but also to matters of this kind, relating to the machinery of parliamentary government itself.

The Governor's Speech indicated that it is intended to bring down a measure to provide for the public disclosure of the pecuniary interests of members of both Houses of Parliament. As one of the upper House representatives on the Joint Committee of the Legislative Council and Legislative Assembly upon Pecuniary Interests, I commend the Government for its proposed action. I say unhesitatingly and unequivocally that the joint committee will go down in the history of this Parliament as having made a major contribution to uplifting the standards of parliamentary representation in this State. It was one of the most interesting committees upon which I have sat during my tenure in this House. Its conduct, the exhaustive nature of the inquiries made, and the subsequent deliberations, reflect great credit upon the chairman, Mr Keith O'Connell, M.P., and all members involved. I hope that the recommendations of the committee will not be amended in any drastic way because, as submitted, I feel they achieve the object while, in most respects, retaining that privacy which should be the inalienable right of all individuals in a democratic community irrespective of whether they are a member of Parliament, or any other member of the community. I refer, of course, to the privacy of the person concerned and also to the privacy of his family and his immediate descendants.

I welcome the reference in His Excellency's Speech to the expansion of the State's overseas activities, particularly in the United States and Japan. I applaud, also, the decision to open new American headquarters of the New South Wales Government Office in Los Angeles, and the upgrading of the Tokyo office. Although it is all very well to stimulate on the national level international interests and investment in Australia, it is imperative, if our federation is to continue as a viable Commonwealth, that the States should also pursue their own independent policy to encourage both investment and tourism from abroad. We live in a competitive world and competition between the States to attract oversea investment and tourist interest can only be to the general advantage of this country. New South Wales has been fortunate in having had a long succession of able representatives as Agents-General in London, and commissioners in America and Japan. I pay homage to the work they have done, and I realize that often because of their absence overseas they have received little credit. I cannot speak too highly from my own personal experience of our representatives in these countries. Both past and present incumbents are deserving of our deepest thanks.

I was more than pleased to note in the Speech that some attention is proposed to be given to natural disaster relief measures. This should truly be on a national scale, with the States occupying a particular position where local calamities may occur. This is something that has happened across the board, and applies to relief measures

and to comforts and facilities to supplement the meagre government supplies to the troops abroad. This subject relates to such matters as the collection and use of waste materials so that they can be included in the wartime economy. I recall how utterly unprepared this country was in 1939 when World War II began. There was a need to set up the Australian Comforts Fund to provide the services with additional amenities, clothing and recreational facilities.

I speak from experience, having been seconded from the armed services to set up the Australia Comforts Fund and to set up at a meeting in Victoria the first waste collection scheme on a national basis. I welcome the suggestion that the Government intends to look into this matter. The Darwin disaster proved conclusively how unprepared we are in a national emergency. I recall how fragmented our approach has been whenever there has been a call to raise funds or to organize assistance in a time of major bushfire or flood disaster. This is not a subject that can be dealt with piecemeal. Both State and federal governments must, in the interests of our community and Australia as a whole, get down to the nitty-gritty of setting up adequate relief facilities to deal with emergencies that may happen tomorrow.

The Government has acknowledged the concern felt by parents, teachers and employers to ensure—and I use the words in the Governor's Speech—the most effective and appropriate curriculum and teaching and examination methods. Perhaps I may be permitted to lapse into the vernacular and say, "And you can say that again." Parents as well as pupils and the teaching profession as a whole are heartily sick and tired of the seeming inability of the authorities concerned—academic and otherwise—to reach some acceptable consensus on what is the best method to determine educational standards in this State. As long as I can remember there has been a constant changing of the procedures by which the educational and academic attainment of our pupils throughout Australia can be measured. From as early as I can recall there have been qualifying certificates, permits to enroll, intermediate certificates, leaving certificates, higher school certificates, marking by independent examiners, internal examinations and computerized test results. I can only hope, for the sake of the generation now at school, that some decision will be reached to ensure continuity of assessment of the abilities of students.

Although there are many other matters in His Excellency's Speech upon which I should like to comment, time, the hour and the nature of the occasion do not permit me to deal with all of them. However, there are two matters to which I should like to refer. The first is the concern that has been expressed in regard to the increase in drug abuse, a fact evidenced by the current investigations by the Commonwealth and the States of New South Wales and South Australia. Anyone who has followed the proceedings of the Royal commission presided over by Mr Justice Woodward could not but be impressed by the facts that have already been unearthed and the revelations of the widespread nature of the drug traffic in this country. Likewise, anyone who reads the daily press could not but be shocked by the enormous sums involved in this nefarious trade. The penetrating probe by Mr W. Fisher, Q.C., who is assisting the Royal commissioner, has brought to light a story of crime and human tragedy that is a damning indictment of the society in which we live.

This brings me, at this eventful point of my career as a member of Parliament, to a self-examination of my own feelings towards a drug with which the community is deeply involved—marihuana. I am reluctant to suggest that we may well have to consider either the legalization of marihuana smoking or the decriminalization of having the drug in possession for the purpose of personal use, so that it becomes legalistically a meaningless legal term. Yet perhaps this is the answer to preventing the present traffic from continuing and growing in volume. When reports of raids involving tens of millions of dollars worth of drugs come before us regularly, it would seem that there

is no likelihood, with the vast profits involved, of closing up the sources of supply or eliminating the pusher who peddles the dope. Perhaps some form of State control and distribution, thus eliminating the illicit grower and the predatory pusher, is the answer. I do not know. I am beginning to wonder whether we can enforce a law that a vast percentage of our population does not propose to observe. In making this statement I realize that I am shifting ground from the hard and fast moral attitude that I have always taken towards drug taking, but I feel in all conscience that I must make this observation.

Were the time available I should have liked to talk at some length upon culture and the arts and the necessity for their continued support. I should have liked to refer in depth to the tragedy of the forthcoming demise of the Old Tote, the consequences of which will be felt throughout the cultural life of this community. But I shall leave that for others who undoubtedly will deal with those matters. I welcome the Government's intention to construct an entertainment centre in the Haymarket. I believe that is the appropriate site. It is imperative that this State should have such a complex to cater for the form of modern mass entertainment that is so popular today and for which we have no adequate venue. Quite apart from its use as an entertainment centre, there is a need for such a place for mass rallies, which may well obviate some of the traffic congestion and unseemly displays which ~~mark~~ public demonstrations.

When the Governor came to the final paragraph of his Speech he addressed those present in this Chamber, as he did in his opening remarks, as honourable members. That fact was referred to, incidentally, by the Hon. P. McMahon. In this His Excellency, on the advice of his advisers, truly made history, for hitherto on all such auspicious occasions the Governor has specifically referred to the honourable members of the Legislative Council. I am not sure whether the advice tendered to His Excellency was stimulated by a desire by the Government to downgrade this ancient Chamber rather than perhaps a desire to upgrade another place.

And so, Mr President, I arrive at my valediction—that action, as it is described in an Oxford dictionary, of saying farewell on leave-taking. I do so with regret but not with remorse. It is forty-six years since I first entered this historic old buildings—then as a reporter in his late teens who had been given the opportunity by his appointment as the government roundsman of the *Labor Daily* newspaper. For four years I reported on the events of Parliament and covered the government departments of this State. It was while I was sitting in that second seat from the northern wall in the press gallery, of which I was also proud to be secretary-treasurer for some years, that I made up my mind that one day I would seek to join the distinguished assemblage of men who were Legislative Councillors. Believe me, they were distinguished men.

The Hon. J. R. Hallam: They still are.

The Hon. Sir ASHER JOEL: For that comparison the Hon. J. R. Hallam will have to look at the record. They were men who were eminent in the world of finance, industry, commerce and the professions, who covered the broad spectrum of the trade union movement and the great primary industries and ancillary activities. Membership in those days, as it was when I first entered the Chamber, was honorary. Men sought their reward from service and not from payment. Those who may be described as coming from the conservative side of the political fence enjoyed perhaps greater power and distinction by reason of their being here, apart from any innate sense of service. Similarly, those who sat on the *Labor* benches gave of their valuable time while they still continued for literally a pittance, which trade union secretaries received forty-six years ago, to work in this House and, at the same time, to serve their members.

In those days the gold pass of a trade union member of Parliament was a valuable acquisition because union funds were never healthy and the savings effected by travelling throughout New South Wales—air travel was unknown then—at the expense of the State on the railway system were not to be discounted. As I recall that **second** session of the thirtieth Parliament in **1932** with some nostalgia, there were 121 appointed members who sat in the Chamber, including the **first** two women ever elected to the Legislative Council, the Hon. Catherine Green and the Hon. **Ellen** Webster. I mention also that the House contained eight knights with a considerable number yet to be dubbed. I remember that they were truly outstanding personalities. The impact they made upon me as a young reporter still remains.

I can recall how crowded the benches were. Members were spilling over **on** to the carpet from the benches which could only be described, as those who will recall the benches before the present forms were installed will agree, as uncomfortable. Upon those benches sat such dominant figures in Australian life as those I shall mention. **They** were men of stature and, because this is my last speech, I shall refer to some of them and share with honourable members those who preceded them and contributed to the Chamber a record of service, on both sides, irrespective of the nature of their appointment—forgetting the **so-called** democratic election which will take place **in** the **future**—out of a sense of service.

I believe that only one of that group who sat here in **1932** is still alive—the Hon. **A. A. Alam**. I mention also the Hon. **William Brennan**. He was quiet, unassuming and gentle. He was a man whom people might pass in the street and **describe** as nondescript or as a nobody. But, in the great crisis which befell the trade union movement in **1909** and **1910** during the coal strike he was one of those who, with the leader, Peter Bolling, were led in manacles and handcuffs to the Goulburn gaol by order of the government of the day. He was a member of the Chamber.

There was also the Hon. Jimmy Concannon who was secretary of the Metropolitan Water Sewerage and Drainage Board Employees Union and Vice-President of the Executive Council. He was one of the most able **men** who has ever sat in this House. The Hon. Bill Dickson preceded you, Mr President, as the President of the Chamber. The Hon. Jim Graves was general secretary of the Australian **Labor** Party. Herbert Middleton Hawkins was appointed as assisting Minister for Labour and Industry but he died in tragic circumstances when, inexplicably, he fell from his **office** and was killed. That was a sad blow. There were the **major-generals**—**Major-General Macarthur-Onslow** and Major-General James Mackay. There was also that illustrious man who led in government and in opposition, **Sir** Henry Manning, a jurist of distinction and a gentleman of unexcelled qualities.

I think also of J. B.—Plugger—Martin who was the organizing secretary of the Australian **Labor** Party. He was the first man to manipulate the voting of the Legislative Council so that he could determine before the vote was taken in the Chamber who was next to be elected. He taught me many things. The Hon. Alan McNamara—Skinny McNamara—was a wit such as we have never had in the Chamber in the intervening period. Voltaire Molesworth was a man of acidic tongue. I commend to members for sarcasm and sheer literary worth a reading of his contributions to the debates of the Chamber. He was well-named Voltaire. There was also Sir James **Murdoch**, the retail king who gave his name to a vast chain of stores. Sir John Peden was probably the most distinguished jurist and legal personality ever in the House. I wrote about him when I was a young man and said that he had more jobs and was getting more pay from more areas than any other single **man** who ever sat in the Chamber.

Some honourable members will recall Colonel the Hon. T. A. J. Playfair. He proposed, as you may recall, Mr President, to nominate to have him gain that distinguished position Colonel the Hon. Sir Hector Clayton as President of the Legislative Council, and with the support of the Labor Party. But, fate intervened. Under the duress and stress of the moment he died the night before the nomination was to be made and we have followed your presidency ever since. I should mention also the Hon. James Ryan who was an assistant Minister. The position was created, as some may remember, in those days, not necessarily because of the Minister's ability, though he was a man of distinction, but rather because of his religion. It was considered necessary that a certain section of the community be included in Cabinet. There was also the Hon. Sir Joynton Smith, a newspaper knight who left his name and mark on the community as a whole. The Hon. Frank Spicer will be recalled by all honourable members. The Hon. Sir Frederick Tout was a member in those days. His contribution to the Country Party was enormous. Others were the Hon. Arthur Kenny Trethowen and the Hon. James Tyrrell, secretary of the Municipal Employees Union, who like the Hon. P. McMahon was a big man, though stouter. Perhaps in due course, as well as his position, the Hon. P. McMahon may take on the appearance of his famous predecessor. There were 121 members in those days and I think I knew them all. They were members with a sense of dedication and zealotry even though not all of them were gentlemen in any accepted sense of the word—and I do not mean by the circumstances of their birth.

I was not given the chance to become a member of the Legislative Council until 21st November, 1957, and then only after three unsuccessful attempts in 1949, 1950 and 1955. Like Dick Whittington I had to return, but four times not three. I believe I can truthfully claim that I was the last person running strictly as an independent, without any form of official party backing and on no ticket, to gain a seat in this House. It might also be an interesting observation that those votes which ensured my election came from the democratically elected lower House. If the records are examined the official tickets run by the major parties for election to this Chamber will reveal that I was given the last position on the ballot-paper. I should like to thank those who are still alive who gave me the opportunity of serving in this Chamber, and to pay respect to the memory of those who are no longer with us. I thank my colleagues in the Country Party from the bottom of my heart for their continued support, and for their co-operation in enabling me to enjoy a second term of office.

In my maiden speech I had the unique distinction of being interrupted, and I sought the protection of the Chair. My late dear old friend the Hon. J. D. Kenny, who was then general secretary of the Trades and Labour Council, interjected with another aside which *Hansard*, no doubt because of the unparliamentary nature of the words used, did not record. He said, "Him need protection? Not fornicating likely." Since then I have never sought the protection of the Chair, lest I should invoke a similar remark from one side or the other. In that speech, my first speech in this Chamber, I said that I was speaking with diffidence because I was conscious that I was subject to the critical evaluation of so many men expert in the art of parliamentary government and of the few skilled in the Machiavellian craft of political intrigue. I hoped that my conduct and standards would earn the approbation of the former and that in time the latter few would join the majority. I hope that in the past twenty years, in the critical evaluation of those who were here, I have at least earned, if not their affection, their respect.

I said also that I wanted it to be clearly understood that I was opposed to the abolition of the Legislative Council, and that democracy needed a safeguard to frustrate the unbridled ambition of ruthless men and to thwart the domination of its

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people by power-drunk party machines. I quoted from *The Sydney Morning Herald* editorial of the same day these words which seem to have been forgotten with the passage of the years:

The present Council possesses the outstanding merit of affording an opportunity of entering parliament to men possessing special experience which owes nothing to party ties or interests; men who can give wise counsel in debate yet who are unfitted to the hurly burly of the election platform where the assessment of qualification for Parliament is a much ruder business.

I commented—and I quote once again:

If we are to attract men of the right kind to parliament we should make it clear that it performs a useful function. Parliament belongs to the people. Man is not made for the State; the State is made for man. I submit that if we are to attract the best men to this Chamber we must make it possible for them to enter not merely because they subscribe blindly to the tenets of some political parties.

Unfortunately I learned all too soon that though there is room for men of independent minds in Parliament, in democracy there is no future life for those who wish to remain independent. Following me, the Hon. J. D. Kenny referred to the fact that I had mentioned the word "abolition". He said that the Australian Labor Party had decided, rightly or wrongly, that this Chamber should be abolished and that he made no apology for the use of the word "abolition". I hope that I never hear or read again the word "abolition" written or uttered by a member of the Labor Party.

The recent referendum has altered dramatically the nature of this Chamber. The House will never be the same again. It is with some sorrow that I say that I feel some of its past greatness has departed with its proposed reformation. I should not like to think that the popular vote, which has recently been cast, was merely the first peal of the bell tolling the death-knell by abolition of this Chamber.

It would be remiss of me if I concluded without referring to the tremendous help that I received in my early years as a reporter, and particularly during the past twenty years as a member from the Clerks of Parliament who have served with such dedication and distinction and whom I am proud to have numbered among my closest friends—Calvert, Charlton, my dear friend John Stevenson, Saxon and the present clerk Mr Jeckeln whose friendship with me goes back nearly thirty years. They and their assistants, despite the hard road they have to tread, with the precipice of party alignments on both sides yawning cavernously to engulf them if they should wander too far from one side to the other, are the ones truly responsible for the efficient running of the machinery of parliament. Without their advice no President, Minister or member could hope to succeed in this Chamber. I am indebted to them, and I thank them publicly for the record.

