

## Legislative Assembly

Wednesday, 25 January, 1978

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Vote of Censure—Minister for Services (Urgency)—Drought Relief (Adjournment (S.O. 49))—Constitution and Parliamentary Electorates and Elections (Amendment) Bill (Message)—Joint Committee upon Caravan Parks—Yanco Weir Reconstruction Bill (Int.)—Tombullen Storage Bill (Int.)—National Relief Fund (Repeal) Bill (Int.)—Dormant Funds (Amendment) Bill (Int.)—Adjournment (Access Roads to Campbelltown—Attire of Honourable Members)—Questions upon Notice.

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Mr Speaker (The Hon. Lawrence Borthwick Kelly) took the chair at 2.15 p.m.  
Mr Speaker offered the Prayer.

### VOTE OF CENSURE—MINISTER FOR SERVICES

#### Urgency

Mr COLEMAN (Fuller), Leader of the Opposition [2.19]: I move:

That it is a matter of urgent necessity that this House should forthwith consider the following motion, viz.:

That this House—

- (1) calls on the Premier to dismiss his Minister for Services; and
- (2) condemns the Premier for his public attacks on, and his dismissal of the former Commissioner for Corrective Services, Mr McGeechan.

This matter is urgent because the interim report of the Royal Commission on Prisons, tabled yesterday, makes it clear that, in a well-orchestrated manoeuvre, the former Commissioner of Corrective Services, Mr McGeechan, has been set up as the scape-goat for the bungling of the prisons administration by the Minister. It is urgent because the Royal commission report confirms that the Minister was unaware of the workings of his department and of the widespread allegations of bribery involving the movement of prisoners.

This matter is urgent also because the interim report of the Royal commissioner makes clear that the Minister was unaware of the procedures involved in the movements of prisoners—thousands of moves annually—and assured the public, contrary to the findings of the interim report, that such moves must always be authorized by the commissioner and not by a clerk. The Minister said that the system was "tight". The Minister was, in the words of counsel assisting the Royal commission, "sadly astray"—a polite way of saying ignorant, incompetent and misleading the public. It is urgent because it is now clear that, faced with the impending exposure of this ministerial incompetence, following on the many earlier examples of maladministration involving prison strikes, riots and walkouts, the Minister early in January called on

the Premier to sack the commissioner in order to save himself. It is urgent because the Premier, who says he is "quite happy" with the Minister, a few days after receiving his Minister's plea publicly attacked the commissioner, a senior public servant who cannot answer back, and attacked him in particular for carrying out the statutory duties that he is charged with under the Prisons Act and regulations, including negotiating with the prisoners on money matters.

It is urgent because the House, the public and the public service seek firm parliamentary expression of the widespread abhorrence felt at the Premier's attack on a man who courageously defused a riot situation at Parramatta while the Premier was fishing at Lord Howe Island and the Minister was holidaying elsewhere or suffering from another attack of laryngitis. It is urgent because the Premier's decision to sack the commissioner means that in this critical situation caused by this Government's policies the prison system is left without a permanent head. It is urgent because the public has lost its confidence and patience and expects that, in accordance with the demands of a dozen newspaper editorials, the Minister will be dismissed for incompetence and the Premier will be condemned for his defamation of a senior public servant who has administered a decade of penal reform in this State.

Mr WRAN (Bass Hill), Premier [2.23]: The motion is twofold. First, it calls for the dismissal of the Minister for Services and, second, it condemns me for a public attack on and the dismissal of the former Commissioner of Corrective Services, Mr McGeechan. The Government welcomes this opportunity to debate these issues, and urgency will be agreed to. At the outset, it is worth while knowing that the system that is now under the spotlight—that is, a system by which a clerk in the Department of Corrective Services had a facsimile of the signature of the commissioner, which was applied to documents for the transfer of prisoners from one institution to another—was instituted in 1969.

Mr Viney: On a point of order. The Premier has indicated that the Government agrees to urgency but he is now moving into matters that will be raised by the Leader of the Opposition on the substantive motion.

Mr SPEAKER: No point of order is involved.

Mr WRAN: Indeed, it is remarkable that the Leader of the Opposition has such gall as to rely upon these incidents, for he was the Minister responsible for prisons for three and a half months, during which time this very facsimile signature was used thousands of times by the very junior clerk about whom—

Mr Jackett: On a point of order. At the moment the House is discussing the question of urgency. So far the Premier, with all his histrionics, has not dealt with urgency except to say that he accepts it. He has gone on to debate the substantive motion. I submit that he is completely out of order and that the histrionics on which he has embarked are certainly unfair and ridiculous at this stage.

Mr Jackson: On the point of order. I submit that the Premier is in order, in that he is supporting the Leader of the Opposition in conveying to the House reasons why honourable members should support this urgency motion.

Mr SPEAKER: For the benefit of members of the Opposition, I point out that Standing Order 395 provides that where a motion of urgency is moved by a member, a Minister may make a statement, limited to ten minutes. The standing order does not qualify what he shall say and it is clear from rulings by previous Speakers that the Minister in his statement is not restricted in what he says.

Mr WRAN: I am indebted to the honourable member for Burwood for reminding the House of the urgency of the matter, because I think probably all honourable members will agree that it has been urgent since 1969. It has been more particularly urgent since 1974 when, under the Minister in the previous Government, the Commissioner of Corrective Services gave authority to Mr Genner to use the facsimile signature. The second part of the motion is even more remarkable because when my colleagues and I came to office—and this illustrates the double stance that we now find with this new look, aggressive Opposition—the very first recommendation that we saw was one from the previous Government that Mr McGeechan be transferred from his position as Commissioner of Corrective Services. It is an incredible situation that having condemned him, having wanted him moved, honourable members opposite now, despite the fact that he requested removal—and I am not here to pillory Mr McGeechan—

*[Interruption]*

Mr SPEAKER: Order!

Mr WRAN: I certainly join issue with the Opposition on the reasons for his removal. It is remarkable that now they are here crying their crocodile tears when, for the first time since the infamous Bathurst riots, stability has been restored to the prison system of New South Wales. The other slight mishandling of the truth that I should like to correct in addressing myself to this motion of urgency is the assertion that the Department of Corrective Services is without a permanent head. Mr Downs has been appointed the permanent head of that department and I am pleased to say that under him an air of reality and discipline has been restored. If the Opposition does not engage in its mischief in endeavouring to stir up prisoners and industrial unrest—

*[Interruption]*

Mr SPEAKER: Order! I call the honourable member for Hornsby to order.

Mr WRAN: t h e n the moves that have been initiated will come to fruition. I should like to make it clear, as I said some weeks ago, that the Government will not allow the prisons to be run by the prisoners, nor will it allow the prisons to be run by sensationalism that is engaged in by the Opposition in this House. A debate has been asked for: it has been granted. If the Leader of the Opposition moves the appropriate motion the House can debate the matter.

Motion of urgency agreed to.

Suspension of Standing Orders

Suspension of so much of the standing orders as would preclude consideration of the motion forthwith, agreed to on motion by Mr Coleman.

Motion

Mr COLEMAN (Fuller), Leader of the Opposition [2.30]: I move:

That this House—

- (1) calls on the Premier to dismiss his Minister for Services; and
- (2) condemns the Premier for his public attacks on, and his dismissal of the former Commissioner for Corrective Services, Mr McGeechan.

First, I shall refer to the extraordinary statement made by the Premier that, in treating Mr McGeechan in the outrageous manner in which he was treated, the Premier was doing no more than was planned by the former Government early in 1976. The

situation there was quite clear; it is on public record and should be known to the Premier that, in accordance with the well-established principle of good administration, it is proper that experienced and respected senior public servants be moved around the public service so that their experience can be used in a variety of ways, and that, after ten years in the Department of Corrective Services, where Mr McGeechan has presided over ten years of progressive reform, his particular experience and talents could be brought to some other department with equally beneficial results. That principle is sound, and is based on the general proposition of respect for the talents of senior public servants of the calibre of Mr McGeechan.

This was done in a regular way, by discussion and consultation with the chairman of the Public Service Board and with other under secretaries or people in comparable positions. It was meant to be, and was taken as, a compliment to this outstanding public servant. That is contrary to what is happening now, with the Premier stating publicly at press conferences that he had never disguised the fact that he had been unhappy with Mr McGeechan's performances, and announcing, in ways comparable with the way in which his counterpart in South Australia treated the police commissioner there, that Mr McGeechan was going to lose his post and would be relieved of his duties in a position of some disgrace. In the circumstances, the action was particularly abhorrent.

At the very time when the Premier was fishing at Lord Howe Island, Mr McGeechan was at the Parramatta gaol attempting to defuse one of the characteristic riot situations, such as the earlier one at Long Bay, which this bungling Minister and this bungling Government had brought into the prison system almost weekly. The Commissioner for Corrective Services went into the yard and talked to the prisoners in circumstances that led other prison officers to consider him to be in great danger. He conciliated with the prisoners and put it to them that their claim for some few cents a week increase in wages was worthy of examination. In doing that he was acting within sections 20 and 7 of the Prisons Act, and under regulation 50 made pursuant to that Act. I consider that Mr McGeechan should be commended for his action. He was placed in the position of trying to stop an explosive situation, which had been created by the Minister and the Government, from exploding more frequently and more repeatedly than hitherto. He carried the ball. Obviously the Minister was not going to help. He was not seen at Parramatta; he was incommunicado, and we do not know where he was. He was unable to answer questions or to talk to the press.

That was not the beginning of the outrageous treatment of Mr McGeechan. It started with the election of this Government and its approach to the Royal commission established by the former Government under terms of reference that are still its terms of reference. The Premier sacked two of the Royal commissioners, Professor Mitchell and Mr Derwent, as well as the overseas consultant, who would have brought great wisdom and advice to the Royal commission. He then sacked the department's Queen's Counsel, Mr Porter, *Q.C.*, who was, of course, speaking for Mr McGeechan; that was after several months of preparation by that gentleman. This left the department without senior counsel for a considerable time while the Premier arranged for barristers to represent various radical prisoner organizations, such as Women Behind Bars and the Prisoners' Action Group. It got to the stage where seven barristers confronted Mr McGeechan in the witness-box, with Mr McGeechan not having the benefit of senior counsel.

That was the start of a process that resulted, first, in the judicial lynching of Mr McGeechan at the Royal commission, and then in his administrative lynching and demotion by the Premier. It was scandalous treatment of a distinguished public servant who had presided over all the progressive reforms in our prisons system, such as work release programmes, weekend detention, the project survival programme, the

home-visit programme, expansion of prison accommodation and the proposal for the construction of a new prison. I am **thinking** in particular of the projects at Milson's Island, Cessnock, Long Bay and other places throughout the State, which demonstrate the good record in prisons administration of the former commissioner, Mr McGeechan, who as well as administering an ever-increasing budget and an ever-expanding prison accommodation programme, and an ever-expanding penal reform programme, has had to face the consequences, first, of a judicial lynching, and then an administrative lynching.

That treatment of Mr McGeechan is scandalous and abhorrent. It has upset public servants. This outstanding public servant was publicly attacked by the Premier, who ridiculed his achievements. Mr McGeechan could not answer back publicly. What has happened has been received with abhorrence by the public who respect Mr McGeechan as a man well known for his ability to explain prison policy, which he did until he was silenced. What has happened has been received with abhorrence also, in this Chamber, and by the media. Therefore I have moved that the House condemn the Premier for his action.

When the Premier intervened, that was only the finishing touch. He intervened disastrously—to save the face of his Minister who has presided over the collapse of the system, walk-outs by prisoners, strikes by prison officers, riots, and the general demoralization of the prison staff. These things did not start entirely with the present Minister; they simply grew worse under his administration, to such an extent that the Government had to find a scapegoat. Mr McGeechan was selected as the scapegoat.

What did start with the present Government was the maladministration with respect to the Royal commission, to which I have already referred; and also the disastrous decision to cancel the former Government's plan to build a new high-security prison. This was badly needed, especially as during my administration the **high**-security prison for intractables at **Grafton** was closed down and it became essential to move speedily to build, in addition to Katingal, the new high-security prison at **Silverwater** which had already been started in its significant details. At first the **Wran** Government was going to build a new prison. The Minister responsible for corrective services at that time, now the Minister of Justice and Minister for Housing, on going through my old press statements every week or so **looking** for something new to announce himself, thought it would be a good thing to say that the new high-security prison would be built at **Silverwater**. He called a press conference. He got out my old diagram of a high-security prison and had it displayed and planned to talk about it in the press and on television. Then he was given an instruction by the Premier that he had better stop doing this because the Government would not go ahead with that plan. That Minister then had to send the press away.

Consequently the Government found prisons, especially those for intractables, were grossly overcrowded. Immediately it started moving high-risk prisoners into low-security prisons. A dramatic increase occurred in the escape rate among prisoners who had been imprisoned not for minor offences but for serious offences. Many of these escapees were high-risk prisoners who had been accommodated in low-risk prisons. The Department of Corrective Services in its latest press statement said that in 1977 106 prisoners escaped from low-security prisons and 93 prisoners escaped from medium- and maximum-security prisons. For the twelve months ended June, 1976, only four prisoners escaped from high-security prisons and 53 prisoners from medium-capacity prisons. One can compare that total of 57 with the 93 prisoners who escaped during 1977. That is almost a doubling of the escape rate of high-risk prisoners from high-security and medium-security prisons.

*Mr Coleman*]

This rate of escape of prisoners has caused great alarm among the public. It can be solved only by increasing accommodation for prisoners and restoring the morale of prison officers. The morale of prison officers has sunk to an all-time low through the actions of this Government and the Minister for Services and Minister Assisting the Premier. Though prison officers received a battering during the Royal commission neither the Premier nor his Ministers spoke up on their behalf. However, the Government did give financial assistance to groups which are acknowledged to be the sworn enemies of prison officers—the Prisoners Action Group and Women Behind Bars. On one hand the Government gave those organizations financial assistance and encouraged them in their activities but on the other hand the Government told the prison officers that they could expect no support from the Government.

I remind honourable members that this Government decreased the amount of accommodation available for prisoners. Despite this, it did not give prison officers any backing when they were faced with a critical situation. Subsequently the Government was faced with a series of strikes by demoralized staff. Prison officers are required to take all sorts of risks in performing their duty to protect the community. They are grossly demoralized. This state of affairs has been brought about by the Wran Government and the Minister for Services and Minister Assisting the Premier. The atmosphere in the prisons has seeped through to the prisoners and to the media at large. Prison administration has become a matter of public scandal. The Government was well aware that it was doing nothing about this situation.