Likewise, tremendous assistance has been afforded by the parliamentary staff, including the library and its services which are so efficiently directed by Dr Cope; and the staff of *Hansard* whose onerous responsibility of making intelligible the often unintelligible utterances of members endears them to the hearts of all members who subsequently read their speeches. I cannot express my gratitude enough to the attendants in this House. If I were to name them individually I should have to go back more than forty years. They have established among themselves a unique tradition of always being there when one wants them and of maintaining confidentiality and silence about the indiscretions of members. I have appreciated the efforts of the dining-room staff and those whose job has been to clean out the corridors of this dear old musty building which will soon be a memory to me, but contains so much of the history of this nation.

Yes, I have enjoyed my long association with this Chamber and its members. I have witnessed and been part of the drama of politics and government as it has been played out in this State for nearly half a century. I have seen some of the greatest examples of loyalty and integrity that one could wish to observe in a lifetime. Also, I have seen infamy and betrayal. But this is the meat of politics. I have been part of this system. I am sure that all honourable members who leave this House have regretted at some time or other, as I do, that they could not speak up as individuals and obey their conscience rather than follow the strict party line.

I wish my retiring colleagues well. There are only eight of us in this House who were here when I came in. They are yourself, Mr President, the Honourable O. M. Falkiner, the Honourable J. N. Thom, the Hon. Edna S. Roper, the Hon. S. L. M. Eskell, the Hon. Sir Edward Warren, the Hon. W. R. Coulter and myself. I am sorry that the Hon. Sir Edward Warren is not here this evening; I should have liked to turn round to him and say, "Thanks, Ted, for being the first man in this Chamber to extend to me the hand of fellowship and friendship when I was elected."

Are there any compensations in my decision not to re-submit my name as a candidate? Yes, there are. To be quite frank, I am fed up with looking across the Chamber at the busts of Dalley, Stephen, Lackey and Hay. I much preferred it when I sat on the Government benches and was stimulated by the expressions on the marble faces of Sutton, Blaxland and Macarthur. Using the name of a well-known television series, but in doing so not suggesting that there is any similarity, real or imaginary, between its theme and characters and this Chamber, I conclude with the words—Bless this House.

The Hon. W. R. SCOTT [9.15]: In rising to speak in this debate on the Address in Reply to the Governor's Speech I express my heartfelt thanks to His Excellency and Lady Cutler for the dedicated service they have rendered to the people of New South Wales for a period of well nigh thirteen years. In a historical context, Sir Arthur Roden Cutler is a record breaker. Some time ago he captured the record as the longest serving Governor of New South Wales from another dedicated and well-respected vice-regal representative, Lachlan Macquarie, who served for eleven years from 1810 to 1821. This may appear to some to be a rather tenuous historical point. However, I am sure that the people of this State are grateful for the personal qualities of service and commitment that his Excellency has brought to the role as Her Majesty's representative for such a long period.

In recent times the world has again witnessed the spirit and bond that exists between the nations of the Commonwealth. The Edmonton Games were an unqualified success for sport and world co-operation and understanding. Like all loyal New South Welshmen, I was delighted that Her Majesty the Queen personally officiated at the opening of the games. Her Majesty's words and presence helped to cement the bonds of friendship, co-operation, peace and prosperity for which the Commonwealth stands. It is significant that this is the first session of this House since the Constitution and Parliamentary Electorates and Elections (Amendment) Act was ratified by the people at the June referendum. In the light of these circumstances I should like to direct my remarks to the reform Act, and more particularly, to express some views about the role of the Council after the first periodic election which may have some relevance to my colleagues on this side of the House, and to members of the Liberal Party generally. As one who has consistently advocated the democratisation of the Legislative Council I was naturally delighted that the people of New South Wales overwhelmingly supported the referendum proposal. Let us all remember that the Australian people have a healthy suspicion of politicians and their various attempts to change the Constitution. We should all be aware of the records, which show that only a minute number of referendum proposals have been ratified by the people.

The Legislative Council reform referendum was passed because all major political parties agreed on a course of sensible compromise in order to achieve the desired result of a popularly elected upper House in this State. Once we as parliamentarians had established our bona fides on this issue the people endorsed the idea of reform. I do not intend to make cheap political points at this stage as to the circumstances of the compromise between the managers from both Houses; suffice it to say that I am proud and happy that a compromise was reached which allowed for reform and a popularly elected Legislative Council to become a reality.

I should now like to place on the public record some views about the Liberal Party and how I believe we must react in the changed circumstances of the reformed Legislative Council. In one respect, the Legislative Council will not change as a result of the Reform Act. The upper House will retain its essential function as a House of review. Experienced legislators, people with expertise in various areas of government and people with analytical enquiring minds will, as before, be required. Reduced numbers in the House will mean an increased responsibility on Liberal Party members to review legislation and champion the values of private enterprise and freedom. The decision to elect members to the Legislative Council on a popular basis will have significant implications for Liberal parliamentary members. Members must be prepared to represent on a full-time basis. Members must accept every opportunity to serve and assist electors. In addition, in order to achieve electoral victory, members must be capable and skilled at explaining positive Liberal Party policy. During the life of this Parliament the Labor Government has attempted to pass socialist legislation which, but for the vigilance and determination of members on this side of the House, would have ended up on our statute books.

I recall, for example, the proposed Land Commission Bill, which would have given the Labor Government power to earmark any property in New South Wales with virtually no limitation. Also, the Energy Authority Bill would have meant the virtual nationalization of all the energy resources of this State. Do not forget the battle fought over the Anti-Discrimination Bill, a piece of legislation which, had it been passed in its original form, would have meant that the rights and liberties of every citizen of this State would have been infringed. The Stamp Duties (Amendment) Bill was another piece of legislation that was amended by this House because the very nature of the second schedule of the bill was so far-reaching, retrospective in application, and punitive in respect to provisions relating to inheritance, family companies and associations.

Those pieces of legislation, and many more like them, would have become a reality without the check of the Legislative Council. Every facet of our lives would have been rigidly controlled and initiative would have been stifled. One vital implication for my colleagues on this side of the House is that the fight that has taken place over socialist legislation may have to be carried on in the future.

I do not believe that I am overdramatizing the situation when I say that the Legislative Council may well become the arena for a gigantic confrontation between a philosophy based on freedom of the individual and a philosophy involving government control being paramount. It will be a confrontation between a society in which initiative and private enterprise are regarded as the foundations of society, or a society in which initiative and basic inventiveness are stifled. In other words, it will be a confrontation between the Liberal Party policy of a balanced humane society, in which effort is rewarded, or the Labor view of a socialized state. In these circumstances, I appeal to my colleagues to remember these basic implications because, if we fail, the Australian lifestyle could disappear.

In a practical sense, we are all aware that the Governor's Speech is a broad outline of the Government's priorities and legislative programme for the forthcoming session. On this occasion, I believe that the Governor's Speech has implication\ of a wider nature. It is, in effect, part of the Wran Government's election manifesto for the coming State election. I hope honourable members on the other side of the House will bear with me for a while, because I do believe that there are some worthwhile proposals outlined in His Excellency's Speech in respect of which the Government must be complimented and, moreover, assisted in their speedy implementation. The Government's decision to assist people to acquire their own homes, by making more low-interest finance available through terminating building societies is indeed a worthy aim, which all members will support. The decision to provide some \$47 million to the project homes scheme for low-income-earner housing is a measure which is to be applauded. The only doubt I have in this area is the line in the Governor's Speech that suggests that legislation will be introduced to streamline the operations of terminating building societies. Obviously, the Opposition is very wary of this kind of regulation and must, therefore, reserve judgment on the issue until the legislation is drafted and a study has been made of its implications. The foreshadowed sporting injuries insurance bill will provide vital protection for all sports people and the Minister for Sport in another place is to be congratulated on the speedy drafting of the legislation.

The appreciation and admiration expressed by the Governor's Speech to members of the State Emergency Service Organization, the police force and the volunteer reserve groups, including the bushfire brigades, is heartily and sincerely endorsed by members on both sides of the House. I am happy to see that a bill to provide for the registration of chiropractors will provide a professional service and will relieve and cure much suffering in the community. It is well known that the Chiropractors Association is in favour of registration in order to maintain the educational qualifications and ethics of the profession.

The Speech delivered by the Governor on the Premier's behalf is nothing more than a blueprint for an election policy that is full of dangers for the wellbeing of the people of New South Wales. The vital task confronting the Opposition is to expose to the people of this State the concealed socialist policies of the Wran Labor Government. The Premier portrays himself as a man of moderate outlook whose policies are designed to meet the needs of ordinary moderate Australians. This sham and pretence must be exposed before it is too late for the electorate and for New South Wales. A careful analysis of the Government's plans in the Governor's Speech will lay bare for all to see the real motives of Labor.

The decision to make the High Court of Australia the final court of appeal for matters heard in this State is a dangerous hangover from the Whitlam Government. Labor obviously feels hampered by the existing situation, whereby the Privy Council is the final appellate court. The advantage of having learned, unbiased jurists in London giving a judgment on constitutional matters in particular is a safeguard against rash changes. Labor's plans in this area must be vigorously opposed.

I was delighted to see that the Wran Government recognizes that the national fight against inflation is succeeding. No doubt, the State Labor Government has co-operated with the strategy of the Fraser Government to ensure that the rate of inflation is reduced. If this is the desire of the Premier, I advise him and his colleagues to cease their criticism of the hard and difficult economic decisions taken in the Budget by the federal Government to ensure that the fight against inflation is sustained. Honourable members must appreciate that until inflation is curbed, real growth and employment will never become a reality. The claim by the Government

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that it is actively encouraging investment and industrial development in New South Wales simply does not ring true when one considers that the Wran **Labor** Government taxes harder and places more bureaucratic restrictions on business than any other government in Australia. The claim that the Government's energy policy is encouraging long-term investment in the resources of New South Wales is clearly false. The attempt to pass the Energy Authority bill, which would have effectively nationalized the energy resources of this State, is clear evidence of the real motives of **Labor**, namely, government control and disincentive to private enterprise.

Labor's death-bed utterances about an appropriate curriculum and teaching and examination methods must be measured on the scale of promise versus performance. The Government to date has made no effort to promote in the schools basic skills and the concept of the three R's. The Minister for Education in another place stands condemned for his inaction. The Government has presided over an examination system at the school certificate level which parents, teachers and the community know is ineffective in grading the performance of students.

One *glaring* omission from the Governor's Speech was the lack of comment on the transport policies of the Government. Perhaps the influence of the Minister for Transport and Minister for Highways in Cabinet has waned to such an extent that he could not convince the Premier to include in the Speech a paragraph on the Government's transport initiatives. It is no surprise that the Government now *attempts* to make transport a low-key issue. I predict that the Premier's wild claims and promises on public transport can be used to indicate to the electorate the low level of credibility of the **Labor** Government. The Government is running up a public transport deficit of some \$500 million a year while services, safety, industrial disputes and *ever*-increasing costs are causing public disquiet. Urban and city traffic is in chaos because this administration refuses to build freeways. The Minister in this House should give the electorate a comprehensive answer on this aspect of the Government's inaction.

The Government announced with some pride that it is implementing the recommendation of the prisons Royal commission. In spite of this, the fact remains that the Premier and his colleagues are administering a system in which comfort, freedom and prisoners' rights come before meaningful rehabilitation and, above all, the protection of the citizens of New South Wales.

The claim by this Government that it is deeply concerned about the growing problem of drug abuse in the community has a hollow ring to it indeed. All members will recall the statement made by the Attorney-General earlier this year about legalization of using and growing marihuana. This senior advocate of the **Labor** Government is pursuing a policy that would seriously undermine the basic fabric of our society. The Government's feigned concern on this issue must be exposed to the electorate. In this election climate it is not sufficient for members on this side of the House to delineate clearly the deficiencies and shortcomings of the **Labor** Government. We cannot expect to win an election by default. The policies of the Liberal Party on a wide range of issues are good, responsible policies—policies that are right for today. Our duty is to explain with all our energy the positive Liberal policy that a Liberal government will enact when elected. The Liberal policy on business enterprise is a good example, first because the approach of **Labor** on this issue is *so* radically different and harmful to business, and second because we possess a sound policy which, if explained *carefully*, will win support from all sections of business and the people of New South Wales who rely so heavily on the prosperity of business for their well-being.

The basic principle of Liberal policy on business is that the Government should provide a broad economic framework, with an absolute minimum of government interference in business and commercial undertakings. We must advocate our belief in individual initiative and the concept of profit. We must promise a comprehensive review of all legislation that controls, regulates or infringes upon business with a view to removing these hindering controls. We must indicate to business that as a government we will encourage the establishment of self-regulating codes of ethics and business practice. In keeping with the free-enterprise spirit of our policy we must advocate that government should not be involved in business enterprise where the private sector can adequately provide goods and services. The dubious practices of the Wran Government over the State Brickworks and "The Premier Bricks of the Premier State" must be stopped. A continuing review of payroll tax legislation leading to its eventual abolition must be a high priority of Liberal policy. Finally, as a political party, we must value the confidence that I believe the electors will place in us, and put into practice with all fidelity the policies that we advocate. Any other course of action would rightly earn us the disdain and derision of the people of this State.

The Hon. MARGARET DAVIS [9.33]: In supporting the motion before the House, I convey my assurance of devotion and loyalty to Her Majesty the Queen. I realize with some sadness as I speak tonight that this will be my last speech in this House, the Legislative Council of New South Wales, as other speeches in this debate have been for some other honourable members. Honourable members who were in the Chamber tonight while the Hon. Sir Asher Joel spoke should be grateful. He gave us a wonderful panorama of history, covering forty-five years and forty minutes. That is something that will be told in the history books of our State but no one could have told it more eloquently than the Hon. Sir Asher Joel. As all members are aware that these are possibly the last days of this Parliament, we all have mixed feelings as we take part in the debate on this motion.

My first speech in this House was on a very controversial issue, the City of Sydney Boundaries Bill, the reformation of the city council and the Sydney County Council. The Hon. T. S. McKay must surely remember the verbal tussle he and I had for some hours before, at the request of the late Arthur Bridges, I finally gave in and waived my right to the traditional silence that is usually afforded a maiden speaker. Members can now breathe a sigh of relief because I do not intend to make many waves, but I do intend to proceed in my usual forthright fashion. I well remember the day twelve years ago, when, as a rank outsider, at odds I believe of about 100/1, I won the last place on the Liberal Party ticket to contest the 1966 election for the present triennium which is drawing to a close. As I left that morning for the pre-selection my husband said to me, "Well, you have two chances—yours and Buckley's". Some eight hours later when I rang him to tell him the good news I will never forget his reaction—which I have never let him forget—when I said, "Guess what, darling. I have won last place on the Liberal–Country party ticket," my dear husband said, "Don't be bloody stupid", and hung up. Once my husband was convinced by the deputy leader of the Liberal Party that I was going into State politics, he became a wonderful help to me. I had been an alderman previously on Bankstown council, where I believe the Labor Party still has good reason to remember me.

The Hon. Kathleen Anderson: It was a dismissed council.

The Hon. MARGARET DAVIS: And who caused that?

The Hon. Kathleen Anderson: You would have the answer to that.

The Hon. MARGARET DAVIS: I would only embarrass the Hon. Kathleen Anderson and her party if I went ahead about why that council was dismissed. It was a **Labor** alderman and one of his relatives, and an independent alderman, who went to gaol and it was **Labor** aldermen who were in the dock, and an independent.

The Hon. Kathleen Anderson: And they were acquitted.

The Hon. MARGARET DAVIS: It was my action in going to Mr **Askin**, and the questions that were subsequently asked in the other place, that forced the Minister for Local Government to take action. Had there been no interjection I would have only made my speech on the Address in Reply.

The Hon. Kathleen Anderson: Why do you not tell the truth?

The Hon. MARGARET DAVIS: I was telling the truth, but it seems to be upsetting someone. My husband succeeded me on the council and as we did not believe that a husband and wife should sit on the same council, I gave up all hope of a further municipal career—a career that I enjoyed and gave my time to gladly, despite the fact that I had three very small children. Some honourable members may recall that I then nominated for the Sydney County Council elections and, for a No. 2 candidate on a ticket, I polled higher than my running mate, as well as the **Labor** Party No. 2. Councillor Murray paid me the compliment of saying that I gave him the hardest campaign he had ever faced. Bill Murray was a man I admired and respected and I enjoyed his friendship whilst we were both members of this House. With my election to this House, my husband, who had had political ambitions of his own, relinquished those and in **all** my activities over the years I have had his wholehearted support. Without that I could never have achieved the workload that I set myself. Mind you, on many occasions, he has called me an impossible female, but then he is not alone. My colleagues, both State and federal, from the Prime Minister down, have used the same endearing term, but as long as I achieved what I set out to do, I could not care less what I was called.

One railway commissioner, if he is still alive, has nightmares, I am sure, at the very mention of my name. In order to save a woman from being evicted from her home I staged a sit-down strike in his office. I went complete with thermos and sandwiches prepared for quite a stay to get justice for a woman who was to be evicted from a Housing Commission railway cottage, all because she had divorced a drunken husband who had abused her for some ten years, even though she had paid the rent herself. I found a couple with three children in Guildford who were in a Housing Commission flat but worked for the railway, and tried to effect an even exchange. However, the Minister of the day, the Hon. **Milton** Morris, was unable to have the final say. It rested with the commissioner. After two and a half hours, twice having refused to leave—I must add that he said good-bye to me at least twice, and called in the reinforcements, the assistant commissioners—they realized that Captain **Stayput** was visiting them.

Reason prevailed but not until I had informed the gentlemen concerned that if my husband had not heard from me by 3 p.m. he was to ring each daily newspaper and send representatives of them to Martin Place where the office was. Reason on their part prevailed, just as stubbornness on my part prevailed. The exchange was agreed to and I saved the woman from the loss of the roof over her head. I have seen my role in the Chamber as that of an ombudsman for people who need my help. My telephone number has been listed and my door has been open to people in need at any time of the day or night. I deplore the actions of my colleagues,

no matter to which party they belong, who do not list their telephone numbers, especially as the telephone rent is paid by the Government. I have never at any time sought to win a popularity contest but I have endeavoured to see that justice is done.

I have no illusions about how officials feel about me. Twice my telephone access has prevented suicides. As both lives involved have now turned into very productive lives and generated love, warmth and humanity, I am again grateful that I was there to answer the telephone when it rang. I cannot understand the Government's attitude to freeways. These are, and always will be, a fact of life overseas. Only some three months ago my husband and I were travelling from Boston to New York on a greyhound bus on a Sunday. As we approached New York we came to one of the worst traffic tangles I have ever seen in my life. We watched the traffic piling up on the multiple clover leaf system. Everyone looked at their watches wondering how long it would all take and thinking that they would be hours late.

The driver cut over and before anybody realized it we were going straight out over the George Washington Bridge towards Newark, New Jersey. I remember one young man becoming agitated as he stood up in the bus and screamed that he did not want to go to New Jersey, he wanted to go to New York. The bus driver said that if he would shut up and sit down he would be there in about five minutes. The bus made a circle for about 8 or 9 miles and we came back in through the Lincoln tunnel straight under the river and arrived at the New York terminal ten minutes later than normal. The reason for the snarl up of traffic was that one of the final games of the big New York baseball league was being played on that day. I have never seen traffic like it. Some years ago I had the good fortune to be in London and there I saw the results of the freeways system. One can move on M1 and M3 and be in or out of London in less than half an hour. When one looks at the extent of the area covered, the benefits of the freeway system are obvious.

As I look back over the past eleven years I thank the Liberal Party for the chance it gave me to follow in the footsteps of members of my family who have served the State. I am a very humble and minor member of a family that has lived in England and the Commonwealth under four queens and many kings. Elizabeth I expelled the Jews but Oliver Cromwell allowed them back. My family was among the first group to resettle in England and some eight families went there. I am descended from all of those families. Many family members have given service in municipal, parliamentary and other public offices in England, Australia and New Zealand as mayors, lord mayors, members or, as in England, even members of the House of Lords. They took active parts in community life.

I have to admit that we had one family member who blotted his copybook. His name was Moses Joseph. He came to Sydney in 1827 as one of the first assisted migrants. His crime was that of stealing a pedlar's cart. My great great uncle Moses Joseph married his cousin who was my great great aunt Rosetta Nathan. She came all the way from England to celebrate the first Jewish wedding in the history of Australasia. This year the centenary of the Great Synagogue was celebrated and it was with pride that I attended the service. Knowing that I would be speaking tonight I remembered that somewhere in the archives would be the records of the incorporation of the Jewish Synagogue. It reads:

An Act to make provision for the sale and disposition and for the application of the proceeds of certain Land and hereditaments in the City of Sydney held upon trusts for a Jewish Synagogue and school and for the appointment of trustees for such purposes and to declare the trusts of Lands and Premises appropriated for a Jewish Synagogue and school.

The Hon. Margaret Davis

I have seen Moses Joseph's ticket of leave and I know that he was granted a pardon. Later on he was appointed by Act of Parliament, along with my great great grandfather, Elias Moses, as one of the four trustees of the Synagogue.

I admit to still having some ambitions which I hope to fulfil but not necessarily in the order I shall state them. I look forward to the day when I represent the people of Waverley in another place; to seeing that the Women's Amateur Athletics Association has its own field; to seeing an Australian girl win a medal in the pentathlon at the Empire Games or at the Olympics. Like my father's late cousin, Alderman E. S. Marks, I have had an avid interest in athletics and sport. I will not stop my activities in the field of equal superannuation rights for both men and women, with the right for men to be able to elect to retire when they wish. Criminal law reform regarding rape is still high on my list of priorities. It is interesting to note that, despite the Attorney-General's committee, he really is no further advanced than what was suggested in my private member's motion nearly two years ago.

I thank the parliamentary party for choosing me to serve as the Liberal Party representative on the Joint House Committee on Drug Use and Abuse, in two separate parliaments. I thank my colleagues on that committee in this House and pay tribute to the late Harry Sullivan whose sterling work has also been recorded. We enjoyed a compatible and convivial working atmosphere. I compliment both Allan Viney and Vince Durick for their outstanding service as chairmen. I could not neglect to mention the sterling work of both Kathy O'Regan and Gordon James in their service to the committee. I believe that the committee brought down one of the finest reports to be placed before the Parliament. At times the work was tiring and time consuming but I feel that all who sat on the committee are somewhat more learned than they were four years ago.

I thank also the parliamentary party for appointing me as its representative on the Institute of Technology, a position in which I enjoyed serving. Since the change of government I have been replaced as representative but I am still a member of the executive of the union and a life member. Education, especially technical education, is a field that I feel is not only a pleasure to work in, but is one which gives great personal satisfaction when one sees the results of years of really hard study. My involvement with the new School of Chiropody is probably one of the finest achievements of my career. I pay special tribute to Shirley Marr who worked unstintingly with me for its inception, and to Dr George Eckert, Sir Eric Willis, Mr Robertson, the former head of technical education, and Mr Harold Kaye, O.B.E., who all helped to overcome what seemed to be insurmountable obstacles at the time.

I pay tribute to you, Mr President. I thank you for your many kindnesses and considerations during my term of office and pay tribute to your wonderful record of public service to the State. I pay tribute also to those members who are retiring after many years of service. I thank both the Hon. Anne Press and the Hon. Edna S. Roper for their friendship over the years. Both of them have had distinguished careers in the Parliament and outside. I pay tribute to the Hon. W. Coulter who used to share my dog. I used to have a Labrador. Every time I roused on it I would get a telephone call about twenty minutes later: Bill Coulter would ring me up to say that the dog was with him, and he would ask me whether I wanted the dog back straight away or whether he could have it for a little while.

To the Hon. Sir Asher Joel, the Hon. S. L. M. Eskell and the Hon. Sir Edward Warren, to mention just a few, I pay a sincere tribute. To have been a member of a House that has had members such as these has been a privilege. To the colleagues who

are also my friends, I must say that I treasure those friendships greatly. I must make reference to my great mentor and friend, who retired three years ago, the Hon. Eileen Furley, whom many honourable members may not be aware is very ill.

When I look round and realize that this House has changed in membership so much during the last eleven and a half years, I realize the Hon. Sir Edward Warren, the Hon. T. S. McKay and I have much for which to be grateful. It was a pleasure to serve under the leadership of Sir John Fuller, who has just retired. I look forward to collecting from him a private wager we made some weeks ago.

Even though I was at variance with some of my colleagues on the drug committee I still feel that we must hand down firmer sentences for drug pushers who push for pure profit, not their own use. They are pedlars of death.

The eastern suburbs railway must go through to the University of New South Wales. To finish the railway at Bondi Junction is morally wrong. The population of the university alone warrants it. There is not enough parking space as it is for the students and staff at the university and the dense population warrants more service in this area.

To be consistent with the stand the Opposition has taken during the past year I support the abolition of death duties during the first Parliament of the Coleman Government.

If the Olympics are to be staged in Sydney and Moore Park is to be considered as part of the site, parking becomes of ultimate importance in the area. There is an area of Moore Park that is currently in minimal use by the Defence Department that could lend itself to a multi-storey car park. The very question of parking around Moore Park, where the sports and cricket ground crowds cause the most dreadful congestion, must receive attention.

Pollution on the eastern seaboard continues at times to be a problem. Many years ago I spoke on the benefits of using high-density plastic tubing as a means of disposal of waste, whether industrial or sewage. Bondi, Tamarama, Bronte, Clovelly and Maroubra beaches would benefit greatly if these piping systems, which can be anchored on the sea floor and taken miles out to sea, as is done in Europe, were used. I hope that plans can be set in motion to implement ideas such as this.

May I, in concluding, pay tribute to Sir Roden and Lady Cutler. New South Wales has been very lucky to have such a wonderful representative of Her Majesty the Queen. It is with sorrow that we hear of Sir Roden's impending retirement and, if this is so, I wish them a long and happy retirement. I thank them for the kindness and graciousness to all of us over the years.

Mr President, it is with regret I now give you notice of my intending resignation. As you are all aware, I am the pre-selected Liberal candidate for Waverley and cannot be a member of this House at the time of the issue of the writs. I will notify the Governor of my resignation in the near future. I wish to place on record my thanks to the Clerk of the Parliaments, the Clerk Assistant and all the other parliamentary officers who, at all times during the years, have been so helpful. To the library staff and research officers my sincere thanks. My sincere thanks, also, to the parliamentary attendants who have been so helpful.

Mr President, may I place on record my gratitude to my entire family for the support they have given me—something that every woman who enters public life cannot do without.

The Hon. Margaret Davis]

The Hon. R. B. ROWLAND SMITH (Deputy Leader of the Opposition) [9.55]: Before proceeding to the substantive part of the motion I should like to thank the Minister for his words of congratulations on my election as Leader of the County Party and Deputy Leader of the Opposition. It is a **great** honour to follow in the footsteps of so worthy a politician and statesman as Sir John Fuller and I will do the very best that I possibly can to uphold the great tradition that he set in this Parliament.

I support wholeheartedly the remarks passed by the Leader of the Opposition, the Hon. M. F. Willis, in placing on record for conveyance to His Excellency and subsequently to Her Majesty the Queen the assurances of loyalty and devotion of all members of the Opposition in this place to Her Majesty's Throne and Person. I am **filled** with admiration for the tremendous work that Sir **Arthur** Roden Cutler, as Governor of New South Wales, has carried out since he first assumed that high office. He has been an outstanding Governor of New South Wales and has been ably assisted through that period by his charming wife.

To those who in all probability will have made their final contribution in debate in this House, as they will be retiring at the next election, I say "I have respected your association and your friendship and I wish all of you a very happy, healthy future life." The Hon. Edna S. Roper particularly has given many years of service to this Parliament. She has worked especially hard in the last two years as Deputy Leader of the Government. Well done. The Hon. Sir Asher Joel tonight treated us to one of the finest speeches I have heard. We shall miss him. I hope that he will let me have the opportunity of smoking a cigar in his latest purchase of a motor car.

The Address-in-Reply debate gives all of us the opportunity to reflect on what has happened in our society and community over the past year—in this case two years. It gives us the opportunity of being able to look objectively at the good and the bad things we find in our life at this time. I believe much greater efforts have to be displayed by individual people in this State and Australia if we are to clear the air of the heaviness that is around us.

I recall that when I first came into this House four years ago, in my maiden speech I said that if Australia is to advance and grow, each one of us must pull our weight and pull it a little harder than we had done previously. I remarked at that time that there was too much of an attitude of self first and the other fellow last or, as we used to say in the Navy, "Blow you Jack, I'm inboard". Unhappily, I have not seen that effort, of which I spoke, put in during these last four years. Instead, there has been a continuing attitude of, "Why should I do any more than I have to? Why should I do anything more for what my employer gives me? Why should I bother about my fellow man, even though he is unemployed and has been struggling to find a job?" This attitude is not only in existence with individual people but comes out clearly in some of the media. I was never so horrified in my life as when I read the *Daily Telegraph* editorial of the Wednesday after the federal Budget was brought down. That editorial stated:

. . . worse than that, there is no incentive for people to work harder. Mr Howard complains about falling productivity but where is the incentive to work harder and produce more when any extra money earned will suffer increased taxation. Where is the incentive to be a steady and reliable worker and delay long service leave and annual holidays when retirement payments are now to be taxed to the hilt.

What an attitude for a so-called responsible newspaper to adopt. Where is the incentive to live, if that is the case? Surely we must be saying that though the present is not so good, we are improving and we can come out of it more quickly if we all adopt a

different attitude—that is, one of hop in and do a little bit more than what we are asked to do and paid to do. We should help as much as we possibly can to overcome the problems that this country has around its neck at the present moment. High unemployment is something which every thinking person finds objectionable. We must do all we can to see that everyone who is willing to work has a job. But these things cannot be achieved over night. I believe that the attitude adopted by the federal Government has been one of responsibility. I shall have more to say about that later on.

It always seems strange to me that my fellow Australians will readily drop the plough or the pick or the pen and go off and fight for their country in time of war. There was no selfish attitude adopted when England called upon us to help in the two great world wars. We rallied to the cause. But now, when our country is in desperate straits, people ask where is the incentive to do anything to help? Good grief; during the wars there was a great incentive for men to go off to be shot at and to be killed. Today we have a wonderful country. We have more than most other countries yet we complain bitterly that we do not have enough. Surely this is the basic problem that all of us in this country have to face up to. We should do a little more and ask a little less.

The root cause of the problems we have today in this country are self made, and the sooner we wake up to this fact the better. Our problems are not all economic. Over the years the fabric of our society has been damaged. We have pursued a mirage of something for nothing, or at least of getting more out than we put in. We have forgotten that it is fundamentally true that you cannot get singly or collectively more out of the bucket than you put in. I know the problem is a confusing one. It was put very succinctly by Ghengis Khan, who said:

In war it is simply a case of kill or be killed, but in peace time the choices are infinite and very confusing.

Confusing they may be, but we had better do something about it or someone else will do it for us. An attitude of, she'll be right mate, won't work, and she won't be right unless we do something about it. Mr Stan Owens, a very prominent businessman in Sydney, stated recently in a speech that there is no magic formula or hidden switch to remedy our ills but each one of us can start forthwith on a campaign to improve our performance in everything we do, work, sport, recreation, because there is no satisfaction in poor sloppy performance be it riding a surfboard, playing golf or at work. Let us get some pride back into performance and do it right first time. Weak work is costly.

We should seek more social and charitable responsibility and involvement. Often we hear complaints about lack of business social responsibility though little about individual shortcomings which are legion. We must endeavour to improve our communications in every direction with our families, our friends, our work mates and those who may well do with a friendly word. Australia should aim to become that friendly country. Why do we not communicate to make our feelings, favourable or unfavourable, known by letter, telegram or phone to politicians, television and radio stations? Let the silent majority speak up so that their views are known. In his address the Governor stated:

This year's Budget is being prepared against the background of unparalleled financial stringency imposed on the State by the Commonwealth Government, a depressed national economy and the highest unemployment in Australia since the great depression.

The Hon. R. B. Rowland Smith]

Of course, there has to be financial stringency if we are to get this country back on its feet again. There is no simple cure to the problems facing us today. In the *Sydney Morning Herald* of Wednesday, 16th August, the editorial stated:

In large the severity of the measures announced last night can be explained by the difficulty the government has had in getting its budgetary policy back on track and back to conformity with its oft repeated belief that a declining deficit is an essential element in the restoration of economic stability. While the wisdom and propriety of some of the means the Government has used may be questioned it must be conceded that its ends are appropriate. Control has been reasserted over the deficit.