Finally the Premier said that the Government would build a high-security prison, though for more than a year he had rejected the Opposition's demand for more prison accommodation. The Premier has taken what is presented as a bold and decisive step, but it is eighteen months too late. He said also that the staff ceiling in the Department of Corrective Services would be lifted. When this matter was raised in Parliament by me and in public debate by others, the Premier and other Ministers said there was no staff ceiling and that our information was quite incorrect. The Minister denied it repeatedly though the Opposition referred to Public Service Board and Public Service Association comments on the matter.

Finally, the Premier, in an attempt to stop the situation becoming totally unmanageable, agreed to do what the Opposition had been demanding for the past couple of months, and lifted the staff ceiling, which he pretended for a while did not exist. Then the press, in editorial after editorial, called for the dismissal of the Minister for Services. The latest development that has brought this matter to a head is the interim report of the Royal Commission on Prisons, which makes it plain that the Minister had no awareness of what was going on in his department; that he has misled the public when he stated that no transfers or movements were authorized except by the commissioner; and that anyone who said anything to the contrary was acting maliciously or was ill-informed. Though it is obvious that the Minister did not know how the system worked, it is the same system that had worked earlier and had not led to the present scandal.

Mr Haigh: Oh!

Mr COLEMAN: The Minister has presided over this scandal, and the problem has now come to a head because these allegations were allowed to take root under his administration. The report of the Royal commission indicates clearly that although the system had worked for some years, it is no longer effective. Many newspaper editorials have dealt with this matter lately. For example, the editorial in today's issue of the *Daily Telegraph* refers to the Minister for Services in this way:

. . . Mr Bill Haigh, the incumbent Minister, who has been proven clearly wrong (and not for the first time) in his defence of the system he is responsible for.

In the circumstances Mr Wran should ask Mr Haigh, most persuasively, to resign.

Today's issue of the *Daily Mirror* contains this editorial:

Under Mr Haigh our prison administration has lurched from crisis to crisis to the point where it is now little more than a laughing stock.

And that is true. That editorial also has this to say:

Mr Haigh could be accused of misleading **Parliament**—

I think that should read misleading the public. It continues:

—~~an~~ accusation serious enough to mean his dismissal.

Mr Wran can no longer afford to keep in his team anyone as bumble-footed, accident-prone and naive as his Minister for Services.

Similar editorials have been appearing for a long time. In September last the *Daily Mirror* wrote:

This kind of bungling has characterised Mr Haigh's handling of his portfolio and he should smarten up his act or prepare for Mr Wran to **dismiss him**.

Another report in the *Daily Telegraph* reads:

But is Mr Haigh the man to do this job? His record in office is not **good**.

An editorial published in the *Daily Mirror* about the Minister is in these terms:

He now says he wants to talk to the Premier about prison problems and have a round-table conference to thrash out some answers.

That sounds to us like an admission that Mr Haigh is not up to the job.

Another edition of the *Daily Mirror* contains the following editorial:

Mr Haigh should quit before Mr Wran dispenses with his services(?) and give the job to someone who can adequately tackle the problems of the NSW prison system.

There is not the slightest difficulty in stating the solution to our prison problems. We must proceed—and we should have proceeded much sooner—with the new high security prison that the Government has refused to press on with. More staff must be appointed for our prisons. There should have been an early removal of the staff ceiling which the Premier and the Minister for Services said did not exist. In this crisis situation the Government must show that it is on the side of prison officers, not of the prisoners. The Government should not put all its support behind any radical prison group that has almost no members or—on its own admission—as few as three or four members.

When decisions of that kind have been made it will be possible to restore the prison system to the healthy rate of progress that was being achieved under the former Government. That Government set up the Royal commission for the purposes of investigating a particular incident, to clarify the path ahead and to ensure progress in the future. Prison systems throughout the world are the subject of discussions, like those held recently in Canberra in the Institute of Criminology. Mr Rinaldi, an author of some reknown, stated then that the New South Wales prison system is, by far, the most advanced and the best of the prison systems in Australia.

*Mr Coleman*]

Mr Rinaldi was referring to the period in office of the former Government—there is not the slightest doubt about that—not to the present period with escapes, riots, walk-outs and demoralizing of prison staff. No one would suggest that any prison system is without its difficulties. That was why the former Government established the Royal commission. One would have to be mad to say otherwise. I authorized the closing down of the intractable section at Grafton because it was an area of difficulty. The former Government established the Royal commission to investigate, among other things, the situation at the Bathurst gaol. It was under the administration of Mr McGeechan and ministers of the Crown like the honourable member for Ku-ring-gai, who was the Minister responsible for prisons for many years, that great progress occurred in our prison system and it attracted the commendation of people like the criminologist Rinaldi and other observers.

In the short period that the Labor Party has been in office it has been presiding over the decay, overcrowding and collapse of the system. The person who has presided over it all has been that disastrous Minister, laryngitis Haigh, mushroom Haigh, or whatever he may be known as, and presiding over him has been the Premier, whose recent disastrous intervention and disgraceful and scandalous attack on a respected senior public servant demands the condemnation of the House as well as the immediate dismissal of the Minister.

Mr WRAN (Bass Hill), Premier [2.52]: Some short time before he entered politics the Leader of the Opposition developed something of a reputation as a writer, and in other areas, but his talents for letting his imagination run riot really reached a high point today when he referred to the period in office of the Government in which ultimately he became a Minister, as a period of healthy progress in the conduct of prisons. He seems to believe either that people have short memories or that for some reason or another when the public at the ballot-box decides that a government has been in office too long that it is incompetent or it has not adequately discharged its obligations, that the slate is wiped clean, that all memories of what occurred under that government are forgotten and one can then say what one likes about it.

Let us look at the ten years of so-called healthy progress in the prisons of New South Wales. At the Bathurst complex on 11th September, 1970, fire destroyed the industrial workshop. On 16th October, 1970, prisoners at Bathurst refused to enter their cells until certain demands were met. On 18th October, 1970, 200 unsentenced and appellate prisoners at the metropolitan reception prison refused to enter their cells and it was necessary for officers to remove the prisoners from the yards to the wings. On 19th October, 1970, young offenders barricaded themselves in their wings and destroyed parts of the wings and fittings at Bathurst. At Goulburn, also on 19th October, 1970, approximately 180 prisoners passively resisted the orders of prison officers and refused to enter their cells until 9 p.m.

On 2nd February, 1973, a fire, which it was suggested was deliberately lit by inmates, in the basement of the chapel of the Bathurst prison, partially destroyed the chapel. On 29th October, 1973, at the same prison there was a serious prisoner demonstration. On 3rd February, 1974, also at Bathurst a disturbance occurred resulting in the destruction of \$1 million worth of government property. The chapel, three wings, and other installations were completely gutted by fire. Although injuries resulted to both officers and prisoners, fortunately no loss of life occurred. On 29th October, 1975, at Maitland there was a riot involving about 100 inmates. During the day they were requested and ordered on at least six occasions to return to their cells but refused to do so. By 7 p.m. the inmates were making weapons and lighting fires in the garment shop which completely destroyed it causing \$155,000 worth of damage. At Parramatta prison on 3rd November, 1975, a fire was deliberately lit in the boot shop causing

severe structural damage. The boot shop was destroyed. The estimated cost of the damage was \$100,000. As a consequence of the fire, damage to material and equipment occurred in the tinsmith shop underneath the boot shop.

Because of the growing public concern, the destruction of property in prisons, the build-up of disorder and lack of discipline in the prisons, the demand from people concerned with the welfare of prisoners, prison officers and indeed the whole administration of corrective services, the former Government was shamed into appointing a Royal commission. This was despite the fact that as early as 1974 the former Government had given assurances through its Premier, Sir Robert Askin, that there would be a Royal commission. I observe that the Opposition has fallen to pieces: the honourable member for Wollondilly is walking out of the Chamber. The former Government appointed a Royal commission to inquire into the prison system, the buildings of which were run down and a disgrace to any civilized community. Prison officers were too few in number and worked under intolerable conditions. Unquestionably because of the physical surroundings, human beings who were imprisoned in these buildings were subjected to indignities that no human being should suffer. That was the situation that brought on the Royal commission, which is still proceeding. The report of the commission will be received by the Government on or before 31st March.

Do not let us have any of this manifestation of what a wonderful job the Opposition did when it was in office. What should be said is that while the Liberal Party and the Country Party were in office for ten years they were indifferent to the prison system, the plight of the prison officers and the plight of the prisoners who were in the prisons. One other falsehood that should be nailed at the beginning of this debate—if one could call the rather lame diatribe by the Leader of the Opposition the beginning of a debate—is the number of escapes from prisons in New South Wales. As I mentioned yesterday, the Leader of the Opposition is showing a facility for inflating, exaggerating and not handling the truth too carefully. It is all very well when one is the editor of *Quadrant* or trying to set up some other magazine—with the help of a few other people—but it is different when one is the Leader of the Opposition in which position one's statements can be challenged and examined. The Leader of the Opposition should learn early in the piece that if he has any hope of lasting he should tell the truth.

[*Interruption*]

Mr WRAN: I shall have a few words to say in a moment about the honourable member for Kirribilli who is suddenly finding some reflected glory in his achievements. He sprays allegations about as though they come from a garden hose.

Mr Doyle: You have some egg on your face.

Mr WRAN: The honourable member for Vacluse has had his head in an egg all his life. I refer the House to some serious statistics. For the twelve months ended 31st December, 1975, the number of escapes from New South Wales prisons was 201. For the year ended 9th December, 1976, the figure was 185. So this Minister who it is claimed is so culpable and the Minister before him, now the Minister of Justice and Minister for Housing, actually reduced the figure from 201 to 185.

Mr Barraclough: Big deal.

Mr WRAN: We know it is not a big deal, but it is not a lie such as you are trying to perpetrate on the public. If the honourable member for Bligh had been about for a while instead of where he has been he would not have come back looking pasty and sick.

Mr Doyle: He is your member.

Mr WRAN: I wish he would do something for his constituents for a change. For the year ended December, 1977, the number of escapes from prisons in New South Wales was 199. There is no point in telling in this House falsities or trying to pervert the truth. They are the facts; they are the statistics. If we are to have a debate, it is infinitely better to deal with the truth and not with fiction. I repeat that, although the Leader of the Opposition had earlier associations with *Quadrant* and other journals, some published and some not published—some came to grief in the process of the negotiations—he should confine himself to the facts and not to fiction. This debate has been precipitated by the report of the Royal commissioner which was tabled in this House yesterday. It is worth while remembering how that report came into existence and why the Parliament has the benefit of it. On 5th October, 1977, the honourable member for Kirribilli, who has an interest in matters relating to prisons and all sorts of activities which in due course will emerge, directed to the Minister for Services a question, the first part of which was in these terms:

In the present Minister's administration of the prison system has there developed a practice that for a standard payment—I understand of \$800—to a senior officer in the department, a prisoner in a high-security gaol such as Parramatta may arrange for a transfer to a low-security prison such as Silverwater? Have a number of such arranged-transfer prisoners been convicted of serious offences such as armed robbery and are they now allowed out on day leave? Will the Minister immediately investigate these allegations . . .

Let me say at the outset that if facts of that kind came to his knowledge, the member for Kirribilli was entitled—indeed, obliged—to ask a question of the Minister either in or outside the House. But the significant thing is the course that followed. The Minister said that he believed that what the honourable member had said had no basis in truth and that if the honourable member felt there may have been some semblance of truth in what he said he should place the information before the House. Then the Minister said that if the honourable member for Kirribilli did not want to place the information before the House—and there may have been good reasons why he did not wish to do so—he should see the Minister.

That was on 5th October. Within an hour or so of the honourable member for Kirribilli asking the question and the Minister politely asking the honourable member to place the facts in his possession before the Minister, the honourable member appeared on television. He was with a lady, whose identity was made known, so I have no hesitation in naming her. She was called Evelyne Wilson. Mrs Wilson—backed up by the member for Kirribilli's approving nods—said that she had paid money for the transfer of her husband from one prison to, I think, Silverwater and that she was disappointed he had not been transferred at that time, but subsequently he was transferred.

When that was brought to the notice of the Minister for Services, we conferred that night and I asked the Minister to ask the member for Kirribilli to see him and place before him the facts that the member had in his possession. Obviously, if there was truth in what was being alleged by the member for Kirribilli and his informants, acts of a criminal nature had been committed and the wrongdoers should be brought to book. It is a matter of history that the member for Kirribilli was very shy about going to the Minister. When by late that night there had been no appearance of the member for Kirribilli it was decided and announced that the allegations would be referred to the Royal commission, and referred they were. The allegations that were referred were those that had been made then and on the following day, 6th October, by the member for Kirribilli. The decision to ask the Royal commission to reconvene was taken. Certain other things were said in the House. On 6th October, I had to see

the Royal commissioner, who had adjourned the taking of evidence. He consented to reconvene and on 10th October I formally requested that public hearings be reconvened and sought an inquiry into these specific **issues**:

- (1) Has any money been paid by Evelyne Wilson to an employee of the Department of Corrective Services on the understanding that a prisoner would, in consequence, be transferred from a high-security prison to a low-security prison?  
and
- (2) Have three prisoners, as alleged by the Member for Kirribilli, Mr B. McDonald, on 5th and 6th October, 1977, been transferred from a **high**-security prison to Silverwater as a result of the payment of money to an officer or employee of the Department for Corrective Services?  
Together with any other matters necessarily incidental thereto.

My first point is that there can be no suggestion of the Minister in any way misleading anyone. Once the allegation was made, the Minister sought facts from the member for Kirribilli, and when further allegations were made outside the House the Minister consulted with me and it was determined that the best course was to refer the matter to the Royal commission. In relation to the matters referred to the Royal commission—that is, the allegations of the member for Kirribilli—as not everyone will read every word of the Royal commissioner's interim findings it is desirable that the relevant findings be read to members of the House. The first finding of significance is in paragraph 127. Having reviewed all the evidence given in relation to the people named by the member for Kirribilli, the Royal commissioner made this finding in that paragraph:

It follows from an analysis of all these cases that the investigation of Mr McDonald's allegations has produced no positive evidence of the payment of money in relation to the transfer of prisoners.

Let us nail that to the wall immediately: there was no positive evidence of payment of money in relation to the transfer of prisoners. Then the Royal commissioner made certain other findings, commencing at paragraph 240. Perhaps it would be better to read from paragraph 239. In fairness to all concerned, rather than pick out the pieces that suit particular cases, the whole of the relevant findings should be read.