I was interested in the urgency motion moved by the Premier on the Wednesday afternoon following the federal Budget. The Premier in his motion rejected on eight grounds the economic strategy of the federal Government in the Budget. In support of his first ground he stated that the Budget would increase unemployment when unemployment is rising and will top half-a-million out of work within the next six months. This is possible in the short term but unemployment will continue to grow until such time as business confidence has been restored and when inflation and interest rates are reduced. The Premier, referring to his second point, said the Budget advocates gloom in a time when Australia needs confidence. Who is advocating the gloom? The Labor Party and certainly some of the media—and, I submit, on false premises.

Responsible people see in this Budget a real attempt to get industry moving. Does Sir Brian Inglis of Ford Motor Company see gloom? How was it that the share market rose perceptibly the day following the Budget? B.H.P. rose by 30c. How is it that the federal Government has been able to achieve a new milestone since Federation with a record response of \$760 million to its August loan? Where is the gloom of which the Premier speaks? I quote again from the editorial of the *Sydney Morning Herald*:

The Government has been able to announce a target for money supply growth which is down 2 points to 6 to 8%. With careful management and a repetition of last year's skilful bond selling performance the Government stands a good chance of achieving its expectation of further sustainable reduction in interest rates. Further interest rate falls and a decline in inflation to about 6% represent the main gains that can be expected from the Government's tough economic stance and its harsh measures. The Government has correctly emphasised the benefits which should flow to Australia as international investors observe that our economy happens to be managed in the conservative way they prefer. The healthy capital inflows which would accompany increased foreign investment would be vital if the balance of trade deteriorates in the way the Government expects. The continuing balance of payment difficulties provide a compelling reason for accepting the Government's argument that it would have been irresponsible to use the Budget to stimulate the economy.

The third point that the Premier raised was that the Budget would take away incentive at a time when we should be providing incentive. I have already spoken about the whole question of incentive or lack of it. It is time that we forgot the philosophy that we should get something for nothing. The fourth point the Premier made was that the Budget imposed intolerable and unreasonable burdens upon the states. My reply to that is that it makes the states cognizant of their real responsibility. It should take the New South Wales Government out of its lethargy. Instead of being a government of do nothing it should become a government of do something, as the Leader of the Opposition pointed out so precisely in his contribution to the Address-in-Reply debate.

The fifth point the Premier made was that the Budget shamefully deserts the needy section of the community. Yes, there are aspects of the federal Budget with which I do not agree in terms of the real needs of the community. I refer specifically to the aged and infirm. It seems strange to me that for the paltry amount of money which the Government will save over these issues that they could not have more compassion so far as old people are concerned.

The sixth point on which the Premier takes issue with the federal Government is that the Budget further burdens the rural community which so much needs boosting. The Premier should take cognizance of the fact that the Livestock and Grain Producers Association representing by far the greatest number of farmers in New South Wales described the federal Budget as tough but fair. The basic problem that has been facing primary industry is something that the Premier has not yet been able to realize—that primary industry requires stability above all. The problem of increasing inflation has led to instability in our primary industries so that this Budget is aimed at maintaining stability by controlling inflation. There is no doubt that the savage increase in fuel prices of about 16c a gallon is of great concern to all primary producers. Against that, however, there have been considerably higher cattle prices over the past few months with every indication that this will continue. Last week the wool market opened with prices from 2 per cent to 5 per cent dearer than the closing rates. I shall have more to say about primary industries and what the federal Government has done when the Hon. J. R. Hallam's motion criticising the Government on rural industry is brought on for debate.

The seventh matter of criticism by the Premier of the federal Government is that the Budget provides nothing for business confidence and investors. Nothing could be further from the truth, as I have outlined before. I refer to the *Australian Financial Review* of Wednesday, in which it is said:

It is true that the determination of the Government to keep the deficit low and to keep a tight rein on money supply should help engender business confidence.

Lower interest rates will naturally encourage investment from overseas and investment within this country. This is exactly what we want to get jobs moving. The Premier conveniently forgot that the federal Government introduced in the last session the Export Expansion Grants Bill, which has been read a first time and will reach the second-reading stage after the Budget has been debated; it will be implemented in September. This is a very important incentive to export industries because it means that something like \$58 million will be injected into export manufacturing industries.

Finally, the Premier criticized the federal Government by claiming that the Budget is likely to aggravate inflation. What type of logic is this? I have always heard the Premier criticizing other people for lack of logic. The Budget will do nothing of the kind. Inflation will come back. I refer again to the editorial in the *Sydney Morning Herald* on Wednesday, which stated:

There cannot, of course, be any denying the fact that the Budget is mildly deflationary.

The federal Government has reduced inflation from 17 per cent in 1975 to 7.8 per cent in 1978, and believes—quite rightly in my opinion—it will get this down to 6 per cent or even 5 per cent this year. It is a pity that the Premier did not do his homework before he said in his speech on the urgency motion:

The Fraser Government has failed on every count with the exception perhaps —

The Hon. R. B. Rowland Smith]

How cynical!

—~~cf~~ taking inflation down a point or two.

Why does he not admit the truth, that inflation has fallen from 17 per cent, which was caused by his colleagues during their wild spending spree **from** 1973 to 1975, **and** has reduced it to 7.9 per cent. My **mathematics** might not be all that hot, but I fancy the decrease is not one or two points but a healthy fall of 9 per cent. **I will** have more to say about the state of the economy when the Wran plan budget to overcome the ills of the State is presented.

What does concern me—and I **know** it concerns every thinking **Australian**—is the high level of unemployment in many parts of the **country today**. In Orange, where we have a wool processing factory, the level of **unemployment** remained unchanged at about 1 000 persons. Along with a similar plant in Cowra, we commenced an apprenticeship training scheme eighteen months ago, taking in four young people at each **plant**. The Department of Technical and Further Education was extremely helpful and co-operative in providing an instructor to come to Orange from Sydney to give these young people technical instruction. Of the original intake of four in our plant only one remains. The others got tired and threw in the sponge. I do not know what can be done to change the attitude of some of these young people. I am led to the conclusion that there are too many lazy young people. I **admit** they are only a small proportion, but they are in existence and are in the ranks of the unemployed. If these people genuinely want work, they must be prepared to put their shoulder to the wheel. We are finding much more stability in the work force amongst the girls and the older men and women than we do with young boys. Job satisfaction is very important. We have a modern, well-equipped factory that caters for the needs of our **staff**. Yet we still have these problems. The Governor stated also:

My Government will continue to give the strongest encouragement to the large scale development projects in the private sector, particularly in mining and manufacturing. The Government has followed an active role to encourage new private investment by both Australian and overseas sources . . . As part of a continuing drive for new investment, the Government is expanding its overseas activities, particularly in the United States and Japan. In May, the Premier opened the new American Headquarters of the New South Wales Government office in Los Angeles; and the Tokyo office has been significantly upgraded.

I applaud the Government on this approach, because it is of tremendous importance for this State and Australia. We must give encouragement to large-scale development projects in the private sector. I refer to what we have been able to achieve with a decentralized wool processing factory in Orange, but all of this requires a great deal **of** effort on the part of our overseas offices in London, Tokyo, New York and now, I am pleased to say, Los Angeles. This was mentioned by the Hon. H. B. French. However, what does concern me is the cynical approach of the Premier in a speech he made recently in the other place. In response to an interjection, he said:

I shall tell you what we have done in Los Angeles. We did something that the Liberal Party would never have done. When the Liberal Party was in government it left 90-odd people in England when everyone knew that Australia's involvement in the English market **was** decreasing. It had one man in Tokyo and one man to cover the whole of the United States of America. The great private enterprise geniuses of the Liberal Party demonstrated that they could not run a pie stall.

How juvenile and childlike. I shall correct the impression given by the Premier. Not only did the London office look after the English market but it went also into Europe. I recall the tremendous work and effort put into the job by the previous Agent-General, Sir Davis Hughes. The overseas offices handle a large number of inquiries for business information besides undertaking visits to individual industries that indicate an interest in local situations. For instance, visits to the office of the Agent-General in London by businessmen seeking promotional information averaged around 180 during the year 1974–75. Visits to industry by officers in the New South Wales Centre in New York under their industrial mission programme were about 120 for the same year. These contacts are important in promoting the State of New South Wales, and it can justifiably be said that New South Wales sets the pace for business promotion in both centres. Statistics on the numbers of companies coming into association are not attempted for various reasons.

I am delighted that the Government has seen fit to establish another office in Los Angeles, but we must not forget the office in New York City. I am also pleased to know that the Premier is so keen to see this State's overseas offices working to capacity, because it is only a matter of two years ago that the Hon. J. S. Thompson wanted to scrap these offices and put all the State's business through the Australian Trade Commission offices. I am certain if the job is done properly, companies will be encouraged to come here, particularly to part-process raw materials in conjunction with Australian equity. I note the New South Wales Overseas Trade Authority will continue to expand its operations, particularly in relation to initiatives such as trade missions to Saudi Arabia. This is most encouraging. But how does the Government react to the attitude of the unions, the meat industry union particularly, in wanting to ban live sheep export to these Middle East countries. The Governor said:

In its efforts to restore the New South Wales economy, my Government will continue to place the highest importance on the contribution of the rural sector.

Perhaps the Minister will some time give a clear indication where the Government stands on the banning of live sheep exports. I shall have a lot more to say on that subject when the Hon. J. R. Hallam's motion condemning the federal Government on its neglect of primary industries is brought forward—if it ever is.

I now wish to refer to some of the remarks that were made during this debate. As always, I listened with interest to the speech delivered by the Hon. Edna S. Roper. She spoke of the federal Government's continual confrontation of the unions. Surely if this were the case—and I think it was only in part—it has had the desired result, which is a reduction in the number of strikes and work hours lost. I was disappointed to hear her use some of the Wran-type language that emanates from the other place—words such as spiteful, mean and vicious, which are not becoming of a sweet lady. The Hon. P. McMahon, like many of his colleagues, conveniently forgets the free spending that occurred during the Whitlam era, which caused many of our problems. It is easy to say that we should not look back, but we cannot wave a magic wand and expect our problems to disappear.

The Hon. H. B. French spoke about problems that we have to face in competition with the low-wage countries of Asia in regard to imports. But what is the solution! We cannot shut these people out forever and lose valuable export markets. We must adopt a sensible long-term approach in terms of tariffs, quotas, bounties and exchange rate variation. Insufficient research has been done in this field. Australia is part of the South-East Asian scene and we must remember that we cannot expect other countries to buy from us if we do not buy from them. All through this debate speaker after speaker on the Government benches has indicated that reducing inflation is

The Hon. R. B. Rowland Smith]

not the answer to unemployment problems. One member on the Government side of the Chamber said: "The federal Government is too much interested in bringing down inflation to be concerned about the jobless. The federal Government's attitude is to put them on the dole."

The Hon. J. R. Johnson spoke on co-operative federalism and expressed his feelings in respect to creating a more equitable operation of the uniform Companies Act with regard to the order of payment of debts in a winding-up and receivership. He referred to the priority given to claims of employees of the company in respect of wages, workers' compensation and leave. I agree entirely that we must have a closer look at that matter in the future. After listening to the facts about the obvious lack of assistance to the coal industry in the Wollongong area by the **Labor** Government, I agree with the Hon. E. P. Pickering that honourable members on the Government benches will find their complacency upset at the next general elections when the Wollongong people will speak out against them.

I am sorry that the Hon. J. S. Thompson is not present tonight. His criticism of the decentralization and development record of the Askin—Cutler Government was unfounded. He did not hear what I had to say when I spoke about the Hon. Sir John Fuller. If I may repeat what I said, in the years 1970, 1971 and 1972 a total of 251 major industrial projects were launched or completed in New South Wales. The total financial commitment was \$1.27 billion. The Hon. J. S. Thompson claimed that the **Labor** Government was responsible for incentives. Incentives to decentralized industries were introduced years ago by the Liberal-Country party Government, and I **should** have thought that some appreciation of that would have been given by the honourable member. I am delighted that the present Government has increased these incentives, particularly the pay-roll tax exemption for approved decentralized industries.

I was most interested in the speech by ~~the~~ Hon. D. R. Burton, who gave an extremely enlightened dissertation on what the Government has done to improve public transport. He did not have much to say about the escalating deficit. He told us that the **Labor** Government had ordered the Mercedes buses. I may be wrong, but I thought that they were ordered by the coalition Government before it went out of office. I agree with what the honourable member said about smoking. The Hon. Edna S. Roper knows my feelings on that matter. I use public transport and I have found that the trains are a delight to travel in now because there is none of the filth in them that human beings are inclined to leave. Then the honourable member spoilt what was otherwise a well-delivered speech by having a crack at the Country Party, whose members, according to the honourable gentleman, talk only of the good old days. We are accustomed to them, so we shall forgive him. Our policies are progressive. If we are partly traditionalists I **am** not ashamed.

The final contribution was by the Hon. P. J. **Baldwin**, our left-wing colleague who would destroy anything independent, particularly schools. He made some most offensive remarks about the King's School, with which I have been associated for some years. It is the oldest independent school in Australia. He talked about it being **ruritanic** and about what terrible things had happened to little boys there. He said that they were belted right, left and centre. The King's School is a down-to-earth school that has produced many outstanding citizens, just as Fort Street High School and other great New South Wales schools have. The trouble with the Hon. P. J. **Baldwin** is that he reads and hears only what suits him. In the *Daily Mirror* twelve months ago there was a lot of yap about a boy being belted. The allegations were unfounded and they caused great distress to the school, particularly its headmaster. I am proud to say that my eldest son is a master at that great school.

As I said at the outset, we are passing through difficult times. We must pull together, in government administration and as individuals, to ensure that unemployment, inflation and interest rates are reduced. I am optimistic about the future so long as we change our attitudes in respect to getting more out than we put in. In conclusion may I repeat some of the words of *C. J. Dennis* in the *Austra-laise*:

'Ow's the bloomin' nation
 Goin to ixpand
 'Lest us bloomin' blokes an' coves
 Lend a bloomin' 'and?
 'Eave yer bloomin' apathy
 Down a bloomin' chasm;
 'Ump yer bloomin' burden with
 Enthusi-bloomin'-asm.

The Hon. EDNA S. ROPER (Deputy Leader of the Government) [10.28], in reply: At the outset I thank all honourable members who have participated in the Address-in-Reply debate. In four days of debate twenty-three honourable members have spoken. This Address-in-Reply debate is unique in the history of the Legislative Council in that it is the last one that will be heard in the Council as at present constituted. When the next Address-in-Reply debate takes place many members who are now here will have left. Before I deal with matters in detail I thank honourable members who made some very nice comments about me. Indeed, I felt rather humble and wondered whether they were really talking about me. I appreciate their kind remarks. Before I proceed with my speech and get nasty, I should like to congratulate the Hon. Sir **Asher** Joel on his superb oration in this House tonight. It will be a **long** time before an orator of his eloquence is again heard in this Chamber.

The debate has been a good one. Members from the Government benches have answered adequately criticisms made by some members of the Opposition. I save my criticism for the Leader of the Opposition in this Chamber who was most aggressive in his attack on the Wran Government and its policies. He spent an hour, if not a little longer, in his attack on the Wran Government and said that it had achieved virtually nothing. Normally I try to approach matters in an impersonal way but, as the mover of the motion on behalf of the Wran Government, I shall not allow the Leader of the Opposition to get off as lightly as he otherwise might. The new Leader of the Opposition apparently has the powers of a clairvoyant. It seems that he is now hearing little voices. Unfortunately the mouths from which the little voices come are apparently not attached to heads that are informed about the record of the Government and its acceptance by the people of New South Wales. Perhaps those same little voices advised the Liberal Party about tactics to be used in the Earlwood by-election.

Those little voices speak not about facts but about fantasies, fabrications and nonsense, that predictably the Leader of the Opposition identifies with. The discreet advisers of the Leader of the Opposition have told him of rumours that the Leader of the Government might cease to hold his present portfolio, but nobody else has heard them. They told him of reasons for such a move but those reasons are simply not compatible with the facts as everyone else sees them and which were outlined so accurately by the Hon. J. S. Thompson last night. I suppose one could say that the Opposition is lucky to be led by a man of such special insight as the Hon. M. F. Willis. Like other people who hear little voices, he has elevated himself to the level of a judge of his fellows and introduced his fairy-tale contribution to the debate with comments of most dubious taste about the Premier of this State's personal theosophical or philosophical credo.

The Leader of the Opposition said that that was just a small digression. It must have been a minuscule digression because I understand that a small digression from a small digression is a contradiction in terms. The speech made by the Leader of the Opposition was a digression—small or large—from fact, **reality**, the proper business of this Legislative Council and from the service of the community of New South Wales. Soon after launching into his small digression the Leader of the Opposition made the extraordinary statement that no government in modern times in this State has shown so little for its period of office as has the Labor Government of New South Wales. If in that statement he includes the achievement of economic decline, development disorder, wholesale destruction of the environment and our heritage, a run-down public transport system and booting 1200 families from their homes for mythical city freeways that could never have eventuated, and if he means the achievement of a dislocated city and the destruction of the amenity in inner city suburbs, an uncontrolled urban sprawl, the achievement of ensuring that inner city municipalities most in need of open spaces got none, rising costs and declining productivity as well as the achievement of undermining the confidence of business, industry and the community and achieving **total** disarray, of floundering leadership and factional assaults, we readily defer to the former Government for its record of achievements.

If the Leader of the Opposition considers positive achievement as any sort of criterion in his judgment of performance, he is ignoring the facts, realities, aspirations, needs and judgments of the people of the State of New South Wales. Just as the Government of the State offers a factual performance to the community, so I am bound to present factual evidence of that performance to the Chamber. I start by looking at the bills that have been passed by the Parliament during the two and a half years of the term of office of the Wran Government. A total of 279 bills have been passed. The passage of a further six bills was obstructed by the Opposition in this House. The interminable delays caused by the Opposition floundering over the bill to reform this House further interfered with the legislative programme of the Government.

The Hon. M. F. Willis: I would not call it floundering; I call it proper amendment.

The Hon. EDNA S. ROPER: We call it floundering.

The Hon. M. F. Willis: The Government accepted it.

The Hon. EDNA S. ROPER: The Opposition accepted it. In the last three years in office of the former Government only 252 bills were passed. The Leader of the Opposition referred to the Premier's 1976 policy speech as one of the Government's major statements of intent. Let me look at the factual content of the speech **and** what the Government has achieved. The Premier made a statement that fares should be reduced. Fares were reduced by 20 per cent. The Premier said, "Let's put the consumer first". The Government has established a Prices Commission to investigate price increases which appear to be unfair or unjustified, at public hearings. The Premier said that the rate spiral should be stopped. Rates have been pegged. The Premier said, "Let's get land and housing costs down". The Wran Government has established a Land Commission which has effectively constrained rising land prices. In spite of the comment made by some honourable members to the effect that the Housing Commission of New South Wales had done nothing, I point out that it has constructed more than 5 500 dwellings since May, 1976.

The Premier said, "Let us make sure that every migrant who chooses to live in the State can enjoy all the opportunities of real equality for himself and all his family". The Government has established an Ethnic **Affairs Commission** and has provided multi-national interpreter and information services in courts and schools. It also established a community interpreter and information service. The Premier said,

"Let's end discrimination against women, migrant and Aborigines". The Government established an Anti-Discrimination Board and a Counsellor for Equal Opportunity. The Premier said that there should be a system of law in which all citizens were truly equal. The Government has removed discrimination against ex-nuptial children and given them equal inheritance rights. The new Jury Act has made the selection of jurors much more representative. Legal aid services have been expanded and strengthened.

The Government said, "Let's create a State where the unequalled natural beauties of New South Wales and the unparalleled heritage of our history are preserved for all time, for the lasting benefit of the people of New South Wales". The Government enacted the Heritage Act. The Heritage Council will certainly preserve, protect and conserve the environmental heritage of this State. We have certainly fulfilled our undertakings to the people of New South Wales and our obligations to future generations in this area.

There will not be a State income tax under the Wran Government. This has been repeated many times by the Premier of the State. He has said that we have not succumbed and will not succumb to Commonwealth pressure for the State income tax. In a five-year transport rehabilitation programme, over the next five years the Government will purchase 700 buses and 680 railway carriages. The Hon. D. R. Burton gave an interesting outline of the Government's policy and achievements in the area of transport. I shall go into detail on this matter, for one honourable member opposite told the House tonight that in the Governor's Speech there was no detailed outline of what was planned for transport in the future.

We have introduced 200 new Mercedes buses. Another 550 Mercedes buses are on order. They are being produced at the rate of five a week. We have purchased 150 new double-deck rail carriages and a further 380 carriages are on order. By the end of the five-year period we shall have purchased the full 680 carriages. We have purchased 25 new air-conditioned interurban carriages and another five are on order. Tenders have been received for 100 new passenger rail carriages for country services. Forty new locomotives have been ordered. Nine hundred and fifty freight waggons and containers have been delivered—especially good for the country.

The Labor Government said it would establish a land commission to acquire, subdivide, develop and service substantial tracts of land and to sell residential blocks. The Premier made that statement. It is being done. Young couples have been finding it impossible right at the time of purchase of a home to afford the large sum of money needed for stamp duty. The Wran Government gave an undertaking that it would allow stamp duty on the first home up to the value of \$50,000 to be paid in instalments. We introduced a scheme under which first homeowners pay the stamp duty over five years. This is the work of the Government that the Leader of the Opposition says has done nothing while it has been in office over the past two years, and it is necessary at this stage to refute the comments of the Leader of the Opposition in this regard.

The Government said it would place emphasis on the building of homes to increase the housing stock of this State. The Housing Commission has constructed 5 500 dwellings since May, 1976, and it has established a special unemployment relief fund to construct a further 403 dwellings in areas with high unemployment. The Housing Commission has commenced a \$10 million programme of capital investment for older Housing Commission dwellings and commenced a \$4 million Housing Commission development at The Rocks. The Premier said that during the first three years of a Labor Government local government would be relieved of contributions to statutory bodies. The Hon. H. G. Percival must surely be interested in that. It is true to say

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that we have relieved local councils of the obligation to contribute funds for the administrative costs of the Planning and Environment Commission. That has certainly been done within the first three years; the Government achieved it within the first twelve months of office.

An established principle of Australian democracy is that elections should reflect the views of all qualified electors. This is secured by the compulsory voting system. This long-recognized principle will henceforth apply to local government elections. That is an undertaking that the Government set out to achieve and we have seen just that take place. We introduced compulsory voting at local government elections, which are part of the grass roots of our democracy, the same as in State and federal government elections. In the policy speech that he delivered the Premier stated that he **would** reduce class sizes, increase remedial teachers, and provide specialist teachers for migrants, both adults and children. We have reduced general class sizes from 38 to 32 in two years, increased employment of specialized **staff**——

The Hon. F. J. Darling: **Has** it improved educational standards in the process? Tell us how the three R's are going. Have they improved? Are you creating more jobs for somebody?

The Hon. EDNA S. ROPER: Honourable members opposite demand that the Government carry out certain things in certain areas. Then when we set out to prove to the Opposition what the Government is doing, has done and has achieved, they interject with questions like, "Do you still beat your wife?" Dealing with the subject of schools, mention has been made about buses for children. The Premier set out to provide buses for children attending infants schools. He gave an undertaking in that regard. That has been done. It has been a government of great achievement during its period in office. There are wry looks on the faces of some members of the Opposition but it was left to the Hon. M. F. Willis to lead for the Opposition in attempting to denigrate the achievements of this Government during its period of office.

Unfortunately for him he has not succeeded in bringing about the situation that he hoped to achieve, of bringing great credit to the Liberal-Country party Opposition. All he achieved was to draw attention to the fact that he has not been observant of the real achievements of this Government during its period of office. I know that the hour is getting late but it is quite evident that one must completely refute the utterances of the Leader of the Opposition. Too many children in this State today are suffering damage of one sort or another because their parents do not **know** where to **turn** for help. The Government has established a 24-hours-a-day child life protection unit at **Burwood**. This, coupled with the family and children services agency, has been a great achievement in the face of Commonwealth cut-backs.

The Government gave an **undertaking** that consumer organizations would be given complete access to prices tribunals and hearings would be open to the public. Of course this has been done. Another **undertaking** given by the Government and achieved was that it would clearly define the permissible amount of empty space in containers to prevent deceptive packaging. We said we would require manufacturers and suppliers to open date stamp all packaged food. Regulations have been introduced to provide for this very thing. It certainly has been achieved and the consumers of this State have benefited greatly from it.

I refer now to the nurses of New South Wales. When the **Willis** Government **was** in office it exploited the dedication and sense of duty of the nurses. At the time they were very much under attack and the **Labor** Opposition went to the people and gave an undertaking that if elected it would do everything in its power to ensure that the

nurses received justice in their demands. The Government has not only given them justice but it has gone further and increased the standard of nursing education in this State.

Another aspect I should like to mention is the laws and practices that discriminate against women, migrants or Aborigines. They will be ended. That was an undertaking that the Government gave in relation to discrimination. The Anti-Discrimination Act is in force. The New South Wales Government has provided equal opportunity for women in this State. This State cannot be said to enjoy full democracy until the whole Parliament is truly democratic and truly representative. In the forthcoming elections we shall see a most historic event, the democratic election of members of the Legislative Council. For honourable members opposite to suggest that the Labor Government has achieved nothing is so much nonsense. After ten years of Liberal-Country party government and constant promises by the coalition to reform the Legislative Council, the Wran Government came to power and achieved democratic reform of the upper House within its first term of office.

I have made strong observations against the Leader of the Opposition this evening because I feel they were necessary in the light of the achievements of the Wran Government and the on-going programme of Labor that will provide even greater achievements in the future. I commend the motion to the House. I am sure every honourable member will give it the utmost support.

Motion agreed to.

The PRESIDENT: I have ascertained it to be the pleasure of His Excellency the Governor to receive the Address in Reply to His Excellency's Speech at Government House tomorrow, Thursday, 24th August, 1978, at 3 p.m.

Motion (by the Hon. D. P. Landa) agreed to:

That this House do proceed on Thursday, 24 August, 1978, at 2.45 p.m., *sharp*, to Government House, and there, at 3 p.m., present to the Governor the Address in Reply to the Speech His Excellency had been pleased to make to both Houses of Parliament on opening the Session.

SPECIAL ADJOURNMENT

Motion (by the Hon. D. P. Landa) agreed to:

That this House at its rising today do adjourn until tomorrow at 2.45 p.m., *sharp*.

ADJOURNMENT

Business of the House

The Hon. D. P. LANDA (Vice-President of the Executive Council and Minister for Planning and Environment) [10.55]: I move:

That this House do now adjourn.

The Hon. M. F. WILLIS (Leader of the Opposition) [10.55]: It is now two weeks since the Tuesday on which His Excellency was pleased to deliver the Address from the Throne in this place. I note from the proceedings which have immediately occurred that the House will be received by His Excellency tomorrow at 3 p.m. I cannot agree that the House should adjourn at this stage, for the reason that as the Minister is aware, there is a great deal of private members' business on the business

paper. Should the House meet tomorrow at the time suggested by the Minister and proceed to Government House, going on past practice it will resume at approximately 4.30 p.m. The Minister has already made privy to me that he would then propose that the House should adjourn. I can only presume that tomorrow the House would adjourn for at least a week, or perhaps two weeks or three weeks—I know not what. I have not been made privy to that.

There is no government business to be dealt with. The last report I have from another place is that there is no Government business there either. Therefore, after the Address-in-Reply debate, on which the Legislative Assembly is engaged, this House **will** not have any government business. I can only assume that as the Minister is more interested in government business than private members' business the House will adjourn for a period. I invite the attention of the House to the fact that on the business paper are a number of private members' motions relating to matters of considerable concern to the people of this State. A motion in the name of the Hon. D. D. Freeman relates to crime control services. A motion in the name of the Hon. R.A.A.F. de **Bryon-Faes** relates to education. A motion in the name of the Hon. J. R. **Hallam** relates to rural matters. Yet another motion in the name of the Hon. F. J. Darling relates to transport.

These are **all** important matters and it is the duty of this House to debate them at the earliest opportunity. By that I do not mean Thursday fortnight or Thursday three weeks hence; I mean the earliest opportunity available to the House. I have received no indicators from the Minister that the bringing on of these very important matters of public interest will be in any way facilitated. Indeed, the only indicators that I have received from him are that these matters are not to be facilitated and that they can await the pleasure of Thursday after Thursday after Thursday in due course. That is not good enough for the people, this House or the Parliament.

I noted that on the **first** day of the session the Minister complained that the business paper was filling up with Opposition business. What a dreadful thing. As if there is a distinction between Opposition business and private members' business. In fact, it is the business of private members. In reality, except for the matter raised by the Hon. J. R. Hallam—though the Opposition is most interested in that subject too—they are matters which Opposition members in this House consider to be of critical importance to the **people** of this State.

I should not be taking this slightly unusual step if **rumours** about the Parliament were not rampant and if all the other evidence did not indicate that the Government is intent on going to a premature election. We all know that the dates most freely mooted are 7th October and 14th October. If it is the intention of the Minister that tomorrow we shall go to Government House and present the Address in Reply to His Excellency, then return to this place, table a few formal papers and then the House, on the motion of the Minister, will adjourn for two or three weeks as there is nothing coming up from down below of a government nature, no doubt the Legislative Assembly will adjourn and the stage will be set perfectly for a general election. The whole exercise will have been to thwart completely efforts of honourable members in this House to bring on for debate here matters which honourable members who have given notice of motions on them consider to be of considerable importance to the State.

There seems to be an attitude by the Government that the only matters that this Chamber should put itself out to consider are matters of Government business. I suggest that that is not the whole intent and purpose of any chamber of any parliament operating under the Westminster system. A proper, facilitated and not frustrated opportunity should be available for the business of members of this House. They are

matters of public importance which they see fit to bring forward and wish to have dealt with expeditiously. They should be properly aired in the public interest and the expressions of the House made known on those matters for the benefit of the public. All the indicators are that if the House does not proceed with private business that is next on the business paper this evening, they are not likely to see the light of day again. Undoubtedly the Minister will respond to my remarks by saying that this is a dreadful thing, that I am taking the adjournment out of the hands of the Government.

The Hon. D. P. Landa: Out of the hands of the Minister.

The Hon. M. F. WILLIS: Out of the hands of the Minister, who will assert that it is dreadful, it has never been done before and there are precedents against it.

The Hon. D. P. Landa: That is correct. It has never been done.

The Hon. M. F. WILLIS: If the Minister's theory is correct, this House sits only at the Government's behest, which means that business before this House other than that which the Government wants to be dealt with, cannot receive its attention. That is the logical conclusion to the Minister's argument. Any matter that the Government does not want to be dealt with can be swept aside by the Government moving that the House do now adjourn. If a House of Parliament is not for the benefit of the people then I do not know for what purpose Houses of Parliament under the Westminster system are intended.

The Hon. J. R. Hallam: This is the last hurrah for the Leader of the Opposition.

The Hon. M. F. WILLIS: Is the honourable member confirming the election? Undoubtedly if the Minister anticipated that this would happen he would have considered the precedents. I shall refer him to a precedent of 7th December, 1967, when the Hon. the late C. J. Cahill at a time when the Christmas adjournment was pending, sought the right as a private member to have a most critically important matter on the business paper discussed in this House and dealt with one way or the other. The Government at that time, which was of the same persuasion as Opposition members, tried to do what I submit the Government is endeavouring to do on this occasion and that was to have nothing to do with the matter and sought to adjourn the House and thus save itself any embarrassment. To the credit of Labor Party supporters, including the Hon. R. R. Downing, who is a man of distinguished memory in this place, they all voted albeit to no avail, in support of the Hon. C. J. Cahill's proposition that a private member's motion should not be dismissed, pushed aside or swept under the carpet because the Government did not want it dealt with.

The Hon. D. P. Landa: Does the Leader of the Opposition suggest that is a precedent for the Opposition taking control?

The Hon. M. F. WILLIS: It is a precedent for what the Labor Party's attitude should be in this House. It was a precedent set and spoken to most forcefully by honourable members on that occasion, particularly the Hon. R. R. Downing, who has a standing in the annals of this House far greater than the Minister or I shall ever achieve. There are numerous precedents going back to 1866 that I have available, but I shall not bore the House by citing them. It is absolute nonsense for anyone to suggest that it is improper, contrary to precedent and contrary to the Westminster system of parliament that the adjournment should not be agreed to when the House sees fit. If the Minister requires further precedents, what I am seeking has been done on many occasions in relation to Government business. In case the Minister has forgotten, I remind him that in recent times there was the deferment of the Anti-Discrimination Bill. That was an embarrassment to the Government. The action taken proved to be the right thing in the public interest. Also, in recent times there was the deferment

for one week, if my memory serves me correctly, of the Stamp Duties Bill, which again proved to be for the public benefit as the Government changed its mind. There are other instances. The matters on the notice paper are of significant public interest to New South Wales and it is the Opposition's duty and my duty as its leader to ensure that this House has an opportunity to debate them, and to vote on them so that the public thereby may see the attitude of this House of Parliament on these matters of important public interest.