Mr Doyle: That is a good idea.

Mr WRAN: You are not pretending that you read anything, are you? You have not read anything in your life. I read from paragraph 239:

239. This inquiry had its genesis in allegations made by Mr McDonald in the Legislative Assembly on 5th and 6th October, 1977. The matters raised by him concerned the prisoners John Wilson, John McIntosh **and** George Willoughby. Subsequently, the Premier requested the Commission to re-convene its public hearings. At that time, the only direct evidence in relation to any of these three matters consisted of statements made by Mrs Wilson, who was interviewed on television on 5th October, and admitted paying money to procure her husband's transfer to Silverwater.

240. Both Mr and Mrs Wilson gave evidence before the Commission in which they denied that any money had been paid to procure Mr Wilson's transfer. A perusal of Wilson's prison files supports these denials, although one may wonder why Mrs Wilson should have embarked on such a course of deception.

241. In relation to John McIntosh, both he and the members of his immediate family denied having been involved in the payment of money to procure his transfer. The Commission is bound to accept these sworn denials,

although there are a number of suspicious factors about the **McIntosh** case. McIntosh himself has made a number of conflicting statements, in some of which he admitted that bribery had taken place in relation to his transfer. There are also significant conflicts between his evidence and that of some of the other witnesses.

242. There is no evidence at all to suggest that money was paid to procure either the transfer or release of George Willoughby, the third prisoner named by Mr McDonald.

Then if I may turn to paragraph 245—

Mr McDonald: Read 244.

Mr WRAN: I shall read anything you like, because on a fair reading of these documents what is quite clear is that—

Mr Coleman: It is clear that the Minister did not know what happened.

Mr WRAN: The Leader of the Opposition says it is clear that the Minister did not know what happened. Perhaps I can break from the scenario for a moment to turn to what the Leader of the Opposition knew when he was Minister in charge of services. As I said earlier, it is not insignificant that this system, started in 1969, was further refined in 1974, and all the time that the Leader of the Opposition was Minister in charge of services, and responsible for the prisons in this State, Mr Genner—who is now subject to certain charges under section 56 of the Public Service Act—was endowed with the same power and responsibilities as those in respect of which Mr Justice Nagle was highly critical and which have brought Mr Genner under the charges to which I have referred.

The point I am seeking to make is that the system had been devised under the previous Government and, if it knew about it, it had institutionalized a situation in which a junior clerk had a facsimile signature of the Commissioner of Corrective Services and, as a result of having possession of that facsimile signature, he was in a position to put it on to any document that he pleased. So, if it was unreasonable for the present Minister for Services to believe that his departmental head would not have delegated that authority, then certainly I pay at least this much credit to the previous Government—it was not unreasonable for them to believe that a departmental head would not delegate that authority per medium of a facsimile signature to a grade 1 clerk.

As I have digressed, I should like to state the responsibilities of the Commissioner of Corrective Services and the way in which since 1969 he has discharged those responsibilities. Pursuant to section 27 of the Prisons Act a prisoner may be removed from one prison to another prison only by order of the commissioner—I repeat, only by order of the commissioner. This is not a direction from a Minister. This is an obligation imposed on the Commissioner of Corrective Services by section 27 of the Prisons Act. It follows, therefore, that it is necessary for the commissioner personally to sign every order issued to effect such a transfer. In practice the number of orders to be signed is frequently as many as 200 a day. Mr J. A. Moroney, a previous commissioner, personally signed each order. I assure the House that the new Commissioner of Corrective Services, Mr Downes, is personally signing each order.

Soon after Mr McGeechan became commissioner, he obtained, through the Government Printer, two rubber facsimile signature stamps to enable stamping of such orders. The stamps were in the custody of the secretary of the department, Mr K. Johnson. From early in 1969, when the stamps were first introduced, to early in 1974 the secretary personally stamped every order document—that is to say, after the approval of the commissioner to do so was given. Soon after the Bathurst riots in

1974 it became necessary for some duties to be re-allocated and—this is the critical matter—the custody of one of the secretary's stamps passed to Mr Genner who was at that time administrative assistant to the commissioner. Mr Genner continued to carry out the task of stamping such orders in a similar fashion. The other stamp passed into the custody—and I think this is relevant as well—of the commissioner's private secretary.

The Leader of the Opposition was a member of the former Government that was responsible for these "healthy" ten years. They had rubber stamps floating around the department when the honourable member for Ku-ring-gai was the Minister. We know how the prisons have been kind to him. He called for a spill in his party and was spilled out. They had this practice while Mr Waddy, the former member for Kirribilli—curiously and coincidentally—was the Minister in charge of prisons. They had these facsimile stamps trotting about while the author-cum-Leader of the Opposition, the honourable member for Fuller, was in charge of prisons. Did he know what was going on? Did Mr Waddy know what was going on? Did the honourable member for Ku-ring-gai know what was going on?

Mr Coleman: Of course.

Mr McDonald: Of course.

Mr SPEAKER: Order!

Mr WRAN: They knew it was going on. This is an extraordinary admission by the Leader of the Opposition, that while he was the Minister in charge of corrective services, he was aware that a grade 1 clerk, Mr Genner, and the private secretary to Mr McGeechan had facsimile signatures of Mr McGeechan free to apply to any document they chose, and it was contrary to section 27 of the Prisons Act and the very severe obligation that section 27 imposes. In the light of that, if any person in this Parliament should be impeached it is the Leader of the Opposition.

However, the issue goes further than the dereliction of duty by the Leader of the Opposition when he was a Minister of the Crown. One must certainly deal with the findings of the Royal commission and place them in the context of their own significance, but the significant point is that it cannot be gainsaid that the practice which the Royal commissioner has revealed was commenced under the previous Liberal Ministers and was institutionalized by those Ministers. I have said more than once since we gained office that the prison system is like a can of worms, and that the mess we inherited from the previous Government cannot be cleared up in twenty minutes.

I was asked by the honourable member for Kirribilli to refer to paragraph 244 of the interim report of the Royal commissioner. Before coming to that paragraph I shall read paragraph 243, so that it will all be in order. Of course, the honourable member for Kirribilli even accused Mr Hunt, Q.C., who was assisting the Royal commission, of being unfair to him. He wrote a most inflammatory and insulting letter to Mr Hunt. He was upbraided by Mr Hunt, and was guilty of contempt of the Royal commission because while he was giving evidence before the Royal commission he was commenting on some news programme. On the morning's Australian Broadcasting Commission news the following statement was read:

In Sydney this morning, Mr B. McDonald said that he had been told that Mrs Wilson's husband was beaten and threatened within the prison system because of her appearance before the Inquiry. Mr McDonald said that he had been told that Mr Wilson was fearful of his own life. He was asked if he had any evidence of intimidation.

I make this prediction: words like intimidation and conspiracy will become everyday words in this Parliament under the new leadership of the **Opposition**. Of course, some of them have had a good deal to do with conspiracy, and others have had something to do with intimidation. While I was on Lord Howe Island catching a few good fish, I was staggered to read that one of the big achievements of the new Opposition administration was the setting up a Discredit Wran Committee. I was also staggered to read that the honourable member for Lane Cove, the **Simon Pure** who likes to be objective and fair and reasonable, is the chairman of that committee. I make **this** further prediction: we shall hear a lot of the word discredit in this Parliament, because in another context, of which the Leader of the Opposition is well aware, he has often been charged with responsibility for discrediting people. I think a new element has entered State politics when people have been pursued by private detectives, when little **committees** are set up to discredit people, and when rumours are almost weekly being spread about the activities of members of Parliament and their families. I must say that I have not been in Parliament as long as most honourable members, and this is a new experience for me. However, it is one with which I shall cope.

*[Interruption]*

Mr SPEAKER: Order! I call the honourable member for Burwood to order.

Mr WRAN: After the Australian Broadcasting Commission's news item I have read, a recording of the voice of the honourable member for Kirribilli said, in regard to evidence of intimidation:

Well, I certainly don't have any. I just did not like what I saw in the sight of **Wilson's** face when he was in the box yesterday, and I am told **he** has been hit on the side of the face with some timber but I cannot prove that, and I don't intend to take that matter any further.

Of course, nothing of the kind had happened. The honourable member for **Kirribilli** is becoming quite expert in spraying about allegations of all kinds. This was one, unfortunately for him, in respect of which he was reprimanded by **Mr Hunt**, who was assisting the Royal commission, because it was irresponsible and was said without any basis of fact whatever. I shall return to the findings of the Royal commissioner, which appear on page 54 of the interim report. Paragraph 243 states:

Mr **McDonald** supplied the Commission with the names of various other prisoners and ex-prisoners who were said to be in a position to assist this inquiry. Each of these leads was followed up, resulting in the calling of a large number of witnesses. The outcome has been a negative one, in the sense that no further evidence has been produced which could establish an affirmative finding in relation to bribery in the Department. . . .

I am reading this in order that what has been found by the Royal commissioner can be properly appreciated. Might I add that what has been found by the Royal commissioner is a matter of real concern. His report shows a state of affairs that certainly should not have existed, and in relation to which immediate steps were taken when the interim report came to hand, to see that that state of **affairs** ceased. But the point I am seeking to make is that, serious as the finding is in relation to the use of this facsimile stamp, the finding begins and ends there, and all the major allegations made by the honourable member for Kirribilli were not sustained. No amount of **sensationalism**, and no amount of trying to flog this into a great issue, will alter the Royal commissioner's findings. In paragraph 244 the Royal commissioner went on to say:

The person who was allegedly implicated in the majority of rumours and stories about bribery in the Department was Paul Genner, the Senior Clerk in the Prisoner Movement Section.

In paragraph 245 the Royal commissioner said:

The Department was asked to produce to the Commission **records** relating to all Departmental investigations into allegations similar to **those** made by Mr McDonald. No evidence of any substance was uncovered as a result of these inquiries.

I emphasize that last sentence. In paragraph 246 the Royal commissioner dealt with allegations of the payment of bribes to Mr Genner by A. J. C. Beacroft.

Mr McDonald: What about the rest of paragraph 2-45?

Mr WRAN: I shall read any paragraph **you** like. I have unlimited time. I am willing to stay here all night reading from this report. It is curious that, although members of the Opposition were anxious to debate this matter, when the Government agreed to urgency the Leader of the Opposition petered out after only ten minutes, and after presenting some flimsy material. He did not refer to the Royal commissioner's report and made not one mention of the Royal commissioner's findings. It is easy to demand the dismissal of a Minister of the Crown, but it is a serious matter to substantiate a case to support that demand. It is an even more serious matter to do it. We will not be stampeded by any sort of sensationalism into measures that are unjustifiable in my view when looked at properly, and are quite unfair to the Minister concerned. Paragraph 245 of the Royal commissioner's interim report stated:

The Department was asked to produce to the Commission records relating to all Departmental investigations into allegations similar to those made by Mr McDonald. No evidence of any substance was uncovered as a result of these inquiries. They did, however, indicate that some officers in the Department were aware of rumours and allegations involving Genner **well** before Mr McDonald made his allegations in Parliament. They were also aware that Genner was associating with an ex-prisoner, Arthur **Stanley** ('Ned') Smith.

The critical point is that on these matters the Royal commission made a finding adverse to Genner. As a result, the Government has acted promptly and Genner is now facing two charges under section 56 of the Public Service Act. I should tell the Parliament what those charges are. The first is that he is alleged to have been guilty of a breach of discipline within the meaning of paragraph (e) of subsection (2) of section 56 of the Public Service Act, 1902, namely, carelessness, inefficiency or incompetence. The particulars of this breach are that on or about 11th February, 1977, he failed to follow the correct procedures relating to the transfer of prisoner Kevin Holland from **Parra-****matta** gaol to Berrima gaol. That was the incident I referred to in the recitation of facts and the findings contained in the Royal commission report.

That is one charge. The other is that it has come to the knowledge of the Public Service Board that he is alleged to have been guilty of a breach of discipline within the meaning of paragraph (f) of subsection (2) of section 56 of the Public Service Act, 1902, namely, disgraceful or improper conduct. The particulars of this breach are that between May, 1976, and June, 1977, he improperly associated with Arthur Stanley Smith, a known criminal, other than in the course of his official duties.

Everyone, I hope, can understand that the constraints of justice, and natural justice, and the principle that justice must not only be done but also must be seen to be done, require us to refrain from dealing with any facts relating to those charges. **Why?** Because they are still pending, and Mr Genner, like any other person in the community, is entitled to have a presumption of innocence running in his favour. The charges will be heard soon by a magistrate appointed under the Public Service Act.

I have no doubt that the magistrate's findings will be available in the near future. At this stage it would not be fair to Genner or to anyone else to try him in this Parliament. The commissioner's findings in relation to Mr Genner appear on page 56 of the interim report. They are contained in three paragraphs, all of which, I must say, the press this morning accurately ventilated and reported upon. I repeat, these are the findings of the Royal commission, and they are adverse to Genner. Paragraph 251 is as follows:

The finding of the Commission is that the association between Smith and Genner must have been a sinister one. The Commission recommends that proceedings be taken against Genner under section 56 of the Public Service Act.

I have just announced that that has been done. Paragraph 252 is as follows:

As to the role of the Department, despite the fact that senior officers in the Department were already aware of a number of rumours and allegations about Genner before Mr McDonald first made his allegations in Parliament, no proper investigations had been instituted, nor had Genner been questioned about any of these allegations. Although it is not an appropriate matter for recommendation, the Commission hopes that the Department will be more vigilant about such matters in the future.

Paragraph 253 is in the following terms:

It is also clear that the existing system for authorising the transfer of prisoners between institutions is inadequate in that it is open to abuse by a person in Genner's position. A fundamental change in procedure is required, and the Commission recommends such a change whereby a senior officer in the department should personally sign all prisoner movement orders.

The commissioner then makes a number of recommendations. Honourable members will be familiar with them. I can tell the House that I am informed by the Minister for Services and Minister Assisting the Premier that each of those recommendations is being acted upon.

I have referred to the disturbances that occurred in the prison system and the way in which, under the administration of the previous Government, prisons in New South Wales got into a complete mess. But there are other things that should be said because the state of affairs that started to loom towards the end of last year was not the product of a year or two of discontent or difficulty within the system: it was a product of years and years of maladministration. Let us look at the incidence of maladministration by the previous Government, for the supporters of that Government are the ones who are talking about the need for maximum security prisons. They are the ones who are talking about the plans they had to house maximum security prisoners. What is their record? I have given the House the facts about some of the major disturbances between 1970 and 1975. Surely what I am now about to tell the House will be a cause for grave disquiet and concern.

Following the fire that destroyed Bathurst gaol, 112 prisoners were moved from Bathurst into No. 13 wing in the metropolitan remand centre, the previous occupants being relocated within Malabar. These prisoners were then disseminated through the gaol system, and No. 13 wing was used to house prisoners from Goulburn training centre following a riot in that prison. After that, however, No. 13 wing was closed. It had been capable of occupation, and had been used to accommodate 112 prisoners, yet it was closed and remained empty—and this is a maximum security section within Long Bay gaol—until the Minister for Services at the time, now the Minister of Justice

and Minister for Housing, visited Malabar and determined that the accommodation **should** come back into use to house remand prisoners. No. 13 wing was occupied by such prisoners on 31st August, 1976.

Thus the previous Government held vacant 112 units of valuable, maximum security accommodation at a time when there was a pressing shortage of such accommodation. It is a revelation to learn why the former Government kept those cells unoccupied at Malabar. The reason was to have ready access to them to accommodate prisoners when the next riot occurred. The whole of the prison system was a seething, bubbling cauldron, with potential for disruptive riot. Having created that situation, honourable members opposite now have the hide to attempt to lay the blame at the doorstep of the Minister for Services and Minister Assisting the Premier. There has never before been such an exercise designed to cover up their own deficiencies.

It does not matter where one looks at the former Government's administration, one sees support for what I have put to the House—whether it be in having facsimile signatures of the Commissioner for Corrective Services floating about, whether it be in keeping available maximum security accommodation for the next riot under its administration, or whether it be in the failure to build new maximum security prisons. After all, as I have tried to show, this state of affairs did not come about overnight. **All** honourable members will recall how for a while we were treated to promises of new prisons by the former Government, almost as frequently as the honourable member for Maitland treated us to promises of new transport services. After Bathurst gaol was burnt down in 1974 the honourable member for Ku-ring-gai as Minister of Justice took a decision not to proceed with a **maximum** security installation at Emu Plains, so delaying by eighteen months or two years that much needed accommodation.

Though a major prison had been burnt down and the site completely vacated the former Government discarded plans with regard to expansion at Emu Plains and made no substitution for them. The honourable member for Ku-ring-gai, the former Minister with this responsibility, did not suggest a prison at Ku-ring-gai. It is rather curious that one never hears of prisons being suggested for The Hills, Ku-ring-gai, Hornsby and the like.

*[Interruption]*

Mr SPEAKER: Order! I understand that the honourable member for **Ku-ring-gai** will be the next speaker from the Opposition. I **ask** him to refrain from interrupting and to contain his comments until he gets the call.

Mr WRAN: Let us examine the other achievements of the former Government. We have heard of those healthy ten years when the coalition Government was in office. We have heard also of the golden years of Hollywood. Those ten years were said to be the golden years of the resurrection of prison administration in New South Wales. Part of the coalition's effort was to abandon plans to develop Emu Plains and not come up with anything in substitution. One thing about the Opposition is that everyone has a portfolio. They are the most shadowy bunch we have seen for a long time. There are more shadow portfolios on the Opposition benches than there are Ministers in Cabinet. At the end of April, 1975, a decision was made with regard to Silverwater to alleviate problems in the State penitentiary. This was a monumental move by the Leader of the Opposition. Boldly he said here today that there were plans for Silverwater. Yes, but there was pie in the sky, too, because there was not a cent available for the project. The coalition Government did not appropriate one cent for Silverwater, other than the cost of the plans and some minor preliminary work. It is an absolute falsity for the Leader of the Opposition or any other member of the Opposition to suggest that there was any rebuilding, renovating or refurbishing programme.

Not once did the Opposition come to grips with the problem. The Leader of the Opposition shakes his head. I shall give him some figures relating to his achievements as Minister in charge of prisons. After this decision was made in April, 1975, the programme in relation to Silverwater was to obtain expenditure of \$150,000 in 1975–76, with the balance to carry over in 1976–77 and 1977–78. Of course, they would not even get bars for the windows let alone build a prison for that sort of money, yet they spread it over three years. This was the coalition Government's big rebuilding programme.

Mr Crabtree: That was probably the postage stamp account.

Mr WRAN: No, that was to get rubber stamps for facsimile signatures. The programme included siteworks that had been completed as well as a car park, fire service and a few other things. All of these undertakings were carried out and completed, not when the coalition was still in office, but early in 1977. The former Government went no further than scratching the soil out there, producing a grandiose plan and appropriating \$150,000. In Labor's 1977–78 budget in respect of Silverwater alone an amount of \$400,000 was allocated. This \$150,000 was the former Government's allocation to a grandiose plan during those healthy ten years. It is any wonder that there are problems in the prison system?

Let us examine what other achievements might be attributable to the former Government. Another decision of the Leader of the Opposition when he was in charge of the prison system was to build a prison at Kemp's Creek. His Government had drawn up grandiose plans for a prison in that area and no doubt appropriated something like \$25 to bring it into operation over the next twenty-five years. When the surveyors went out there they found the proposed site was on a flood plain. Perhaps that is one way of getting rid of prison problems. That was another great achievement of this Opposition so bent on prison reform. I shall tell the House what the Opposition is endeavouring to do. It is trying to convince prison officers that the Government does not support them. I am afraid honourable members opposite have come along with their suggestions some months too late. The prison officers are well aware of the support which they might expect, and indeed are entitled to expect, from any government. I have made it clear and the Minister has made it clear.

I repeat, there will be discipline in the prisons. Prisoners are entitled to be treated fairly and justly, and as far as practical the emphasis should be upon rehabilitation of people who have erred against society and their restoration into the mainstream of societal existence. Nevertheless, anybody with a grain of commonsense knows that there is a hard core of intractable prisoners who will use every opportunity and every weakness to test out the system and cause the sort of problems that occurred at Long Bay at Christmas time and the attempt to cause more mischief at Parramatta late last year and early this year. I make it perfectly clear here and now that the Government has decided, as has been announced, to reopen Bathurst gaol in a few weeks to accommodate forty prisoners. Bathurst was burnt down in 1974, but the former Government made little use of what remained. Yet honourable members opposite have been wringing their hands and crying about the terrible situation that exists. The honourable member for Ku-ring-gai, the former member for Kirribilli and the Leader of the Opposition were indifferent and inactive.

The Labor Government will accommodate 100 maximum security prisoners at Silverwater. Already the Government has considered a plan for prison rebuilding, renovation and refurbishing. How foolish the Government would look, after spending several million dollars on a Royal commission and having the benefit of advice from a deep inquiry, to try to pre-empt the Royal commissioner's report. That does not mean

that the Government will do nothing—already it has done something—but obviously **it** cannot embark upon a comprehensive scheme without the benefit of the Royal commissioner's recommendations.

There are one or two peripheral matters which I feel should be answered. We have heard this afternoon an attempt, through the statement of half truths or **falsities**, to create wrong impressions. Prison officers were very well represented before the Royal commission. It is a bit of a slur upon the competent counsel, including a Queen's Counsel, who represented prison officers for the Leader of the Opposition to say **that** their case, both as a group in the prison officers association and as individuals, **was** not properly put and that their interests were not adequately protected. I have no doubt that prison officers would be the last to suggest that. Indeed, the Government was **most** generous in its payment of legal aid to all interested parties appearing before the Royal commission. All the people who sought representation were given adequate support and they got counsel of their choice. Again I repeat that it is more than a **criticism**—it is a slur upon those who represented prison officers—to suggest that the interests of prison officers were not properly protected.

Because this motion today came as something of a surprise I have not had the **time** to look through all the statements that emanated from various sources around that period. However **I** recall that many lamented the fact that too much money **was** being spent, and others suggested that more money could be spent. This Government is **charged** with the responsibility of administering the public purse. It is not the Government's money, and it is not anyone else's money—it is the public's money, coming from the taxpayers. While we are in government—which we hope will be for some time to come—that money will be administered responsibly and will not be wasted. It is as a result of that type of attitude that the Government has not had to raise taxes in **the** past two budgets that have been introduced into this Parliament.

The Leader of the Opposition seems to live in some wonderland for he claimed that things have been said in Parliament that misrepresented the position about the **staff** ceiling. The fact is that last October the Minister for Services and Minister Assisting the Premier set up a task force on which not only the Department of Corrective Services but also the prison officers, among others, participated and made **recommendations** to the Public Service Board in relation to increased staff in the prison system. In other word, the Government was well aware of the way in which **the** prisons had been allowed to run down by the previous administration. In **1976** **the** Government employed an additional 122 prison officers, and since June, 1977, an additional 60 prison officers have been employed. This does not include the **33** additional officers approved by the Public Service Board following the first report of the **task** force.

When, after consultation with my colleague the Minister for Services and Minister Assisting the Premier, I announced the Government's proposals in relation to Bathurst, a maximum security prison in the metropolitan area and staff ceilings, that part of the proposals in regard to **staff** ceilings was no more and no less than an affirmation that the Government **would** continue the task force in existence and the Public Service Board **would** receive its recommendations in exactly We same way as it has done since October last year. I do not know what audience the Leader of the Opposition feels he is addressing, but the prison officers are well aware of the situation and they have no doubts about the arrangements in respect of staff ceilings.

I wish to conclude my few remarks on this matter by indicating that the prisons are far from being in a state that any government would think is perfect or, for that matter, comfortable. However, the realities have to be faced. Between **1970** and **1975**

*Mr Wran*]

there was riot after riot and disturbance after disturbance in the prisons. Systems were introduced, one of which has come to light in the interim report of the Royal commissioner, which was invited by the Government. We acted quickly to initiate the inquiry and the Government is acting quickly to adopt the commissioner's recommendations. Matters are now coming to light in relation to systems and the types of administration that have been permitted and become institutionalized over the years. It is going to take a lot of effort, a great deal of money and much rearrangement to set things right after all this time. It will be a long and costly haul. It will be costly because there has been no building programme and certainly no renovation programme in the past. The honourable member for Ku-ring-gai laughs. It is easy to **see** his big achievements—that is why he is no longer Deputy Leader of the **Opposition**. The public would be interested to know that to house, feed, clothe and care for a prisoner in the prison system at the present time costs \$232 a week. That sum represents only the administrative costs. The previous Government did nothing except add something like Katingal to produce a relook and a revamping of the prison system.

A lot has been said about Mr McGeechan. The simple fact is that the former Government was quite happy to let him go. Indeed, the Government shelved the musical chairs arrangement made by the former Government, which had intended to move Mr McGeechan from prisons and make the Director of Tourism the Commissioner for Corrective Services. The Leader of the Opposition agrees that I am right. The person of whom I speak was a pleasant man who, I regret to say, has since died. It may be that the former Government had in mind the holiday camp idea to which I referred earlier. The simple fact is that Mr McGeechan was on the skids with the previous Government, which was going to play musical chairs with him. Mr McGeechan twice asked this Government to be transferred.

I made no bones about the position at the end of last year and the beginning of this year—and I make no bones about it in this Parliament now. I did not approve of the way in which Mr McGeechan had allowed discipline to decline in the prison systems to the point where, at Christmas at Long Bay, and later at Parramatta, the lives of prison officers and prisoners were placed in jeopardy. When one adds to that certain other matters, a lot can be said about the situation. But now that Mr McGeechan has gone and Mr Downs is in the chair, the Opposition would be playing a far more responsible role, one designed to restore responsibility to the system, if it acknowledged that the Government inherited a run-down prisons system and is moving as quick as limited funds and the advice that we get permit. The report from the Royal commissioner on prisons will be presented on or before 31st March and even when the Government gets that report it is going to face a long and costly haul. I do not shrink from that prospect.

I do not think that anything that has emerged in this debate from the Opposition justifies the terms of the motion which, in order to have the air cleared once and for all, the Government permitted to be debated as a matter of urgency. I believe everything that could be said on the subject has been said and now that the air has been cleared I expect that will be the end of the matter and the debate will be brought to a speedy conclusion.

Mr MADDISON: Mr Speaker—

Mr FLAHERTY (Granville), Government Whip [3.59]: I move:  
That the question be now put.

The House divided.

Ayes, 47

Mr Akister	Mr <b>Flaherty</b>	Mr Paciullo
Mr <b>Bannon</b>	Mr Gordon	Mr Petersen
Mr <b>Barnier</b>	Mr <b>Haigh</b>	Mr Quinn
Mr <b>Booth</b>	Mr Hills	Mr Renshaw
Mr Brereton	Mr Hunter	Mr <b>Rogan</b>
Mr <b>Cahill</b>	Mr <b>Jackson</b>	Mr Ryan
Mr <b>Cleary</b>	Mr Jensen	Mr Sheahan
Mr R. J. <b>Clough</b>	Mr Johnson	Mr <b>Stewart</b>
Mr Cox	Mr Johnstone	Mr Wade
Mr <b>Crabtree</b>	Mr <b>Jones</b>	Mr F. J. Walker
Mr Day	Mr Keane	Mr Whelan
Mr Degen	Mr <b>McGowan</b>	Mr Wilde
Mr <b>Durick</b>	Mr Maher	Mr Wran
Mr Einfeld	Mr <b>Mallam</b>	<i>Tellers,</i>
Mr Face	Mr Mulock	Mr <b>Kearns</b>
Mr Ferguson	Mr <b>O'Connell</b>	Mr <b>Ramsay</b>

Noes, 47

Mr <b>Arblaster</b>	Mr Griffith	Mr Park
Mr <b>Barracough</b>	Mr <b>Hatton</b>	Mr Pickard
Mr Boyd	Mr Healey	Mr Punch
Mr Brewer	Mr Jackett	Mr Rofe
Mr Brown	Mr Leitch	Mr <b>Rozzoli</b>
Mr <b>Bruxner</b>	Mr Lewis	Mr Schipp
Mr <b>Caterson</b>	Mr <b>McDonald</b>	Mr Singleton
Mr J. A. Clough	Mr <b>McGinty</b>	Mr Taylor
Mr <b>Coleman</b>	Mr Mackie	Mr Viney
Mr <b>Cowan</b>	Mr Maddison	Mr N. D. Walker
Mr Dowd	Mr Mason	Mr Webster
Mr Doyle	<b>Mrs Meillon</b>	Sir Eric Willis
Mr <b>Duncan</b>	Mr Morris	Mr Wotton
Mr <b>Fischer</b>	Mr <b>Murray</b>	<i>Tellers,</i>
Mr Fisher	Mr Mutton	Mr <b>Moore</b>
Mr Freudenstein	Mr Osborne	Mr West

Pairs

Mr <b>Neilly</b>	Mr Darby
Mr Bedford	Mr <b>Cameron</b>

Mr SPEAKER: The numbers being equal, I give my casting vote with the ayes and declare the question to be resolved in the affirmative.