The Hon. D. P. LANDA (Vice-President of the Executive Council and Minister for Planning and Environment) [11.81, in reply: It will be a sorry day when the destiny of this Parliament is determined by rumours that are relayed to this House by the Leader of the Opposition. If Opposition members take the opportunity between now and tomorrow to consider what is being asked of them by the Leader of the Opposition, they will see that they are departing dangerously from principle. I do not wish to give any great weight to the motion or to the remarks made by the Leader of the Opposition. Frankly, I do not put any great weight on what he says. I do not put great weight on any argument that relies on unsubstantiated rumour. It is a disgrace for a person who leads in this House what was once in the eyes of the people of New South Wales a great party, to say that he seeks to change the precedents, practices and traditions of this Parliament and to usurp what is clearly established as the prerogative of the Government through its Minister who leads this House. With all modesty I suggest to the Leader of the Opposition that he needs reminding that, despite any weaknesses I have, **until** I cease to be elected by the government of the day, I am the Leader of the Government in this House. I have been given the benefit and honour of the title of Leader of the House, which I respect in the same way as I respected my predecessors. That carries with it certain responsibilities: first, to ensure that government business is dealt with, and as a Minister of the Crown on behalf of the Government in the Legislative Assembly and in this Chamber, to see that government business is proceeded with in accordance with our mandate by the people; and second, to ensure that private members have their rights in this Chamber respected.

One of the first elements in that responsibility is the responsibility to decide when I, on behalf of the Government, shall cause this House to sit, and when I, on behalf of the Government, shall cause this House, by motion, which will either be accepted or rejected—and it is always just another motion if you look at it that **way**—to be adjourned. But the tradition has been that, when the motion is moved, it should not be rejected; or, if it is going to be rejected—and we all live in a real world of politics—it should be rejected on substantial grounds and for substantial reasons. No such substantial grounds or reasons exist here. This House has completed the debate on the motion for the adoption of the Address in Reply to the Governor's opening Speech, and His Excellency will tomorrow await our presence to present that Address to him.

While I have held this office I have not departed one **iota** from the tradition of delivering such an Address in Reply to the Governor, and I shall not depart from it tomorrow. The simple fact of the matter is that, like many Ministers who have led this House before, I shall deliver it tomorrow and, after despatching the formal business that follows thereafter, I shall seek the adjournment of this House for a short period to enable us to receive business from the lower House.

Private members' day has been and will be respected by me while I am the Leader of this House. The Leader of the Opposition, in this pathetic attempt at **grand**-standing, is seeking to display some illusory fear to which he has to respond. What is that fear? Is it the fear that the Government will adjourn for one week or two weeks, or whatever was said in the rumours he has heard? If he had asked me, I should have

been only too happy to tell him how long I proposed for the adjournment. I make no secret about it. I proposed tomorrow to move for an adjournment of one week. If the Leader of the Opposition looks back at the precedents, he will find that one week is a very brief period indeed to allow the business of the lower House to arrive here. I should have thought that such an adjournment would have been greeted with some joy by honourable members opposite, having in mind the long hours they have had to sit during the Address-in-Reply **debate**.

When the Leader of the Opposition claimed that this House is, in some way, being maltreated because it meets and adjourns at the Minister's request, I ask him to consider for a moment and to **reflect** upon the spectacle that took place in this House when I became the sole Minister in this Chamber. His former leader was eager to see that I attended and occupied the chair at the table and, in his eyes, properly and fully discharged the duties of the Leader of the House. There was all kind of talk about when I could or could not leave the Chamber. We all remember those times; I particularly remember them. Does the Leader of the Opposition want to insist on traditions at one time, and then, when he has an opportunity to show real respect for those traditions, to clutch at some rumours and give notice that he is not satisfied, and that members on his side of the Chamber will take the business of the House out of the hands of the Government?

As I have said, my purpose is simply to adjourn this House for one week to allow the business of the Assembly to come to us. I assure honourable members opposite and honourable members on my own side of the Chamber that I take a purely impartial view of private members' day, and on that day I am no better, in terms of my ministerial responsibility, than any other member of this House. It is what it says—private members' day—and I respect it. I say to all honourable members that they will be dealt with by me in terms of the order of the business of the day, in the order they appear on the business paper, so far as practicable and reasonable. It is within the hands of the Opposition and the Leader of the Opposition to so chart that destiny. If he thinks these motions are so grave and important, he could have supplanted the motions of the Hon. D. D. Freeman and the Hon. W. L. Lange, and given the other motions greater precedence. Indeed, he could have supplanted the motion by Dr the Hon. R. A. A. F. de Bryon-Faes, or the motion of any other private member. He did not do so. All honourable members with motions on the notice paper are in the same boat as the Hon. J. R. Hallam when it comes to private members' day. They are all waiting their turn, in a courteous and parliamentary way. That is the attitude that is being adopted by the Hon. J. R. Hallam. If some precedence is to be given, what about the right of the Hon. J. R. Hallam to have it? If the business is to be taken out of the hands of the Government, why not let him start before someone else? Why not let him start tomorrow, seeing that it was the Government's intention not to deal with any more business, in accordance with tradition, on the day when the Address in Reply is presented?

I ask honourable members opposite to examine this matter. Even if it is assumed that the rumours are true, or are proved to be true, does the Leader of the Opposition seriously suggest that, if the 7th October or 14th October dates are a reality, this House will have no time to debate it on the following Thursday week, for instance? Or, if it does debate it, and it is decided that the four select committees be set up, is it suggested they can all be debated before that? What are we to do? Are we to sit every day for private members? What departure from tradition and precedent does the Leader of the Opposition want? If he wants a departure from tradition, he should state his view of private members' day. Is it a day when the Leader of the Opposition will determine what will happen? He is enjoying in this Chamber, for a short period, a superiority of numbers and a majority, but this Chamber will come back with a

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different complexion after any election. I ask all the members who are leaving this Chamber, especially those who have given long and diligent adherence to the traditions of the House, to think about what is being proposed here. I direct my remarks especially to honourable members who have held offices in this House, such as the Hon. T. S. McKay, the Hon. R. W. Manyweathers, and others who have been chairmen of various committees. By accepting those offices, they took upon themselves the observance of the traditional precedents and procedures of this Chamber. Is this to be their last act in this Chamber? For instance, is the Hon. T. S. McKay, who sat in the chair, pleased that one of his last acts will be to depart from the traditions of this Parliament by opposing traditional moves relating to the adjournment and the meeting of this House?

The Hon. S. L. M. Eskill is smiling about the situation. I do not see any reason to smile about it. This is a serious departure from precedent. The Government holds no fears about any of these motions. It is willing to debate them in the normal way, but it will **not** be ramrodded by the Opposition in this Chamber. The people of New South Wales have dictated that this Chamber should be changed in complexion—and it will be so changed shortly. The Hon. M. F. Willis is somehow trying to convince us that if we debate the Hon. D. D. Freeman's motion, or the motions foreshadowed by the Hon. R. A. A. F. de Bryon-Faes and the Hon. J. R. Hallam, we will achieve something. Does the Opposition expect to achieve a cleaning up of organized crime, which the Hon. D. D. Freeman says is one of the objects of his motion? Can this be achieved in the weeks between this departure from tradition and the election? Does the honourable member really seriously suggest such a thing? It is patently obvious from the arrangement that I have just put to the House that these motions will be debated next Thursday week. If the Leader of the Opposition had approached me, I would have been only too happy to tell him the position.

The Hon. M. F. Willis: All of them?

The Hon. D. P. LANDA: Not all of them, but those that **could** fit within the normal sitting time of the House. The others could wait their turn. This Government has been in office for two and a half years but proposals to establish four select committees have been made only in the past couple of weeks. As said then—and I say again—there was more life in the death rattle than there has been in the **whole** lifetime. I can only assume that the Hon. M. F. Willis, for some reason best known to himself, has counselled someone in relation to this unfortunate departure. I could make guesses at who that would be, but I shall not do so. Does he seriously think that he can achieve something in relation to this motion? I say, **especially** to those honourable members who will not come back to this Chamber after the election—and it will be a reconstituted Chamber—you are being invited by your leader to partake in this futile exercise. You are throwing overboard a precedent that has been established for many years.

I do not propose to dignify the matter by appearing to be reluctant to debate these things. Frankly, the matter that seems to interest the Hon. M. F. Willis most is the motion moved by the Hon. D. D. Freeman. That is the only motion he could speak about in the short period that he is giving the House. I have no reason, other than his word, to confine myself to that period. That is the only motion that could possibly be debated on Thursday week. The subject of that motion, as we all know, has been a laughing stock in every newspaper in *this* State, and the **editorialists** have said so. They have referred to it as a futile exercise, grandstanding and so forth, and it is a matter for the honourable member concerned to convince us otherwise. He may be able to do that although I doubt it. We shall have to wait to hear that at the proper time. If the matters concerning education and organized crime were of critical importance, where were these members of the House in the past two and a half years? What is the sudden

impetus to this activity? The Hon. M. F. Willis has said that there will not be an opportunity to debate the matter. I have said that the adjournment will be for only one week, and that is a normal adjournment. I propose to keep to the normal sitting times of this House as far as practicable. I give every member of this House the undertaking that, as far as practicable, that will be done while I am the Leader of the House. I invite honourable members to consider their position tomorrow, especially as that is the day upon which we will be returning from Government House, having delivered the Address in Reply in the traditional way. I propose to deal with the matter in that way in deference to this Parliament and to His Excellency.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 16

Mrs **Anderson**
Mr **Baldwin**
Mr Coulter
Mr French
Mr Geraghty
Mr Healey

Mr Johnson
Mrs Kite
Mr Landa
Mr **McPherson**
Mr Melville
Mrs Roper

Mr **Thom**
Mr Turner

Tellers,
Mr **Hallam**
Mr **McMahon**

Noes, 29

Dr de Bryon-Faes
Mr Connellan
Mr Darling
Mrs **Davis**
Mr **Duncan**
Mr **Erskine**
Mr Evans
Mr Freeman
Major **Humphries**
Sir **Asher Joel**

Mr Keighley
Mr Kennedy
Mrs Lloyd
Mr **MacDiarmid**
Mr **McKay**
Mr Manyweathers
Mr Moppett
Mr **Orr**
Mr Percival
Mr **Philips**

Mr **Pickering**
Mr **Raines**
Mr **Sandwith**
Mr Scott
Mr Rowland Smith
Mr Solomons
Mr **Willis**
Tellers,
Mr Eskell
Mr Lange

Question so resolved in the negative.

Motion negatived.

SELECT COMMITTEE ON CRIME CONTROL

The Hon. D. D. FREEMAN (11.32): I move:

- (1) That a Select Committee be appointed to inquire into and report **on**—
 - (a) The cost-effectiveness of crime control services in New South Wales;
 - (b) A comparison of these services with **similar** services elsewhere;
 - (c) The co-operation between the services involved;
 - (d) The community's expectations in regard to crime prevention and control;
 - (e) Ways and means of better protecting the community from criminal activity and particularly from organized crime;
 - (f) Procedures for the continuing evaluation of financial and human resources allocated for crime control.

(2) That the Committee have leave to sit during any adjournment of the House and power to take evidence and send for persons and papers; to report from time to time and to visit areas within New South Wales, other States and the Australian Capital Territory.

(3) That such Committee consist of the following Members, viz.—Mr Calabro, Mr Healey, Mr Pickering, Mrs Roper, Mr Solomons, Mr Turner and the Mover.

Following the Opposition's notice of motion to move for this select committee, three particular events occurred. The media gave it quite some prominence and with minor exceptions demonstrated their support. The Government instantly backed off in fright, the Premier saying he would not allow it. The third, and to me the most significant thing, was that we have been deluged by all kinds of people pouring their hearts out about injustices and **illegalities** that are obviously rife in the community. Much of it was hearsay but many had factual evidence that they were willing to give in sworn testimony. If at this stage any members are holding their breaths in the hope that they may hear some sensational disclosures or the naming of persons, they should exhale now for that is definitely not my intention in talking to this motion. It is my intention, however, and without melodrama, to outline to this House what we all really know in our hearts, that there is an unarguable case for supporting such **a** committee. If any member here is quite happy that crime is at an irreducible minimum, that everyone in business, politics, gambling and so on is totally honest, or those who are not will certainly be brought to justice, let him so indicate now or in front of his peers.

There is general agreement that the manifestations and the ramifications of crime reach **all** of us in some way and are of a nagging concern to most citizens. The only possible area of contention in this debate could be the methodology of dealing with crime or how to prevent it. The Minister, totally predictable as he is, will tell us that the Government will agree that not everything is perfect but we have it under control, we have plans to deal with it, we have a superb law enforcement agency to which we should give our support, and anyhow, who needs another committee run by a group of amateurs? I submit that the Government's track record is abysmal in this regard. As an example, it is now aware that the knee-jerk reaction to the problems in the gaols is wrong. The Minister will say—again predictably—that they inherited a dreadful situation from previous administrations—note the plural—and I agree with him. Honourable members may be interested in a little homily that appeared in the Pennsylvania *Gazette* on 8th February. It said:

Lost is our old simplicity of times,
the world abounds with laws
yet still teems with crimes

The year of publication was 1775—and that homily supports the French truism that the more things change, the more they stay the same. The people of New South Wales, particularly those in the built-up urban areas, have an urgent need for and an obvious right to a minimum level of public safety, for protection from dangers after dark, and for protection from exploitation, violence and extortion. But do they enjoy **this** minimum protection? Leisure facilities that cannot be enjoyed are not worth having. To quote from the Governor's Speech of last week:

My Government commenced last year a policy of urban parks in the inner areas of Sydney providing parklands for passive recreation. It will establish breathing space for hundreds of thousands of Sydney residents.

I strongly endorse that worthy policy. The only qualifying words missing were "for recreation on a 9 to 5 basis". On any night the many parks in Sydney are almost totally devoid of people. The only people in parks at night are the foolhardy or the brave, or those who lie in wait for them. Life savings which can be readily stolen, even from banks, are not worth accumulating, and homes which have to be barricaded against intruders become prisons for the elderly and the infirm. One of the terms of reference is quite unique, in that it seeks to evaluate what the community expects of government for their protection. All too frequently we are told what is good for us whether we like it or not. It is known that crime can be virtually eliminated if the police have unlimited powers to keep people in fear and subjection. Crime levels appear to be reduced marginally when dictators cut off hands of offenders for committing petty offences. Governments should know how much the community is willing to pay for what they see is reasonable protection of their lives and property. This section of the investigation will echo the words of Mr Justice Kirby, chairman of the Law Reform Commission, who said in the Alfred Deakin lecture on 4th July this year:

The problem is to strike a balance pragmatically between security precautions and civil rights that will command majority consent. How much lawlessness are we prepared as a society to tolerate rather than convert to the authoritarian alternative that is required to stamp out crime totally?

The fields of crime and crime prevention, law enforcement and criminal justice are showing a poor return for increasing public investment. As the crime rate rises and involves more juveniles as offences become more violent, more sophisticated and more pervading, there appears to the average person to be frustratingly little yield from the ever-increasing budgets of the various autonomous bodies that can be loosely linked under the heading of the criminal justice system.

An examination of the budget papers produces the following information. The cost of the Police Department in New South Wales in 1973–74 was \$80,519,000. In 1978 it will be \$163,920,000, having more than doubled in just four years. The running costs of the Department of Corrective Services in the year 1973–74 were \$16,919,000. Four years later they had soared to \$42,586,000. After the frightening events of this week they will obviously have to go higher. Including the courts, the current costs of New South Wales crime control services are running at about \$255 million a year. I concede that this amount may not be enough to meet effectively the needs of the community, but what I do not concede is that this vast sum is spent in any co-ordinated fashion, with any cost-benefit analysis in any of the departments. Nowhere have I seen any evidence or proof that the manner in which the money is spent is of researched value to the people the system is designed to protect, who are to pay the bills for it.