Mr **COLEMAN** (Fuller), Leader of the Opposition [4.4], in reply: Though the Premier said that he welcomed the debate he then spoke tediously and at length, preventing the former Minister for several years, the honourable member for Kuring-gai, from speaking. The Premier spent the last part of his tedious speech attacking the honourable member for Kirribilli, who also has been prevented from answering for himself. So, too, has the shadow minister for services. What a way that is to welcome a debate; the Premier could have fooled me on that point. Obviously he did not want the debate. He did not want his own Minister to speak.

*[Interruption]*

Mr SPEAKER: Order! I am sure that the Leader of the Opposition needs no assistance from members on the Opposition benches.

Mr COLEMAN: The Minister for Services and Minister Assisting the Premier is the last person the Premier wanted to speak. Whenever there is a situation of any difficulty it is the Premier who steps forward, rather than the silent Minister. This has been a most truncated debate. Most honourable members who wanted to speak have been unable to speak in the debate. One of the most significant things is the limited time. Only as an afterthought did the Premier refer to the second part of the motion, which seeks to condemn the Premier for his attack on, and dismissal of, the former Commissioner of Corrective Services.

I had assumed that the Premier proposed to say nothing about the commissioner; and that he would stand by the fact that he had publicly attacked a public servant who could not answer back, despite the scorn and contempt for this action by the Public Service Association of New South Wales. But the Premier went further. He said that he made no secret of the fact that he was unhappy with the former commissioner and stood by his public attack on him. Then he added that there were "a few other things I shall not mention. Much could be said". The Premier added to his attack a slur and innuendo that much more could be said, but he would not say it. That was a scurrilous act and adds to the disgracefulness of the earlier attack. During the whole of the Government's term of office, ranging from the judicial lynching to the administrative lynching of Mr McGeechan there has been a tendency and trend of which the Government ought to be ashamed.

In relation to the Royal commission the Premier said that everybody who wanted legal representation was represented. The fact is that everybody who wanted legal representation—except Mr McGeechan was represented. The Queen's Counsel who had spent months preparing to defend or represent the department and the commissioner before the Royal commission was sacked. Many weeks, indeed some crucial months passed in which Mr McGeechan and the department had no Queen's Counsel to represent them. During the period of the prolonged judicial lynching of Mr McGeechan by the Government he was not represented by a Queen's Counsel. It is disgraceful and appalling for the Premier to say that everybody who wanted representation was represented. The main person under attack was not represented by a Queen's Counsel—certainly not by the Queen's Counsel of his choice. That was one of the most shabby incidents in the whole story. For the Premier not even to comment on that part of the debate illustrates that he has nothing to say in his own defence. It was disgraceful of him to add to his own defence, by innuendo, that much more could be said.

I assure honourable members, the Public Service Association and the public at large that members of the former Government who worked with Mr McGeechan for many years still have an extremely high opinion of him. We respect the sacrifices that he made in the public interest for the department, particularly during the difficult and trying period of the past eighteen months when he did so much to avoid an explosive situation. He put his own life at risk while the Premier was fishing and the Minister was *incommunicado*. Mr McGeechan is a person who should be commended and praised for his courage. Instead he was defamed in a disgusting way by the Premier.

Let me refer to the interim report of the Royal commission which was tabled yesterday. I do so because the Premier used this debate as an occasion to attack the honourable member for Kirribilli. Two aspects of the interim report are significant and relevant to the motion. The first is that the allegations of bribery were widespread. The second is the way that the movement of prisoners—thousands of movements—could be approved by a clerk. The important aspect of those two facts is not their rightness or wrongness but the fact that the Minister did not know about either of them.

The Minister told the House that the allegations of bribery were completely unfounded, that they were figments of a malicious imagination and that there was no truth in them. It has been found that there was a sinister relationship between the main person involved in the allegations and a criminal. That led to counsel assisting the Royal commission saying that the Minister had released a press statement, which was clearly wrong, about the method of handling prisoners. The Minister said in the press statement that the method of handling prisoners was foolproof and that every transfer had to have the approval of the commissioner and had to go through a tough committee, and that it could not be handled by a clerk.

The Minister was sadly astray. When the system was introduced what did the Minister know about it? He denied that was the system; he did not know of it. The Minister conceded two important matters. One concerned the allegations of bribery. He did not know of any bribery and denied its existence. The other concerned the method of moving prisoners. The Minister did not understand this method. The Royal commissioner revealed that the Minister simply did not know those things. As to the remarks made about the honourable member for Kirribilli by the Premier, that matter may be summed up by paragraph 244 of the interim report of the Royal commissioner, which is in these terms:

The person who was allegedly implicated in the majority of rumours and stories about bribery in the Department was——

And then the commissioner refers to the person whose name is now a matter of public record:

Paul Genner, the Senior Clerk in the Prison Movement section.

The gravamen of the reports that the honourable member for Kirribilli passed on to the Royal commission for investigation was that this particular person was allegedly implicated in the majority of rumours about bribery. The Royal commissioner found that those rumours about that person were justified. He found that there was a sinister relationship.

Mr Mulock: What rubbish.

Mr COLEMAN: That is the situation. He found that there was a sinister relationship.

Mr Mulock: That is one man.

Mr COLEMAN: We are talking about one man. The person who was allegedly implicated in the majority of rumours and stories was this one man. That is the main point made by the honourable member for Kirribilli. The Royal commissioner found that the association between the man Genner and the ex-prisoner Smith must have been a sinister one and recommended that proceedings should be taken against him under section 56 of the Public Service Act. They were the precise allegations by the honourable member for Kirribilli and they were vindicated. Although we have been speaking about a majority of rumours implicating one person, a number of details in those particulars rumours were not established. Nevertheless, the Royal commissioner said that this did not mean that the evidence disproved all the allegations. He said that there were some matters about which one may well be suspicious. In other words, the allegations if not fully proved were at least rationalized. The commissioner said:

Suspicious, however, do not constitute proof and those suspicions would not entitle the Commission to make any affirmative finding on this issue.

The Royal commissioner referred to the Wilson matter in these terms:

Why would Mrs Wilson embark on such a course of deception, including telling her own husband that she paid money for his transfer? They include the McIntosh case, in which McIntosh appears to have made quite a number of inconsistent statements at different times. They include the Holland case. Although Holland denied that money was paid for his transfer, one cannot help but be suspicious about the circumstances in which it occurred. They also include the Gaylor matter. Gaylor's inconsistencies and prevarications during the taking of his evidence force one to question the truth of his denials.

In the Wilson, McIntosh, Holland and Gaylor cases the Royal commissioner finds obviously that the circumstances are extremely suspicious, the allegations extremely **serious** and impressive but that the final evidence is not conclusive. That of course is a reasonable decision. However, the allegations by the honourable member for Kirribilli about the implication of the man Genner with the ex-prisoner Smith, which is the main issue, were justified. The essence of the Royal commission report was that on the two important matters about the allegations of bribery and the system of moving prisoners, the Minister was ignorant. On the basic allegation reported by the honourable member for Kirribilli the Royal commissioner found him to be correct. That is the lesson to be learned from the interim report of the Royal commissioner.

The Premier made some extremely ignorant remarks. After all, he showed **interest** in this whole matter only over the past few weeks when the extraordinary appalling mess that the Minister for Services and Minister Assisting the Premier made forced him to take an interest in it. The freshness of the Premier's interest has caused him to make extraordinary mistakes.

Mr Barraclough: The Minister for Services and Minister Assisting the Premier is allowed to sit in the chair.

Mr COLEMAN: But he is not allowed to speak.

Mr SPEAKER: Order!

Mr COLEMAN: Although he occupies the office of Minister for Services, he has a spokesman to make public statements for him. A whole series of press **statements** have been issued in which the Minister says nothing. However, his spokesman has had a lot to say. That occurs day after day. When a reporter has telephoned the Minister's office a voice has asked, "Who do you want?" When the journalist said that he wanted to speak to Mr Haigh, the voice at the other end of the telephone has said, "Mr Haigh is not here". That voice was clearly recognizable as Mr Haigh's. His voice is hard to disguise.

Mr SPEAKER: Order! The Leader of the Opposition in reply to the debate must reply to statements made in the debate. Although I have permitted him to continue his remarks, he must come back to the matters raised in the debate and reply to them.

Mr COLEMAN: As the record of the former Government was put in question by the Premier, I refer the House to its achievements during its eleven years in office. I refer to the building programme. The first major prison to be built in the twentieth century in New South Wales was the Cessnock corrective centre that was built during the former Government's term of office. The Milson Island prison was also established. The Metropolitan Training Centre at Long Bay, the women's prison at Silverwater, Katingal maximum security prison and the new hospital at Long Bay were completed also during the former Government's term of office. That Government

also established the general Silverwater complex. On an average, every two years a major new prison installation or establishment was constructed. That is the former Government's record. Although it could have been better, it could not have been as bad as the record of the previous Labor Government during the twenty years it was in office. In that period not one prison was built. An average of one new establishment every two years is not a bad record. It is one in which the former Government takes modest pride.

I refer the House now to the various programmes that were introduced during the period that the former Government was in office. I remind honourable members that no new programmes were introduced during the term of office of the previous Labor Government. The former Government introduced the weekend preventive detention programme, the work release programme and the project survival programme. There was also a vast expansion of prison industry, to the extent that that Government was in disputation with the Labor Council which did not like, and still does not like, prison industries to be established, although an effort is being made to rehabilitate prisoners and give them working conditions which approximate those in outside industry. That expansion programme has now been cut back by the Minister for Services and Minister Assisting the Premier.

The Parramatta Linen Service was one of the most controversial prison industries. The former Minister for Health, the honourable member for Davidson, had the pleasure of opening this vast laundry complex as part of the prison industry programme. The former Government introduced also a works programme to be carried out by prisoners in national parks. That and other programmes were established during the administration of Mr McGeechan, and in respect of many of them during the period that the honourable member for Ku-ring-gai held the Justice portfolio. I take some satisfaction from the fact that I held ministerial office at the time the home release programme was introduced. That was the last of a long series of programmes. What has this Government done in eighteen months? Absolutely nothing. The former Government has a proud record in its prison building programme; the present Government has no programme. In terms of penal reform programmes, the former Government has a good record; the present Government has absolutely no record.

The Government judiciously and administratively lynched a distinguished public servant and now the Minister sits silently at the table. Let us look at some of the things that have happened. In November, 1977, at Cooma—this is all within a couple of months of the Minister's administration—two officers were taken hostage, one bound and his keys taken, the other used as a shield in an unsuccessful escape attempt. The Minister had nothing to say about that and he will not tell us anything in this debate. In November, 1977, at the Goulburn training centre officers were issued with batons, shotguns and riot gear to quell a threatened disturbance. The *Sydney Morning Herald* of 13th January, 1978, reported what happened at Parramatta and Long Bay:

Parramatta Jail, September, 1977: Officer assaulted about the head, resulting in temporary deafness. New Year weekend: Officer viciously assaulted with an iron bar, putting him in hospital. This officer was lucky to escape with his life intact. January 1, 1978: 120 prisoners "sit in", officers don riot gear and are placed on stand-by.

Long Bay, December, 1977: Several "sit ins" and roof-top demonstrations. During the riot on Christmas Day three officers were taken hostage: two were assaulted, one requiring treatment in hospital for a suspected fractured jaw. All three were threatened at knife point. Another prison officer was beaten over the head with a piece of metal, sustained a fractured skull and spent a week in hospital.

*Mr Coleman]*

Those things happened at Cooma, Goulburn, Long Bay and Parramatta within three months of the Minister's administration. It was a remarkable three months. I have not mentioned Maitland, Emu Plains, Tumbarumba or a series of other institutions. The silent Minister had nothing to say, and he still has nothing to say. He was expecting more trouble, for a spokesman for the Minister in late December admitted that there could be more violence still in the prisons. We do not know what the Minister thinks about it. He had been warned of the Christmas day riots in Long Bay at least three months beforehand. What he thought about the warnings we shall never know because neither he nor his spokesman had anything to say about them. They were given in September. Let me quote from a summary in the *Australian*:

. . . . in the weeks leading up to the riot it was obvious Long Bay was reaching crisis point.

Hardly a week went by without some incident that could cast doubt over prison security.

Finally the Minister said something. He was asked about all the drugs that were finding their way into prisons. Those drugs were partly responsible for the violence and unsettled conditions in institutions. He was asked what he was going to do about it and he said it was impossible to do anything; he was just going to accept it.

Mr Sheahan: On a point of order. The Leader of the Opposition spoke very briefly to the motion. Now in reply, instead of replying to the material that has been introduced in the debate, he is raising completely new **matter**—

*[Interruption]*

Mr SPEAKER: Order! I call the honourable member for Bligh to order.

Mr Sheahan: Surely as the material being used by the Leader of the Opposition has been prepared, it should have been used at the outset.

Mr SPEAKER: Order! The Leader of the Opposition may be at some disadvantage, having spoken to the motion for some twenty-two minutes, and having to reply to an address that lasted an hour. It may well be that these are points that he feels he should raise. I must draw attention to the rules of debate. A member speaking in reply should speak only to matters that have been raised by other members in the debate; he may not introduce new matter. I ask the Leader of the Opposition not to read at length from editorials or newspaper articles. I am sure he is aware of the rule that he may make only passing reference to them.

Mr COLEMAN: Thank you, Mr Speaker. I hope that my points are precisely in reply to the extremely lengthy, though extraordinarily tedious, speech by the Premier. The structure of the first part of my reply is designed to deal with the Premier's unsatisfactory and limited reference to Mr McGeechan. The second part of it refers to the tendentious reference to the Royal commission report and his comments on the honourable member for Kirribilli. In this part I simply comment on the Premier's attack on the record of the former Government in this area. I was outlining the achievements in a brief, thumbnail form. I could easily go on all day and all night on the matter. I shall contrast the programmes—building programmes and general **expansion**—with the nothingness of our silent Minister. That has been the structure of my speech and I hope that it is relevant.

Although the Premier led in this attack, the honourable member for Illawarra has been extraordinarily silent. He has been silent not only in this debate; he has been as silent as the Minister throughout the last eighteen months. There have been riots at Long Bay and elsewhere throughout the penal system, but what has happened to the honourable member for Illawarra? He has abandoned his principles entirely. He

embraces them passionately when attacking the honourable member for Ku-ring-gai or me, or any other member of the Opposition, but now his principles are suspended and he has nothing to say.

Mr O'Connell: On a point of order. I submit that the Leader of the Opposition in reply is not answering matters that have been raised in the debate. The honourable member for Illawarra was never mentioned in the debate. The Leader of the Opposition is again introducing new matter. I submit that you, Mr Speaker, should call him to order.

Mr SPEAKER: Order! During the whole of the speech by the Leader of the Opposition in his reply the honourable member for Illawarra has been interjecting. I am sure that this has prompted the remarks of the Leader of the Opposition. I have already told him the position in respect of quoting from editorials and newspapers.

Mr COLEMAN: Thank you, Mr Speaker. Indeed, it was the interjections of the honourable member for Illawarra that prompted me to pay some attention to him. It has been easy to ignore him entirely over the past eighteen months on this subject, though in the past he has been most interested in prisons.

Mr Petersen: I can show you *Hansard* of 16th August, 1977—

Mr COLEMAN: We have serious troubles in the prisons under the Minister's administration, yet the honourable member for Illawarra, who had so much to say over the years about the administration of the former Government, has nothing to say now. That indicates that fundamentally he did not have the principles that he alleged he had when a different government was in office. How else can one explain his extraordinary silence during this terrible period of troubles—the worst since the early days of the penal settlement, one might say. Never has there been such a record of riots, escapes and walkouts or such a demoralized prison staff as we have had in the past few months.

To be fair, it is not proper to blame the Minister for everything. He is **part** of a government. The Government makes decisions on spending. The Premier makes the final decision. The Premier said that he would not expand Silverwater—that work was ready to go to tender—despite what he says now. The Premier makes the decisions to lift the ceiling on corrective services employees. It is interesting that here again the Premier admits the truth of the Opposition's claim—which the Public Service Association has repeated—that although the Treasurer said that generally there could be **an** increase of 1 per cent in departmental staff ceilings, there would be none for corrective services in this period of crisis.

The level of staffing at the Government Printing Office can go down. In some other departments, like the Registrar General's Department it can rise but in the Department of Corrective Services it has to remain static. Worse, its staff ceiling was **a** good deal lower than its establishment and it was expected to get rid of twenty-eight employees rather than take on more **staff** to cope with a crisis. As a result of a decision by the Premier the prison system is overcrowded. Again as a result of a decision by the Premier the prisons are understaffed. The Minister for Services is left to **carry** the can, but he does not have the necessary skill to handle the situation. It is unfair to say that he caused the problems, but because of **his** incompetence he has made them far worse.

It is disgraceful that the Government, instead of facing the facts and dealing frankly with the House and the public, made a scapegoat of the one person capable of dealing with the situation—the Commissioner for Corrective Services—by sacking

him. We have overcrowded prisons, under-staffed prisons, demoralized prison officers, riots and **breakouts**. Such is the record of the Minister for Services. Over the next day or two it will be interesting to read what his spokesman has to say on these matters. One thing is certain, the Minister will have nothing to say.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 46

Mr Arblaster	Mr Griffith	Mr Pickard
Mr Banaclough	Mr Healey	Mr Punch
<b>Mr Boyd</b>	Mr Jackett	Mr Rofe
Mr Brewer	Mr Leitch	<b>Mr Rozzoli</b>
Mr Brown	<b>Mr Lewis</b>	Mr Schipp
<b>Mr Bruxner</b>	<b>Mr McDonald</b>	Mr Singleton
<b>Mr Caterson</b>	<b>Mr McGinty</b>	Mr Taylor
Mr J. A. Clough	Mr Mackie	Mr Viney
<b>Mr Coleman</b>	Mr Maddison	Mr N. D. Walker
<b>Mr Cowan</b>	Mr Mason	Mr Webster
Mr Dowd	<b>Mrs Meillon</b>	<b>Sir Eric Willis</b>
Mr Doyle	Mr Morris	Mr Wotton
<b>Mr Duncan</b>	Mr Murray	
Mr Fischer	Mr Mutton	Tellers,
Mr Fisher	<b>Mr Osborne</b>	<b>Mr Moore</b>
<b>Mr Freudenstein</b>	Mr Park	Mr West

Noes, 48

Mr Akister	Mr Gordon	Mr Petersen
<b>Mr Bannon</b>	Mr Haigh	<b>Mr Quinn</b>
Mr Barnier	<b>Mr Hatton</b>	Mr Renshaw
Mr Booth	Mr Hills	<b>Mr Rogan</b>
Mr Brereton	Mr Hunter	Mr Ryan
<b>Mr Cahill</b>	<b>Mr Jackson</b>	Mr Sheahan
Mr Cleary	<b>Mr Jensen</b>	<b>Mr Stewart</b>
Mr R. J. Clough	<b>Mr Johnson</b>	Mr Wade
Mr Cox	<b>Mr Johnstone</b>	Mr F. J. Walker
<b>Mr Crabtree</b>	Mr Jones	<b>Mr Whelan</b>
Mr Day	<b>Mr Keane</b>	<b>Mr Wilde</b>
<b>Mr Degen</b>	<b>Mr McGowan</b>	Mr Wran
<b>Mr Durick</b>	Mr Maher	
<b>Mr Einfeld</b>	<b>Mr Mallam</b>	Tellers,
Mr Face	<b>Mr Mulock</b>	<b>Mr Kearns</b>
<b>Mr Ferguson</b>	<b>Mr O'Connell</b>	<b>Mr Ramsay</b>
<b>Mr Flaherty</b>	<b>Mr Paciullo</b>	

Pairs

Mr Neilly	Mr Darby
Mr Bedford	Mr Cameron

Question so resolved in the negative.

Motion negatived.

DROUGHT RELIEF

Adjournment (S.O. 49)

Mr SPEAKER: I have received from the honourable member for Burrinjuck notice under Standing Order 49 of his desire to move the adjournment of **the** House to discuss a specific matter of recent occurrence and of sufficient public importance to warrant urgent consideration, namely, the grave threat to this State's rural economy occasioned by the drought.

Mr SHEAHAN (Burrinjuck) [4.37]: I move:

That this House do now adjourn.

*The motion being supported by five other honourable members,*

Mr SHEAHAN: It was interesting, Mr Speaker, that when you asked the House whether I was supported by five other honourable members, few members of the Opposition rose in their places, with the exception of the new Leader of the Opposition. I deprecate the fact that not one Country Party member or a member of the Liberal Party representing a country electorate rose in response to your question. I was prompted to raise this matter by an answer given yesterday in this House by the Treasurer to a question from the Leader of the Country Party. The Treasurer rightly complained of the poor publicity given by the rural press and other media outlets to drought relief schemes that commendably have been introduced or improved by the present Government, and to other measures that are at present under discussion between this State and the national Government. When answering the question, the Treasurer foreshadowed some of the serious effects that droughts—past, present or future—may have on the State's Budget. Further, he indicated further areas in which assistance might be given to industries and individuals not directly involved in primary production. I believe that his announcements will hearten country people and those concerned with this serious problem.

Late last year one of my neighbouring colleagues, the honourable member for Sturt, in asking the Minister for Decentralisation and Development and Minister for Primary Industries a question without notice sought an assurance that full details of schemes available to assist drought-stricken farmers would be made known to the House with a view to publicizing those schemes. Yesterday it was suggested that that had not occurred. In fact, that information was distributed to all members during the latter part of last year. The information was far more comprehensive than I as a country member was aware. The fact that yesterday there was still some uncertainty on the types of assistance available led me to decide that I should take advantage of Standing Order 49 in order to give all members an opportunity to make some constructive suggestions on the type of assistance that could be extended to those who have taken the brunt of a national calamity of horrifying proportions.

In recent times there has been a lot of criticism from the Opposition in this Parliament in regard to Government-sponsored advertising programmes. If ever the need for Government-sponsored advertising was highlighted it was during the Premier's recent extensive tour of drought-affected areas. On that tour the ignorance of people about the type of assistance available was ventilated in the media. There is a real need for the Government to advertise through all the agencies available to it and, even more widely, the type of assistance that might be obtained from the Government. Reputable,

sensible officers should be appointed with orders to bypass the enormous amount of red tape that confronts an applicant for assistance. These officers should be empowered to expedite procedures in order to assist people in need.

Above all, we are in real need of constructive ideas. Already constructive ideas have been put forward by farm organizations, local councils, primary producers and citizens in country areas. Many of them took the opportunity to do it during the Premier's recent extensive tour of drought-affected areas. Many people put to the Premier personally the details of their needs and complaints. Out of those discussions with the Premier many worthwhile ideas have been put before the appropriate government committee that looks into these matters, and some have been forwarded to the federal Government for concurrence. This evening members, regardless of political persuasion, have a priceless chance to put forward constructive ideas.

Even people who are not representative of country areas have been able to gauge the proportion of the drought problem by what has been published already in the metropolitan press. Rarely have problems that many people regard incorrectly as basically those of rural communities been covered in such detail in the metropolitan dailies. Never have I seen so much publicity on this subject in the metropolitan media. It is quite horrifying to read statements by reputable people associated with the rural industries on the proportions of a disaster that will continue to have adverse economic effects despite recent rain. Press clippings about the drought and associated matters are available to all honourable members in the Parliamentary library. Some measure of the extent of the problem can be gauged from these press reports of the past three months. An eminent scientist has predicted that from information available to him late last year the current situation could well be the early stage of one of the worst droughts in our history.

I hope that honourable members will cut across party-political prejudices and their alliances in order to make a constructive contribution to this debate. It is not beyond the realm of possibility that without some semblance of normal rainfall in all areas of the State some of our major sources of water supply for urban populations might be seriously affected. When there is talk of a probable need to transport large supplies of water to inland parts of the State the situation is indeed serious. Some of our major water supplies might be threatened. Some fresh food supplies, upon which we are so dependent but take for granted, could be jeopardized by the drought. **The** plight of the wheatgrower, upon whom we have become heavily dependent in **recent** years, has been highlighted in statements made by reputable grower organizations. The problems of other primary industries have also been the subject of serious study by the media and, I hope, by all members of this House and also by all fair-minded citizens.

This morning I endeavoured to get up-to-date information from the reputable, responsible officers of the Department of Agriculture in regard to the position in the drought-affected areas of this State. Although welcome, heavy rain has fallen in many areas, in other districts the falls have been inadequate and certainly insufficient to effect any lasting improvement. According to departmental sources the **central** tablelands, the northern tablelands, the north-west slopes and the north coastal fringe of New South Wales have been helped by January rains. However, falls on the far south coast, the southern tablelands, the south-western slopes, the Riverina and the Western Division have been inadequate. I see in the Chamber several members who represent constituencies in areas that are **still** badly drought affected. No fewer than forty-five pastures protection board districts in this State have been declared drought **areas**. In addition four more areas--Casino, Tweed-Lismore, Coonabarabran and **Inverell**--

will be declared in February, just a few days away. They are all major producing areas and important contributors to our export trade and the economic stability of New South Wales and Australia.

Heavy rain of the type we have had in short spells in recent weeks over some parts of the State is necessary. Recently I visited my in-laws who are wheat producers at West Wyalong in the electorate of the honourable member for Temora. On their property between 4½ inches and 53 inches of rain fell over a period of a few days. Dams that had been empty were overflowing within three days. Cattle that for a long period have been surviving on modest supplies of feed and limited water now face an even greater hazard in some of the flooded country. In some parts of the State where rain has fallen in recent days it, could be suggested that this debate might be better directed towards the lasting effects of heavy rain rather than the drought. In my electorate heavy rain can have a marked adverse effect upon the top soil especially on the slopes where feed has been long since eaten out by starving stock. Positive action is required to maintain soil quality. Farmers with properties affected by this soil problem demand positive action; they are entitled to it as of right from all levels of government—local, State and federal. We have heard about the Premier's tours of drought-stricken areas. It is important to put into context some of the things that have occurred both before and since these inspections.

If one refers to the position at the date of change of government—1st May, 1976—one finds that there was then a limited form of drought assistance in terms of freight rebates on the cartage of stock or fodder. Serious limitations were placed on the availability of that type of assistance, worthy though the assistance was. There was a freight rebate eligibility in respect of stock being transported to agistment or to necessary further agistment elsewhere, on restocker movements and on road and rail freight of fodder. In only the Western Division was there a freight rebate on stock taken to saleyards.

On 1st October, 1976, the New South Wales Government extended the range and accessibility of those measures in five main ways. First, there was a reduction in the **minimum** distance for eligibility on fodder movements from 60 to **30** kilometres. **Land**-holders were given a free choice on whether the movement of fodder would be by road or rail. Third, the **maximum** rebate on fodder movement was raised to 5 c a tonne-kilometre. Fourth, a cattle slaughter compensation scheme was introduced. Fifth, a system of drought loans with interest rates as low as 4 per cent over a 7-year period was commenced. Also, carry-on loans, restocking loans and fodder loans for dairyfarmers became available.

They were beneficial but it became obvious that further improvements were needed. As a result of the Premier's recent tour of the drought-affected districts **some** major improvements and extensions in the accessibility of assistance to the people involved have resulted. The Government has committed itself to co-operate with local councils and pastures protection boards in the supply of water for domestic purposes and, for stock, water is to be supplied free of cost to primary producers. The cost incurred by councils or pastures protection boards is to be recouped as drought relief. Also, a subsidized form of cartage is to be available to take the water to properties from major collection points.

The eight weeks' qualifying period on stock sent for agistment has been reduced to six weeks and the 50 per cent rail freight concession has been extended to include salt licks and certain stock medicaments. The advance system was reviewed with a view to increasing it, subject to co-operation from the federal Government. Also a request **was** made to the Commonwealth to increase from \$10 to \$20 the amount payable by way of cattle slaughter compensation. As the Treasurer confirmed in the House yesterday, there

*Mr Sheahan]*

has been a deferment of payroll tax if it can be shown that the drought has affected the businesses of industries and employers that are subject to payroll tax in drought-affected areas.

The Commonwealth Government has been asked to consider other methods of assistance that could alleviate difficulties. First, it has been suggested that it may consider doubling the cash assistance to \$4,000. Second, the federal Government has been asked to extend the type of benefit payable in lieu of social services entitlement to producers who are affected by the drought. Third, the Commonwealth has been requested to co-operate with local authorities in the funding of job-creating opportunities in the areas affected. Fourth, federal approval has been sought for a reduction in the normal interest rates on loans to producers during a period when a drought has continued for some time and also where farmers have had to go to the normal, financial institutions for assistance. Fifth, approval for provision of a wider range of low-interest loans on forage conservation has been sought. Sixth, the Commonwealth Government has also been urged to consider the need for more major inland water conservation works like the Snowy Mountains scheme.