I believe the police are the most valuable of all our public servants. It has been said that about the only way to cure the long-standing inadequacies of the public service is to fire everybody and re-hire only where that can be shown to be vital and necessary. Some cynics say we would have a public service about half its present size. It is my personal opinion that, in those circumstances, I would re-hire that vast majority of policemen, because I regard them as a hard-working, dedicated, self-disciplined group, operating in difficult circumstances and, frankly, not well enough paid. I am sufficiently traditional to believe that the primary function of the police force is to uphold the criminal law, and that the primary function of the criminal law is to protect our persons and our property. Recently, the Vice-President of the Executive Council and Minister for Planning and Environment said at the annual police passing-out parade that 200 more police would be recruited each year. Mr Page, general secretary of the Police Association of New South Wales, said on 9th October, 1977: "Resources have been strained by the creation of many specialized groups such as the breath analysis section, highway patrol, drug squad, fraud squad, firearms registry, etc." These men

The Hon. D. D. Freeman]

undergo full training, and when we add to the list those engaged in clerical duties, in providing VIP escorts, serving summonses for parking violations, and processing warrants, are we not getting away from their prime purpose? The question may **well** be asked, who has both the inclination and the power to take an objective view of where this fits the total picture?

It is interesting to note another of Mr Page's comments ~~am~~ the strains put on the police by channelling them into involvement in what are clearly moral and social issues. He said, "Crime prevention is only a secondary consideration because most police were engaged on offences already committed". The policeman has more discretionary power than any other person in the community. Surprisingly, it is rarely abused. Surveys show that a number of people have the opinion there is some corruption in the force at various levels. It is reasonable to assume that anything that provokes cynicism, **contempt**, derision, indifference, resentment and hostility toward the law and law-enforcement agencies is likely to have undesirable social repercussions. This is perhaps an important area that a select **committee** could investigate. It can only be said that those who have nothing to fear have nothing to fear, whether they be in the police force, politics, or the general **community**. However, as a **corollary**, and being **conscious** of the unique powers that would be vested in such a committee by Parliament, and without being pretentious, I should say to those who do have something to fear that they may well fear. We are all aware that there have been many inquiries into different aspects of crime, such as the **Moffitt** commission on organized crime in clubs, the Nagle commission on prisons, the Lusher inquiry into casinos, and the **Woodward** commission on drugs.

All these commissions cost extraordinary amounts, and produce reports, most of which are just placed in the library. They are one-off investigations of a specific subject, and whether any action is taken depends on the whim of the government of the day. It is a crime in itself that so little notice has been taken of the excellent reports of commissions. It is quite comfortable to do nothing. A suggestion that the committee could well consider would be an umbrella executive, small in number, stern of purpose, vested with suitable powers to evaluate and co-ordinate all elements of the criminal justice system, to lay down guidelines for government policy in this area, and to provide for an on-going evaluation and assessment. Any criticism by the present Government that such a select committee is not needed because of all these previous commissions is, to my **mind**, invalid. His Excellency the Governor quoted the Government as saying, "My Government is concerned with the apparent increase in crimes of violence in most major cities throughout Australia". I thank His Excellency for testing the Government's integrity. It mouths these pious sentiments to gain community approval, but the Premier, when put to the acid test, says he will not have a bar of it. This is another example of sweet-talk but no action. Mr W. Clifford, director of the Australian Institute of Criminology, said at a seminar on 29th March this year:

Doing justice and protecting the public against crime is often just as much a problem of getting the best results out of the money expended and developing good management techniques, as it is a problem of permitting behaviour. Taxpayers may be paying exorbitantly for efficient **services which** grow bureaucratically, but do not prevent **crime**. There may be insufficient public moneys devoted to **prevention** and too **much** being spent on old-fashioned cures.

Mr **Clifford** suggests, as do a number of **people**, a **flexible** structure that might operate like a **crime commission**. Such a commission, he **says**, **would have power** to **review** from time to time the investments **being** made in **all** areas of the criminal justice

services and to conduct evaluations as thought necessary, so as to report on effectiveness and upon the need from time to time to shift the emphasis to make the system more effective.

Mr Justice Nagle, on page 426 of his report, in similar vein said, "The public is entitled to know how its money is spent and to have an expert assessment of the wisdom or otherwise of such spending." It appears that I am in good company.

Mention was made in the Governor's Speech of modifying the laws related to the granting of bail and increased penalties for violent crimes. These may certainly be needed. I use the word may because this is an example of the *ad hoc* approach or a piecemeal attack that may or may not be of benefit in the whole scheme of things. A great deal of knowledge will be available to the proposed committee. Its task will be to co-ordinate these many threads, and it will approach its task coolly and rationally. All too frequently, predictable groups of people can be relied upon to call for the tough approach to law and order. They know, and let it be known, that if the Legislature would only increase the penalties for criminal offences, there would be a corresponding drop in the incidence of crime; that if only the police were given more powers to deal with the crooks in the community, as proposed this week in England, there would be less crime; and that if the Government would only face up to it and introduce tougher laws, there would be more order in the community. In other words the more law, the more order.

Every person working in the field knows, and all practical experience shows, that each of these claims is totally fallacious. Many other fallacies are rife in the community regarding gaols, first offenders, parole periods, rehabilitation, inconsistent sentencing in courts, and so on. It is hoped that the proposed committee will bring together a wide range of experiences in the truest possible spirit of trying to shed the clearest light on these problems. The Government would be doing itself the greatest possible service in the eyes of the community if it did involve its resources and personnel wholeheartedly in this committee's activities. It did this with the committee of inquiry into public accounts. I have no doubt that it will, and I congratulate the various Ministers of the Government, such as Mr Wran, Mr Walker, Mr Hills, Mr Mulock and others, who by their press statements, which I have here, show their realization of people's concern at crime control, and really write the prescription for this committee.

The editorial of one of the daily newspapers displays a peculiar cynicism about what the committee can hope to achieve, having seen all these other committees in recent times. I ask that paper to go back to those reports and give me a list of the recommendations contained in them and a list of recommendations that have been implemented. That editor should follow what he would certainly tell his junior reporters—get your facts straight before making an idiot of yourself. He would be far better occupied in asking the Premier why these many reports have not been implemented.

The Minister will surely ask, what can a group of amateurs hope to achieve in a very specialised field of investigation? I believe the answer is, a great deal. We have numerous examples of so-called amateur committees of Parliament making substantial contributions. In the motion I nominated two very well regarded legal persons to serve on the committee. If the Premier intends to say that he will not let a solicitor from the Labor Party participate, let him give the reasons. My genuine aim is to set up a secure and unbiassed forum that will attract people to give of their knowledge and expertise for the good of the community. The committee's job is to organize it, correlate the information and make a report.

The Hon. D. D. Freeman]

For some years I have been a fellow of the Australian Academy of Forensic Sciences, and have heard much and read much about predisposing causes and motivation of criminal acts, analyses of varying approaches to sentencing offenders, to rehabilitation and associated matters. I have been disturbed that for some time an enormous amount of information has been available to us, but typically very little notice is taken of it. I am delighted to be able to report that, since my interest in such matters has become known to more people, and more particularly since I gave notice of motion last week, and as I mentioned at the beginning of my speech, I have been deluged with people contacting me and complaining of blatant minor and major **illegal** acts of which they are aware, where no apparent action has been taken. Other members have had similar complaints. I ask them all to watch for the setting up of this committee, assuring them of the privilege the committee **can** give—anonymity if requested—but testimony to be given on oath. If these facts are publicised by the media it will indeed be interesting to **see** the response. If the police tribunal had been set up as promised, to commence nine months ago, I am sure many of these claims would be before it.

In **short** summary, there is a level of crime existing at this **moment** in our community that is a worry to every one of us. Each of us worries who will be the next victim. **Will** I be assaulted if I go out at night? **Will** my home be robbed whilst I am out, or worse, while I am home? Will I be knocked down by a drunk trying to drive a car? **Will** my life savings and investments be appropriated by unscrupulous business people? Added to that worry is concern that, having been involved in any of these unpleasant situations, one reports it to the police and wonders just what are their chances of catching the mugger, the robber or the rapist. It is undeniable that corruption and bribery is rife in our community. Some is petty, some is staggering by the immensity of it, and the levels it reaches. Those involved are very careful indeed, but are currently enjoying an enormous confidence that nothing will be done about it. I have my own confidence that this Parliament would wish to shatter some of that security, no matter who is involved. If the Government, as it gears up for an election, does not support this committee wholeheartedly, let it be on its head to explain to the people in some detail why not. I have given notice of the range of issues this committee will consider in the short time likely to be available to it. I most sincerely urge the support of every member of this House for this motion.

The Hon. D. P. LANDA (Vice-President of the Executive **Council** and Minister for Planning and Environment) [1.541: Having heard the submission of the Honourable D. D. Freeman in relation **to** this motion and to allow the Government to obtain the necessary advice in **regard to** the allegations raised by him about the Minister of Justice, the Minister in charge of the police and the Premier's Department, I move: .

That this debate of the Question be adjourned until Thursday, 7 September, 1978.

Question put.

The House divided.

Ayes, 17

Mrs **Anderson**
Mr **Baldwin**
Mr **Burton**
Mr **Coulter**
Mr **Geraghty**
Mr **Hallam**

Mr **Healey**
Mr **Kite**
Mr **Landa**
Mr **McMahon**
Mr **McPherson**
Mr **Melville**

Mrs **Roper**
Mr **Thom**
Mr **Turner**
Tellers,
Mr **French**
Mr **Johnson**

Noes, 29

Dr de Bryon-Faes	Mr Keighley	Mr Pickering
Mr Connellan	Mr Kennedy	Mr Raines
Mr Darling	Mr Lange	Mr Sandwith
Mr Duncan	Mrs Lloyd	Mr Scott
Mr Erskine	Mr MacDiarmid	Mr Rowland Smith
Mr Eskell	Mr McKay	Mr Solomons
Mr Evans	Mr Manyweathers	Mr Willis
Mr Freeman	Mr Orr	<i>Tellers,</i>
Major Humphries	Mr Percival	Mrs Davis
Sir Asher Joel	Mr Philips	Mr Moppett

Question so resolved in the negative.

The Hon. D. P. LANDA: Let me say at the outset that we have seen a very curious incident undertaken here tonight. For the first time in my history in this Chamber I and the Government have been subjected without notice to a motion brought forward on a day that no reasonable person would have expected it to be brought on. I say at the outset that I should have thought due deference to private members' day would have been paid by the Leader of the Opposition and the matter dealt with tomorrow after we return from His Excellency the Governor, after the formal business of the State has been done, at least as a last minute attempt to preserve some decorum. But now the Leader of the Opposition has gone the whole gamut of obliteration of the procedures of this House and we now have, on a day on which Government business takes **precedence**—

The Hon. M. F. Willis: If there is Government business, and there is none.

The Hon. D. P. LANDA: The Leader of the Opposition well knows—and honourable members in the House need no persuasion of this—that under the Westminster system, parliamentary business is not conducted on the basis that some element of bizarre surprise is a matter that one has to rely upon in dealing with substantive matters—not by responsible leaders anyway. But, as I have observed in the few short months that the Hon. M. F. Willis has been Leader of the Opposition, it appears that we will not be favoured with such a standard of responsible leadership of the Opposition in this Chamber. Suffice it to say that all of us, including myself, will remember what has gone on in today's proceedings, and in the next few months and thereafter we shall be able to ruminate on what has gone on. And, of course, when one comes to consider the future conduct of this Chamber, one will be able to ruminate on what has occurred tonight. I ask all honourable members that are coming back to **bear** well in mind what occurred tonight when the Government's business was taken from it, the consideration accorded to the Minister and to the Government in that regard and the courtesy, or the lack thereof, *afforded* in that regard. I can assure honourable members it will be a long time before I forget. But that awaits the course of history. I have never been one to pre-empt the gods in the determination of these things.

I assure honourable members that out of courtesy I sought genuinely to have the motion researched by the responsible authorities, the departments and Ministers in the other place upon whom the substance of this motion touched, in order to obtain their detailed advice. Let me say from the outset one sentence upon which the Hon. D. D. Freeman will stand condemned clearly and irrevocably in the eyes of the people of New South Wales as a person who, for a motive that I have no doubt is political, allowed himself to be used as a political pawn in a game in which he sacrificed his principles in parliamentary procedure and democracy for a bauble.

Today I **communicated** with the Commissioner of Police and said to him: "The Hon. Derek Freeman in Parliament is proposing to move a motion"—along lines which needless to say he is aware of—"and he has made certain allegations on television and in the media in relation to conduct of individuals in this community and the police. Has that member of Parliament as a citizen ever approached you or any officer to make known his complaint, like any other citizen, to have it investigated in a proper and professional manner?" The commissioner assured me that he had never made any such approach. It is a disgrace that a person holding a responsible position in this community can go on television and throw about the sort of allegations that the Hon. D. D. Freeman has made, and not have the guts to go to the Commissioner of Police and make known his information so that the police can at least clear the high-standing name of the police force of New South Wales or investigate the substantive matter of his complaint in relation to the rights of the citizen.

The Hon. D. D. Freeman said he has been deluged by people complaining about injustices and crimes that have not been investigated or dealt with properly by the authorities in this State. He nods his head now and says that is true. He has never had the courage to deal with it in a proper way like any other citizen in New South Wales who has the respect and decency at least to preserve the good name and character of the police force of New South Wales until he has clear and irrefutable evidence that can stand up in a court of law and be tested and proven according to the system of justice in this State. What has he said? I remind the House of the extravagant language that the honourable member used. He was asked if he had evidence of organized crime being involved with the police force, businessmen and politicians. He said:

Well, since I have been interested in this I have had a lot of bits of information given to me which I am sure are available to others, but the point is that I do not believe there is any forum where these can be dragged out to see whether they are indeed true or not. Now, if there is cynicism of the police force and control of crime right throughout the community, I think this is a very disabling thing for the community.

This is what a member of Parliament is saying about the police force of New South Wales—"Now if there is cynicism of the police force". I shall ask the question of the honourable member, does he believe there is cynicism of the police force of New South Wales? He sits there cowardly, not replying. I ask him again, does he think there is cynicism of the police force of New South Wales and control of crime right throughout the community? He was asked, "What type of evidence have you been receiving then?" What did he say? "I would rather not say at this stage". Here is a citizen holding evidence, so he says, and he decides at his whim whether he will tell the law enforcement authorities. The Hon. M. F. Willis and the Hon. L. A. Solomons, as lawyers, know his duty as a citizen knowing of information relating to criminal activities is to inform the law enforcement authorities in the State. As I said, the Commissioner of Police never heard from him.

This is the man who sets himself up, needless to say, as he has been grabbing the headlines, to chair a committee to investigate organized crime. But he has not had the courage, the courtesy or the decency to go down and face the Commissioner of Police eyeball to eyeball, man to man, and say: "I am very concerned. I should like to have your views before I proceed in a public way on a matter that may reflect adversely on the police of New South Wales." Are they the actions of a responsible leader in the community? What about the thousands of police officers who are out there dealing with the problem? How does he think they feel when he is moving behind their backs? How do they feel when the man who has these doubts has not had the decency to take them to the Commissioner of Police and

perhaps resolve his doubts, perhaps have a conference with the Commissioner of Police and an examination of activities and a detailed inspection, that needless to say the commissioner would be only too happy to have to accommodate him? He may have been satisfied. Perhaps the commissioner on being shown the complaints could have had a detailed answer to every one of them and this Government and the public of New South Wales could have been saved the time and expense of this motion. But no, the honourable member hides in this Chamber and does not show the authorities the evidence. He says he has evidence and information. He commented on television:

There are just so many of them and of such a nature I believe there must be some truth amongst them.

He has already judged them. Again I invite the honourable member to answer. Does he believe there is some truth in the allegations made to him? Still he remains silent.

The Hon. D. D. Freeman: I have the right of reply.

The Hon. D. P. LANDA: All of us here are interested to learn now whether the honourable member believes there is some truth in the allegations. No one has been privy to this before. This self-appointed saviour has been judging whether the law enforcement agencies should hear of these matters. It is he who will determine whether these matters should be made public. Does the honourable member's information involve names? The Hon. L. A. Solomons and the Hon. M. F. Willis as lawyers know that if the honourable member has information, especially names, he stands condemned of the most disgraceful dereliction of duty to inform the police properly of these matters so that they may go about their task of investigation. Is that the way the honourable gentleman sees the control of crime in this State? **Does** he believe he should withhold information? Are we to see the spectacle of names being thrown about publicly in a most irresponsible way? What type of people are involved? How widespread are these allegations? The honourable member went on to say:

The names given to me and other people obviously involve people at fairly high levels of business in officialdom, and if they do have these positions and there is reason to believe that there are some of these I believe it should be looked at under the sort of powers that a select committee would have which would be very much like a Royal commission.