In the *Sydney Morning Herald* of Thursday, 29th December, 1977, the major editorial of the day appeared under the title "Sunburnt Country". This is the last paragraph of it:

At the beginning of November the Australian Woolgrowers' and Grazers' Council urged Federal and State Governments to prepare detailed drought contingency plans as a matter of urgency. The situation is now considerably worse. Mr Fraser said during the election campaign that Commonwealth finance for the normal State-administered drought relief measures would be reviewed after December 31. It will need to be—and quickly.

This matter should be approached by honourable members and by people throughout New South Wales as well as by the State and federal governments on a non-political basis. I was concerned, as I am sure all honourable members were—although members on the other side of the House remained silent at the time, I am sure they were deeply concerned—by the announcement of the present federal Government that it was considering withdrawing support for the normal drought-relief programme. That was a matter of concern to me when the announcement was made in June or July last year while the Prime Minister was overseas. It was embarrassing, I am sure, for those who support the Prime Minister that the announcement was made in his absence by the Deputy Prime Minister. Doubtless that was a cause of great concern. At the last Premiers' conference prior to the federal election late last year, that decision was reversed.

At the time of the review of the federal Government's commitment to the arrangements, in June, 1977, thirteen pastures protection districts in New South Wales were subject to a drought declaration. The Premier of New South Wales succeeded in persuading the Commonwealth Government to postpone its withdrawal from the drought-relief programme for a three-year period to the end of September, 1977. At the end of September, twenty-one pastures protection board districts in New South Wales were subject to a drought declaration. By February, 1978, it appears almost certain that forty-eight or forty-nine pastures protection board districts will be the subject of drought declarations. Now it seems clear that federal and State co-operation in this important area will continue.

It is to be hoped that honourable members opposite will join in the debate to state the type of improvements they believe are desirable for building into the system of drought relief. Early as it still is in 1978, the position is not so much one of a

drought of recent occurrence but of a continuing series of droughts that are probably each entitled to be regarded as droughts in their own right. During the past decade we have felt the cumulative effects of droughts. Weather and other reversals will be felt markedly during 1978 unless the area of administration outside that of all governments is controlled. The Deputy Leader of the Opposition may have more connection with the head of that administration than some other members of the House by reason of his chosen profession prior to becoming a member of parliament. To be serious, weather conditions are something over which we have no control.

It is incumbent on all governments, State and federal, Labor and conservative, to be seriously concerned at all times about the long-term effects of droughts, not just the short-term effects in the form of poverty and hardship. How dreadful it must be for the individual landholder to see his stock starving to death or having to be shot by a bullet that he is paid by a government to fire from a gun. The cumulative effect not only in the country centres of the State but also in the cities is such that under the present arrangements the States have to spend a total of \$5 million in any one financial year before the federal Government comes in with aid. Under the agreement that I hope will continue into the indefinite future the federal Government will provide unlimited financial assistance.

That sum of \$5 million can be used in respect of any natural disaster, be it flood, fire or drought. They are the three worst types of disaster that can rage almost uncontrolled through our primary producing areas. It has been established basically that the federal Government will come in where there has been a sum of, say, half a million dollars spent on any one natural disaster in any period, whether or not it overlaps a financial year. Now that the federal Government felt constrained, in the pre-election fervour late last year, to reverse its inclination to withdraw from this worthy scheme, it is to be hoped that not only will it be offered in the future, but also that it will be extended wherever possible.

It is important to cast our net a little wider in considering the types of measures that can be taken—not to break the drought, because there is little that can be done about that, but to alleviate the damage that it causes in country areas and to the economy. We should cast our net a little wider and hope for some of the improvements that I mentioned in this House in October, 1976, and October, 1977. Instead of limiting the financial assistance that a primary producer can create for himself by the old drought-bond scheme or the income equalization deposit by which it was replaced, it would be a little easier if we could get an assurance, apart from any short-term measures that can be introduced by the federal Government to improve the lot of primary producers and other industries that have suffered from the drought, of other more positive and wider ranging attempts by the federal Government to stabilize the income of primary producers.

In October, 1976, and October, 1977, in similar debates in this House I pointed out that for the past twenty or twenty-five years there has been a horrifying decline in farm incomes, rural population and the number of **personnel** in the Australian work force who are directly dependent on primary production. I made reference to the findings of the Henderson committee on poverty in respect of pockets of poverty in rural areas. Although under our constitutional structure the Commonwealth Government retains exclusive responsibility for export marketing, it is essential to have short-term measures. I hope other examples will be given in this debate. I hope that some positive measures will be taken by the Commonwealth Government to increase the marketing prospects of industries that manage to remain viable despite the reverses suffered by most of them due to climatic and other conditions. Rather than concentrating on production assistance we should have some assurance in respect of the economic circumstances of individual producers who have no back-up resources, no asset backing,

*Mr Sheahan]*

for the type of reversal that they suffer during a drought. They are matters over which they have no direct control. If there is an improvement in this area it will enable producers to balance their budgets and make provision for these unforeseen calamities. It is to be hoped that some action will be taken on these important aspects that are not directly related to the drought.

All this highlights the concern that is spreading through wider reaches of the community in respect of the drought. More positive work has been done and thoughtful contributions have been made by the metropolitan news media towards solution to the problem. Last year there was a series of articles in the Bulletin, with which the Leader of the Opposition was formerly associated, emphasizing to the many people who read that magazine the enormity of the problem. The headline in the issue of 24th December, 1977, which was Christmas Eve, was small comfort to the people living in rural areas of the State. It read, "The Multi-Million Dollar Drought Grip Tightens". It should be realized by all members of the House—not only country members, who would not need to be reminded—that the grip of this drought, or of any drought that may follow it or any residual damage that occurs from it, will be felt far beyond the primary producers, who are often vilified by their city brethren. The effects will extend to the water supply on which the people of New South Wales in the towns and cities and in the major metropolitan cities of Sydney, Wollongong and Newcastle, are dependent. I appreciate the opportunity of being able to raise these matters on a non-partisan basis with a view to honourable members who are interested in contributing to the debate doing so in a constructive and apolitical way. It is a far-reaching problem.

Mr MASON (Dubbo), Deputy Leader of the Opposition [5.6]: The Opposition welcomes the opportunity to discuss in this House in a constructive way the national problem of drought. It is a great pity that the form of the House that has been used to bring the matter forward will limit Opposition members to such a brief opportunity to participate in the debate, though the mover of the motion and the Minister will have considerably more time to speak. We in Opposition are proud of the fact that we have the privilege of representing the major portions of the rural areas of New South Wales. We do it proudly and we believe that, as individual members and as an Opposition, we give way to no one in our concern to ensure that the affairs of the State are looked at in a balanced way.

I draw the attention of honourable members to how the Opposition's concern about this problem has been expressed in this House again and again last year. On 12th November last the honourable member for Sturt asked a question of the Minister and drew attention to the deep concern that he had for his area. The south-west of the State is the area that has been most seriously affected and that situation continues. The honourable member for Wagga Wagga, the Liberal Party spokesman on rural matters, issued press statements during November on this matter. Various members of the Country Party, as well as the Leader of the Country Party, issued statements on this serious problem. I hope that when the mover of this motion talks about the Opposition approaching this matter on a non-partisan basis there is no implicit suggestion—for he and the Government are in a privileged position—that the Opposition has not, as usual, led the way in drawing attention to the situation and warning of what is ahead.

The drought situation is desperately serious, as with other natural disasters. Nothing can be more serious than a severe drought. Every expert who has encouraged us to realize the potential possibilities of this country has declared that the one determining and limiting factor will always be water. We have fertile soil, a favourable climate, a land that can be the food bowl of the world, but with one limiting factor—water. Therefore, it is right and proper on this occasion for honourable members again to discuss the problems of water and drought.

I see a grave weakness in the motion. The honourable member for **Burrinjuck** talks about the State's rural economy, but it is the economy of the nation that is at stake. **Despite** all that might be said, the primary products of this country are still the backbone of the nation's economy. If the rural economy is destroyed, Australia's economy is destroyed. Unfortunately today some people still like to mislead the community into thinking that this is not so. Of course, those people are proved wrong by the statistics and the facts. The economy of this State and its Government depend on the health of the rural economy. If there is a disastrous wheat season, rural industry is at risk. If there is a disaster in any rural economy, the economy of this State is directly and vitally affected. My point is that we are discussing not the rural economy of this State but the economy of the nation.

I seek to make it quite clear and to place on the record that I welcome a visit by any Premier of this State to any part of New South Wales. It is imperative that the head of State be familiar with the problems that exist in the areas right through the western and other areas represented by my colleagues. I hope that many of them will have a chance to speak during this debate, but I wish to say on behalf of all my colleagues that we welcome any visit of the head of State so that he can see the problems for himself. We can forgive any lack of courtesy in failing to notify a local member of a projected visit or anything like that, because we believe it is important and imperative that the Premier should know what is going on. We valued and welcomed his last visit. We trust that it was a genuine one, and will not be used for any political purposes. My colleagues and I have no wish to see politics introduced into the grave problem now confronting the State.

I shall briefly mention one or two matters in the short time available to me. What the country and rural people of this State want is not easy handouts or some hidden way through to give them some advantage. They are looking to the Government to provide some means of cutting through the red tape and overcoming all the obstructions and difficulties that sometimes seem to surround the blandishments that appear in the press, claiming what wonderful things will happen and that much help will be available. These things sound good and look wonderful on paper, but when the poor farmer who is struggling to stay on his property goes to the Rural Bank for assistance, he should not be confronted by a mass of forms. He knows the problems and delays that can arise, and he is looking for some way to cut through the red tape. This is where the acid is put on the Minister for Conservation and Minister for Water Resources, the Treasurer, the Minister for Decentralisation and Development and Minister for Primary Industries, and others who are responsible in this area of administration. I am not being critical in any political sense. I am sure that supporters of the Government will agree with me when I urge the removal of the barriers, delays and hindrances to speedy assistance.

I instance road tax, and the problems that confronted the great-hearted people who decided that they would do something about getting city people to help the country people. They had problems when they sought to obtain road tax concessions for delivery of grass cuttings as stockfeed. I wish I had time to tell the whole story about the delays that occur. A man came to my office in Dubbo the other day and told me about the problems and delays that he was experiencing in getting a loan through the normal processes. I *sympathized* with him. Perhaps delays will always obtain in a democracy; it is part of normal administration. However, in these adverse times there is justification for cutting through the red tape.

Last year in this House I asked the Minister for Transport, having in mind the tremendous problems in the wheat industry, which was facing a terrible collapse, to re-examine the increase in rail freights. I suggest to the Premier and his colleagues that if they really want to do something to help the people who are in trouble, in

*Mr Mason]*

addition to talking about concessions for people who are moving starving stock or fodder, they should talk about the rail freight increases that are really crippling the rural economy. This is something that must be faced by the people now occupying the Treasury benches.

Mr Schipp: The honourable member for Monaro said rubbish.

Mr MASON: Let him answer to the people of the Monaro electorate, and explain why he said that. The rail freight increases had a massive and crippling effect on the rural economy. Indeed, they have taken from many wheat farmers any possibility of viability, and perhaps the ability to sow wheat next year. I wish I had time to say something about water resources, but I see that the Minister for Conservation and the Minister for Water Resources is present and apparently will speak in this debate. In addition to road concessions and the other assistance I have mentioned, it is necessary to plan for the future in this area. We want to see the Government bring forward some plan for developing water resources, but this Government, which is supposed to be so concerned about drought, did nothing about the Windamere Dam. When a party of my colleagues were going to inspect the area a great announcement was made by the Government that work on the dam was to start again. The Government was about to put a road there——

Mr SPEAKER: Order! The honourable member's time has expired.

Mr GORDON (Murrumbidgee), Minister for Conservation and Minister for Water Resources [5.16]: I am pleased that the Deputy Leader of the Opposition referred to Windamere Dam, because I intended to mention it. When the parties opposite were in office they drew up a programme. At the time it was fashionable before an election for candidates for the Liberal Party and the Country Party to go round the rural electorates and promise everyone a dam. They promised weirs, too, and most of them we have built, though the work had been stopped before we came to office. I shall come to that matter later. I congratulate the honourable member for Burrinjuck upon moving this motion. Like his father before him, he is most interested in rural matters. One has only to visit his electorate to see how much he is appreciated there. That does not apply to some of the members of the Country Party who represent rural constituencies.

The south-west of New South Wales is represented in this House by myself and the honourable member for Murray, whom I am pleased to see in the Chamber. I might mention that the Murray Valley is worse hit than the Murrumbidgee Valley. I shall discuss first, therefore some of the problems in the Murray Valley, which has been overcommitted because of promises made by the Country Party and the Liberal Party. When those parties were in office a property was bought and subdivided; the subdivided lots were then sold as dry area properties, and the owners then applied for water allocations. The dry area properties became irrigation properties. This went on year after year, and they kept issuing pumping licences until the water in the Hume Weir, even on a mathematical calculation, had no chance of supplying the people who had received allocations. At the beginning of a year people were saying: "My allocation is 500 megalitres. I wonder how much I will get?" If they got 500 megalitres they were lucky, but they probably would get only 400 megalitres. That is the basis on which they had to operate and to put in their crops for many seasons.

Last year under the administration of this Government almost every farmer in the Murray Valley completed his rice cropping. This year the Government announced the availability of a 20 per cent borrowing against next year's allocation. In previous years other governments were not willing to offer that sort of assistance. Of course the Government has not given anything away: it does not have anything to give away. There is a limited amount of water. For example, at 24th October the

Hume Weir held only 82 per cent of its capacity. By 5th December it was down to 75 per cent and dropping at the rate of between 2 per cent and 3 per cent a week. By 16th January it had dropped to 56 per cent of its total capacity. On Monday last it was down to only 53 per cent. Some people who rely upon water from that source are desperately in need of an indication of what will happen to them. They are asking me almost daily to give them an answer, yes or no. I hesitate to give anybody a negative answer, but the difficulty is that the storage is down to 53 per cent of its capacity.