Is this the way in which people will have their names cleared or smeared--on the decision of a committee set up by the Opposition at the behest of a member working against the normal procedures of this House? What has happened to the courts? Why cannot they deal with these allegations? Where is his information? Why cannot it be tested? Will there be a lot of uncorroborated testimony? We have seen the actions of the likes of the Council for Civil Liberties in relation to one Royal commission, indulging in the activity of trying people by inference and without the benefit and the protection of a court in terms of the **rules** of evidence. The Hon. T. S. **McKay**, as a lawyer, would know that this matter has reached the stage where the efficacy and role of democratic society is being seriously challenged.

I could understand the honourable member's motion if he had not received satisfaction at the hands of the police or the Department of Justice. Had he been fobbed off or deliberately deterred in resolving his doubt I could see his point. Had he made some reasonable effort before coming forward with a motion which must reflect upon the efficiency and dedication of the police force, there might be some

justification for his actions. It is lamentable that the honourable gentleman can say in this House that one cannot walk in the park or streets in safety. I assure him that I walk freely upon the streets of Sydney. I am sure that he and his children do so, too. We may do this because of the dedication and courage of members of the police force, quite often to their great suffering in terms of life and limb.

The Hon. D. D. Freeman: In the past two months four people in my block have been mugged.

The Hon. D. P. LANDA: The honourable member says that some people have been mugged. He has somewhat deluded himself that he and he alone holds in the palm of his hand the answer to crime detection and the abolition of crime in our modern society. All I can say is that this Government has committed additional resources to the police force of this State and will continue to do so as the crime rate increases. No country in the world has succeeded in obliterating crime from the fabric of its society—not now, or in the past: I venture to say, it never will. It is an absurdity for a grown man holding a seat in a House of Parliament to suggest that because four muggings occurred in a particular block that the whole police force of New South Wales needs close examination by himself.

The honourable member said on television that the inquiry should be very much like a Royal commission. In this House he criticized Royal commissions and said that their reports are merely filed away and ignored. The honourable member must be a better lawyer than Attorney-Generals of the past or the present Attorney-General. He must be more skilled than their officers, too. Royal commissions are usually presided over by a Justice of the Supreme Court, and following every Royal commission where appropriate there are recommendations to prosecute or not to **prosecute**. That advice is dealt with responsibly by the Government of the day, or at least I should hope so.

The Hon. D. D. Freeman: I should hope so, too. .

The Hon. D. P. LANDA: Honourable members can make what they will of that remark. The Royal commission on organized crime in clubs was set up by the previous Government. His Honour Mr Justice Moffitt was appointed Royal commissioner. Is the honourable member dissatisfied with what His Honour did?

The Hon. D. D. Freeman: I am dissatisfied that nothing came from that Royal commission.

The Hon. D. P. LANDA: I invite the honourable gentleman to inform the House what was recommended that was not done. The honourable member would apparently take over the role of the Crown Solicitor in advising whether or not a prosecution might be successfully launched. How many people in the community would have the same type of information as the honourable member but have not brought it forward through lack of this sort of forum? Probably a substantial number of people would be in that category. Although the Juanita Nielsen case is *sub judice*, the Hon. D. D. Freeman referred to it. He said, "I was given all sorts of information which I have no way of knowing is true or false." One might ask, did the honourable member go to the Commissioner of Police? Of course, this was the case which on television the honourable gentleman said was *sub judice*. The honourable member was asked by **the** interviewer, "There must be some fear of perhaps people doing the wrong thing?" He replied:

Well I think this is it. One has to tread very warily in this field. But you know I personally have been shown some documents that could well link people in this country in fairly high positions with some crime in America.

Again the Hon. D. D. Freeman has not taken this matter to the responsible authorities. I invite the honourable member to advise this House and the citizens of New South Wales why he has not taken information relating to any criminal activity by a citizen of this or any other State to the appropriate authority. If he did so and was still dissatisfied he could quite properly express his dissatisfaction and seek a remedy. I invite honourable members to conclude that that is the proper way to do things under the system of justice that we enjoy. The honourable member left another answer hanging in the air about which honourable members should ponder. He was asked, "If the organized crime is so big why haven't the police been able to make inroads into it?" The answer given by a member of the Parliament of New South Wales was, "Well, I could ask you the same question." The honourable member accepts the first part of the question that organized crime is so big. Is it so big? Does the honourable member have proof of that? If so, why has he not done anything about it? In a cowardly and disgraceful way he merely said, "Well, I could ask you the same question". That is equivalent to saying, "Well we all know why". Every viewer of that television programme could draw the inference that the honourable member wished them to draw by his veiled cowardly way of expressing his dissatisfaction with the police of New South Wales. He was then asked, "What are your views though?" to which the honourable member said:

I think, firstly, one of the reasons I believe that these sort of committees have not been set up before is that Governments are reluctant because they are enormously dependent on the police force to maintain an equanimity in the community.

I assure the House that the Government relies on the police force to do one thing and one thing only: to enforce the State's laws according to the rules of law. We do not rely on the police force, as implied by the honourable member, to maintain an equanimity in the community. The police force is required to bring offenders before the courts to be tried. That is where their role in a substantive way begins and ends. The rest is quite properly done by the courts. As I said before, the Government recognizes what the Opposition is doing. The Government holds no fears from any such committee. It expects that the committee would be a futile waste of public funds and that editorialists of newspapers will prove to be correct, notwithstanding the Hon. D. D. Freeman's protestations that the editorials were written by junior reporters without the facts. An editorial in the *Daily Telegraph* was in these terms:

New South Wales voters can easily be forgiven if they take this proposal as a last-ditch attempt by the upper House to make some sort of fuss before its imminent abolition in its present undemocratic form.

And voters may also be forgiven for thinking that it is a final attempt by the Liberal and Country Parties to find some kind of ammunition to hurl at the Premier, Mr Wran.

Meanwhile, the people of N.S.W., having seen several Royal commissions and inquiries into crime, drugs and prisons in the past year or two will not exactly be waiting with bated breath for further developments with this latest move.

An editorial in the *Daily Mirror* was in these terms:

The N.S.W. Legislative Council has surprised many people by its plan to inquire into organized crime. Most people had forgotten the council existed.

Of course, it might be only coincidence that this late stirring, this moving of creaking limbs, is because the council will have to face the voters
The Hon. D. P. Landa]

for the first time at the next election. The inquiry can only be an exercise in futility because it's ludicrous to **think** that the Mr Big of crime will tell **all** before a group of ageing politicians.

The council should inquire into something it knows about. May we suggest old-age pensions or the price of false teeth.

Honourable members opposite may shake their heads. I recall a similar position being taken by a writer in the *Bulletin* whose article was later proved to be correct. The person who was then receiving the same kind of press is no longer with us to face the reception in this Chamber for the negotiating skills that led up to democratization. Needless to say those who will be leaving this House will have an accurate memory of that.

Crime concerns any government. I give credit to any government that is making a serious attempt to come to grips with crime in our society. It is a detailed and complex problem that requires commitment by government, a properly funded professional police force and a court system of justice. There should be no attempt to erode those requirements or for people to be a judge of the character of others. They should not be committed to engage in what I fear will be one of the most pathetic exercises in smear, in allegation without proof with a cavalier despatch of reputations by those who do not have to be examined under oath. I refer particularly to members of the proposed committee who have not accepted the onerous and high responsibility of judicial office but are willing to judge people's characters. I remind the House that to protect his name the Hon. S. L. M. Eskell in this House stood up for the jury system. Yet he is willing to be a party to a manoeuvre to deprive other people's name of that protection. Of all people, I never thought the Hon. S. L. M. Eskell would have been a party to that, especially as he had expressed in this House the great reliance that we place on the rule of law and the protection it **affords**.

As I said in relation to the select committee that was set up as a result of a motion by the Hon. W. L. Lange, the Government gave credit where it was due in regard to the work performed by that committee. I have no doubt that we shall be using its work in the future, but I share the views of the newspaper editorialists, who claimed that the Hon. D. D. Freeman and those associated with him will, under the guise of this proposed select committee, be seeking to make the most baseless, **un**-proveable and unproved allegations against people in the community. It will be reminiscent of the kind of smear tactic used in America for pre-election purposes. All I can say is that the honourable member will have to live for a long time with whatever conduct this committee adopts in terms of the rights of the individual in this State. Not only his standing but also the standing of those who serve with him on the committee—if it is established—will be under scrutiny for years to come.

I shall be interested to see whether the police authorities in this State will be given an opportunity properly to prepare and make their position clear. The same applies to the Department of Justice, and other bodies. However, I make this estimation: the honourable member will be seeking desperately to sensationalize and trivialize these proceedings, and to grab paltry headlines in his pursuit of a few votes at the election. He is using one of the oldest and most disreputable of tactics employed in political circles anywhere in the world—the smear. The honourable member has refrained from that tonight, but I shall be astounded if he can contain his patience and temperament over the next six months. All honourable members of this Chamber will reflect upon it for years.

I do not want to misquote the Hon. D. D. Freeman. He said that this matter will provide a secure and unbiased forum. Will it be more secure than a court, presided over by a justice who has sworn a judicial oath? And what does he mean by unbiased? I shall test that statement in this Chamber, by moving:

That the Question be amended by inserting after the name "Mr Calabro", the names "Mr **Ducker**, Mr **Hallam**".

The additional members I propose are Mr Ducker, a representative of the Labor Council of New South Wales, and Mr Hallam who, being a young married man **with** a family, is in the age group most concerned with these matters. We shall soon see whether this is anything more or less than a political stunt. The Hon. S. L. M. Eskell seems to be the guiding light in this proposal, and we can see his role in it. One would hope that he is spared the day when someone might name him before some select committee, and ask him to come forward and tell about spurious allegations that might or might not be made about him. If he wants to take an active role in it, let the responsibility be on his head.

We shall test whether the honourable member would want the skeletons in his closet to be pored over by parliamentarians who constitute a select committee, or any member of this Chamber. We shall see how they feel about the rule of law in this State, and how they would feel if someone made an allegation against them that could not be proved in a court. We shall see how they would feel if such an allegation were proved to be untrue, yet was made public and discussed by a group of Legislative Councillors in the State of New South Wales. All I can say is that we shall await the reception, to see whether this is anything more than a political stunt.

I have moved for the incorporation of additional members on this select committee, without any diminution of the number of possible members who have been sought to be placed on it. I have sought to constitute this committee in accordance with the traditions of this Chamber, which obtained for many years until the appointment of the select committee that inquired into the reform of the upper House. That is to say, I seek to make it a committee, in conformity with the practice adopted in the appointment of the recent committee of the combined Houses of Parliament, upon which there will be a majority of Government members, and needless to say, a committee that has a Government member as its chairman.

The Hon. R. B. Rowland Smith: But the committee to which the Minister referred is a joint committee.

The Hon. D. P. LANDA: The new Deputy Leader of the Opposition has made an error which the Hon. L. A. Solomons would never have made. I was not referring to the joint committee that arose from the motion by the Hon. W. L. Lange. The Deputy Leader of the Opposition has forgotten.

The Hon. R. B. Rowland Smith: I have not forgotten.

The Hon. D. P. LANDA: The honourable member said it is a joint **committee**. I was talking about the Legislative Council. The honourable member would be better off talking about wool at Orange rather than making all these errors since he **took** over the reins from the Hon. Sir John Fuller and others, who would never have made those errors. But let us not go into that. My amendment will ensure that the police and the citizens of this State will have upon the committee members who, in the Government's view, will deal with the matter in a responsible and responsive manner.

The PRESIDENT: Order! Does the Hon. D. D. Freeman wish to reply?

The Hon. D. P. Landa: He said he would. Apparently he is now in some doubt.

The Hon. D. D. FREEMAN [12.38 a.m.], in reply: I shall reply briefly. I feel strangely unmoved by the Minister's attack on me tonight, because of the lack of imagination contained in it. If he could only listen one fraction as well as he can talk, he would have heard that the terms of reference proposed in the motion are very specific, and he would understand that I am interested in getting to these matters on a proper and altruistic basis. When I spoke to the motion I mentioned, also, that since I gave notice of motion last week a number of people have contacted me. I have asked them to contact me after the select committee is set up. If they are willing to give testimony under oath, they will be able to do so. Some of the matters were hearsay and some involved practical evidence. However, the Minister will know that I have been extremely careful to avoid all the things in respect of which he accused me—of throwing around names, and so on. I have mentioned not one single name, for an obvious reason. I have been careful to avoid that, and the Minister knows it. Yet he took it upon himself to deal with the police, which is a minor part that does not come into the terms of reference. That has come up since, but he has picked on that very sensitive matter. That came up within the last week. I was hoping to have this select committee set up, and I also asked these people why they had not taken their allegations to the law authorities or the police. Generally they said, in general terms, "Would you?"

The Hon. D. P. Landa: Well, would you?

The Hon. D. D. FREEMAN: I am asking these people. I am not personally involved.

The Hon. D. P. Landa: You are a responsible citizen.

The Hon. D. D. FREEMAN: I received the information only last week. Before that time the things the Minister talks about were not in my mind. I did not seek the information. The Minister should read the proposed terms of reference.

The Hon. D. P. Landa: I read the report of what you said on television.

The Hon. D. D. FREEMAN: I was very careful not to say certain things on television. As I said before, if the Minister listened more and talked less, it would be a lot better for everyone. If he had listened to my speech tonight he would see that I have made a genuine effort to ~~try~~ to get to the bottom of a deal of disquiet in the community. I believe that this is the proper approach to take because there does not seem to be other avenues. The Minister alleged ~~that~~ I criticized Royal commissions by suggesting the establishment of the select committee. If the Minister had listened to what I had said he would know that my criticism concerned a specific narrow subject. I said that those inquiries were one-off in that they had a time limit.

In the past few weeks newspaper reports have contained claims that allegations about laundered money are outside ~~the~~ terms of reference of the Royal commission. Both the Royal commissions, the one under Mr Justice Moffitt and that under Mr Justice Nagle had narrow terms of reference. Many things were raised in those inquiries but they could not be discussed because they were outside the terms of reference. That is why I believe I have suggested the correct procedure—the provision of adequate terms of reference. I reject the emotional outburst of the Minister.

I hope that when the proposed committee does commence work people will come forward and give evidence on oath. This opportunity will be open to any member of the community. People will have the right to telephone me or any other member of the committee and talk about these things. They certainly will have the right to do so. It has been suggested that they should go to the police. In a couple of cases people have said that they did that and received treatment that rather upset them. I did not ask these people their names; I told them to go about things in a proper way. I reject the criticism that the Minister has made of me tonight.

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 17

Mrs Anderson
Mr Baldwin
Mr Coulter
Mr French
Mr Geraghty
Mr Hallam

Mr Johnson
Mrs Kite
Mr Landa
Mr McMahon
Mr McPherson
Mr Melville

Mrs Roper
Mr Thorn
Mr Turner
Tellers,
Mr Burton
Mr Healey

Noes, 28

Dr de Bryon-Faes
Mr Connellan
Mr Darling
Mrs Davis
Mr Duncan
Mr Erskine
Mr Eskell
Mr Evans
Mr Freeman
Major Humphries

Sir Asher Joel
Mr Keighley
Mr Kennedy
Mr Lange
Mrs Lloyd
Mr McKay
Mr Manyweathers
Mr Moppett
Mr Orr
Mr Percival

Mr Philips
Mr Pickering
Mr Scott
Mr Rowland Smith
Mr Solomons
Mr Willis
Tellers,
Mr MacDiarmid
Mr Raines

Question so resolved in the negative.

Amendment negatived.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 27

Dr de Bryon-Faes
Mr Connellan
Mr Darling
Mrs Davis
Mr Duncan
Mr Erskine
Mr Eskell
Mr Evans
Mr Freeman
Major Humphries

Mr Kennedy
Mr Lange
Mrs Lloyd
Mr MacDiarmid
Mr McKay
Mr Manyweathers
Mr Moppett
Mr Orr
Mr Percival
Mr Philips

Mr Pickering
Mr Raines
Mr Rowland Smith
Mr Solomons
Mr Willis
Tellers,
Sir Asher Joel
Mr Keighley

Noes, 17

Mrs Anderson
Mr Baldwin
Mr Burton
Mr Coulter
Mr French
Mr Hallam

Mr Healey
Mr Johnson
Mr Landa
Mr McMahon
Mr McPherson
Mr Melville

Mrs Roper
Mr Thom
Mr Turner
Tellers,
Mr Geraghty
Mrs Kite

Question so resolved in the affirmative.

Motion agreed to.

House adjourned, on motion by the Hon. D. P. Landa, at
12.58 a.m., Thursday, until 2.45 p.m., *sharp*.