Water in the Hume Weir and the Murray River is administered by the River Murray Commission, whose members represent three States and the Commonwealth. The allocation of water from the Murray River is to New South Wales, Victoria and South Australia. As bad as the situation is in the Murray River, it would have been much worse if it were not for a fluke situation whereby northern New South Wales and parts of Queensland got a lot of rain and the Darling River has kept full the Menindee storage, which has a capacity of 2.5 million megalitres. On 24th October last the Menindee storage was overflowing. On 19th December it was still overflowing, but it has now dropped to 93 per cent of its capacity. The reason is that South Australia is drawing from that storage, which is favouring the Hume Weir storage and people upstream on the Murray River. *{Quorum formed.}*

I thank the honourable member for Clarence for his brief and customary contribution. He is consistent, and that is about all he is worth. I was talking about the situation in the Murray Valley. Since the Premier's visit to that area I have been in constant touch with local authorities. Judging from reports in the newspapers, the Premier's visit was greatly appreciated. During his tour the Premier learned at first-hand about some of the problems suffered by country people in drought areas. Following the Premier's tour an arrangement was made to send grass cuttings from Sydney to Deniliquin. This was greatly appreciated by the people of that centre.

The Deputy Leader of the Opposition has said we must cut through red tape. He mentioned road tax and how this Government stood in the way of providing much-needed assistance. I should like to inform him that at about 9 o'clock last Friday night, just after I arrived home, I received a telephone message that the carrier who was organizing between sixty and seventy trucks to carry grass clippings from Sydney to Deniliquin had been informed by the Department of Motor Transport that the trucks would be exempt from road tax on the trip to Deniliquin but not on the return journey. That information was given to me by the chairman of the Deniliquin area pastures protection board.

On that same day I had attended a Cabinet meeting which had signified its determination to cut through red tape. That is just what we did. I contacted the chairman of the committee who in turn endeavoured to contact the man organizing the loading of the cuttings. He could not do so. Eventually the police contacted this fellow and he was told that the road-tax exemption would apply both ways. The people at Deniliquin were notified before eleven o'clock on that same night of the action taken by the Government. All this was done in less than two hours, most of which was taken up by the police seeking out the gentleman concerned. On the following day the chairman of the Deniliquin pastures protection board told me that the scheme had been a tremendous success and that all the grass clippings had been distributed.

Mr Mason: All the drive-ins in Sydney are full of grass cuttings because none of the truckies got that message.

*Mr Gordon]*

Mr GORDON: I can assure the Deputy Leader of the Opposition that I was told that 160 truckies did get the message and that that number of vehicles, ranging from utilities to semitrailers, made the journey. That was the information given to me. Somebody may have pulled my leg but I do not think so.

Mr Murray: We will see about that later.

Mr GORDON: The honourable member for Barwon might care to comment later. I have told the House of the information that was given to me. When this Government came to office it found merely a list of proposed works and forward planning. Forward planning is a strange term. If one is out in a country district and tells a farmer that his dam is on the forward-planning list, that does not mean that the farmer's project is at the top of the queue. More than likely it means that the work is being projected fifteen years ahead. However, some people think that it is good because at least they are on the forward-planning list. I have here a memo dated Febniary, 1976, relating to the Water Resources Commission. It refers to the construction of works and lists projects that had been stopped. I remind the House that this was at a time when the great helpers of the farmer were in power. Work was stopped on the Balranald weir on the Murrumbidgee River, in the home town of the Hon. L. P. Connellan, a member of the Legislative Council who I understand is president of the New South Wales Country Party. The Weeta weir on the Namoi River was stopped also.

Mr Murray: How much water would it hold?

Mr GORDON: It would not have held the tears that have dropped from the eyes of the honourable member for Barwon if the Wran Government had not got on with the work and completed it. Work on the subways under the northern Macquarie by-pass channel was stopped. That was an ancillary work and not a storage, but one has to have distribution works or the storages are useless. Additionally, the extension of the Colleambally outfall drain at Boorooban was stopped. Further, in September, 1975, work ceased on the Windamere Dam. That structure has come in for a lot of criticism. The Deputy Leader of the Opposition was most critical about what has happened with that dam. However, in June, 1975, during a visit to the area by the Minister for Public Works and Minister for Ports, now the Leader of the Country Party, it was announced that a programme of construction would provide for storage by the spring of 1980. That programme was based on an estimated cost of \$22 million. At the 1976 elections the coalition parties said there would be money for that project in the next budget. Labor was critical of the former Government's actions with regard to that dam. On coming to office the Wran Government allocated \$1.6 million for roadwork deviation, something that must be done before the dam proper can be built.

Mr Mason: My information, which is very reliable, is that the Government has not even got a design completed.

Mr SPEAKER: Order! I call the Deputy Leader of the Opposition to order.

Mr Mason: You have not even got a design.

Mr SPEAKER: Order! I call the Deputy Leader of the Opposition to order.

Mr GORDON: The Government has not got a design—so what? The design is the last thing that is done. It is completed just before tenders are called. The plan and the design are two entirely different things. Had Labor been in office earlier it would have had a design and it would have resumed land all round this area. The Windamere Dam has been commenced and there will be no stoppage of work on it until it is completed. The Wran Government has a responsibility to people in the country and that is what it is demonstrating.

That is what the Government is about to demonstrate. Honourable members opposite can throw all the cold water on it they like but the Government's track record is so good that they cannot fault it. I have visited the site and the honourable member for Orange, who succeeded the former leader of the Country Party, should realize that it is a sad situation when people draw a circle on the map of a certain area and say that they will build a dam there. Those long-projected plans merely embarrass the people in the area who own the land. Once the site of a dam has been announced the land owned by people in the area is under threat of resumption. That is what the former Government did.

Mr West: The former Government announced it a long time before you did and they started to resume land.

Mr GORDON: Only one property was resumed. Do you know who paid for the property that was resumed?

Mr West: The present Government stopped the rest of the resumptions.

Mr GORDON: In one particular case where there was hardship this Government paid \$100,000. If the Government were to resume all the properties in an area where a dam was to be built it would not be able to build the dam. Soon after coming to office the Government called tenders for the Chaffey Dam. Honourable members opposite would have said that the Labor Party would not do that because it was a Country Party electorate, but we would not be so petty. In contrast, when the Liberal Party and Country Party came into office the former Leader of the Country Party announced to the people of my electorate and the Murray electorate that the southern part of the State had enough water storages and that it would build weirs in the North and Northwest. In August, 1974, during a flood there was a landslide and some large boulders damaged four of the bottom valves in Burrinjuck Dam. That Government made no effort to repair those valves. The honourable member for Wagga Wagga is one of the members opposite who does not care. It will cost about \$2 million to repair those valves. The dam is down to 25 per cent of its capacity but only 15 per cent can be released. The remaining 10 per cent cannot be released because the bottom water valves are still inoperative.

On 24th October last Burrinjuck Dam was holding 89 per cent of its storage capacity. By 16th January the storage level had fallen to 43 per cent and by 23rd January to 39 per cent. When the level falls to 25 per cent the people along the lower part of the Murrumbidgee will be in trouble. Thanks to the foresight of the Hon. G. Enticknap another dam is available, Blowering Dam, which was holding 81 per cent of its storage capacity on 24th October last. By 16th January the level had dropped to 55 per cent and by 23rd January it was down to 53 per cent. Probably the situation along the Murrumbidgee River is not as serious in the short term as it is along the Murray. In the long term, if autumn and winter rain does not come the situation will be desperate and it will have been contributed to by the gross negligence of the Liberal and Country parties when in office in failing to repair the damaged valves of the Burrinjuck Dam. Those valves have remained damaged and inoperable since August, 1974.

*[Interruption]*

Mr GORDON: Apparently the honourable member for Barwon does not follow my argument. Those valves were broken in August, 1974, and remained broken until the Wran Labor Government came to power in May, 1976. The cost of repairing the valves is \$2 million and it will take about thirty months to complete the work. I admit that I have some interest in the Murrumbidgee. One of the first decisions of the Wran Government after assuming office was to order the replacement valves. It is

just as well somebody has a bit of an interest in the Murrumbidgee. I represent the area and have such an interest, as does the honourable member for Burrinjuck. The first question asked of me was about the condition of the Bumnjuck Dam and it was directed at me by the honourable member for Burrinjuck.

What can be done now? People are talking about sinking additional bores and building more dams. It is a bit late to start sinking more bores now. The area will be really short of water by the time another bore is sunk. Also it is a bit late to start talking about building another dam now. The performance of members of the Country Party in the country areas of New South Wales is pathetic. They continue to tell people lies and create fear. The people in the country areas will come to realize—as many of them have already done—that the Premier means business when he visits the drought areas of this State. Hay, which is an electorate adjoining the electorate of Murray, had not seen a Premier since 1923. Our Premier found time to visit Hay. It is to the advantage of people who live in drought-affected areas of this State that the Labor Party is in office.

Last Friday members of the Government attended a meeting of the Australian Agricultural Council in Adelaide. The Wran Labor Government has made approaches to the Prime Minister. The Premier has written to the Prime Minister asking for assistance additional to that laid down under the provisions relating to natural disasters. For anything outside the ordinary list the Premier is required to make an approach to the Prime Minister. One of the big problems in my area, as in other areas, is the high cost of carting water. Unfortunately that sort of charge is not included on the list of approved assistance for natural disasters. The Premier of New South Wales is asking for that sort of assistance to be made available. Local government will assist by distributing the water and the proposition that has been put to the Commonwealth Government is that local government bodies receive payment for that service. My colleague the honourable member for Burrinjuck has enumerated other items of assistance that have been requested. Now we are waiting for the Prime Minister to reply to the telex sent by the Premier. As soon as a favourable reply is received we will get on with the job.

Mr MURRAY (Barwon) [5.40]: This must be one of the most remarkable motions ever moved under Standing Order 49. Last night this House had to adjourn because of lack of business. One of the basic principles of a motion for adjournment under Standing Order 49 is that it should be brought forward at the first opportunity. Yesterday hours were wasted that could have been spent debating this subject but it was not brought forward. It is interesting, although grossly hypocritical, that the Labor Government of this State should whinge, cringe and scream about the drought and what a terrible government the federal Government is. In 1966 the former Government appointed a select committee on drought, and it recommended the basis for the present drought-assistance measures. The chairman of that committee was the present Leader of the Country Party.

The honourable member for Burrinjuck and the Minister for Conservation and Minister for Water Resources have talked about what the Government is doing to alleviate drought problems. Let us take a cold, hard look at the basic cause of those problems. It rests fairly and squarely on the shoulders of the Whitlam Labor Government. During the 1972–75 Whitlam era when the system of assisting rural producers to conserve water and fodder, to create water storages, and of granting concessions to primary producers was taken away by the so-called courageous Labor Government that is now purporting to do so much for the man on the land. Those water and feed concessions were revoked but now they are being restored. Yet the honourable member for Burrinjuck and the Minister for Conservation and Minister for Water Resources have the hide, the gall, to say what a grand government we have in New South Wales.

The Premier has been wandering round the countryside on a publicity tour. Certainly, it is the first time that he has been out in the bush about anything, but he visited one area for a mere hour without consulting the people who might be able to help him in that area. He did not even let the local members know that he would be in their areas, nor did he pay numbers of people who might have been able to assist him the courtesy of telling them that he was going to their districts. He wandered in, spent a flighty hour or so and was off again on his whistle-stop tour. When he is on such whistle-stop tours it would be reasonable to expect that the Minister for Primary Industries would accompany him to find out what the problems are so that they might be dealt with by his departmental officers.

The basic problem of drought falls on the individual landholder in the first instance. As the Minister said, landholders cannot create overnight a stockpile of fodder or water reserves or build dams. Funds for these purposes have to be made available from the Commonwealth Government. Although this State has to meet the first \$5 million in drought-relief measures, the Commonwealth meets the balance, regardless of the total cost. That is in accordance with an agreement reached between the States and the Commonwealth. This State can go ahead and meet that \$5 million. The Commonwealth will supply the balance of the funds, thus giving the landholder the incentive to do something for himself. That must be the basic concept in any form of drought relief. It is useless to give handouts for ever and a day. The basic policy must cater for good seasons as well as bad. That is why I strongly condemn the Labor Government of 1972-75 which took away the capacity of the man on the land to fend for himself.

The problems of water, feed and lack of finance are the three basic factors that have to be taken into consideration. The Minister's discussion—it was hardly a speech—about the water situation in the State was remarkable. He did not say that the Commonwealth Government had re-established a national water resources programme for \$20 million. What has the Minister done to get a share of that sum of money? What programme has he put forward? He should have told the House that his Government has approached the Commonwealth for its share of the \$20 million. He did not even mention that. Probably he does not even know that it exists. It would have been reasonable for the Minister to say during his speech what the Government was doing. He did not even acknowledge that \$20 million is available to boost the State's water supplies.

Mr Gordon: There is nothing new about it. We have been getting it all along.

Mr MURRAY: It was only reintroduced in the last Budget. It went out in the time of the Whitlam Government and now it has been reintroduced. The hardest thing to combat in country areas is the effect of a drought on the towns and villages. They are economically dependent on the work opportunities to be found within them—in stores and garages, in the tourist industry, and in the hotels and motels. All these industries are heavily affected by drought. It is essential that they be in a position to maintain their level of staffing. It has been put to the Premier and the Treasurer that road transport concessions be made on the transport of stock feed and water. This is most essential. The first step must come from the State.

Yesterday afternoon in reply to a question from the Leader of the Country Party the Treasurer declined to give consideration to the grant of payroll tax concessions for businesses in drought-stricken areas. This must be part of our thinking for the future. Another important matter of which the Minister for conservation and Minister for Water Resources should take cognizance is the decline of the supply of water from bore systems. The output capacity of a number of bores is being reduced by corrosion of pipes. The output of sub-artesian and artesian bores is rapidly declining. This matter must be looked at now but now just when a drought occurs. The pipes should

be replaced so that the flow of water may be maintained. Then in times of drought the bore drains will not run dry. This is the type of activity upon which the Government should be concentrating in order to supplement the supply of water from the river systems. In this way the water needs of the State can be maintained in time of drought. That is the biggest problem. In December I approached the **Minister**—

Mr SPEAKER: Order! The honourable member's time has expired.

Mr SCHIPP (Wagga Wagga) [5.50]: It is a pity that this debate has deteriorated in quality. The honourable member for Burrinjuck called for a non-partisan debate, but he blotted his copy book at the very beginning by castigating Opposition members for not rising to support the motion and claiming that no country members lent their support. I for one stood in my place and I saw the Deputy Leader of the Opposition also standing. Other Country Party members indicated their support for the motion by standing. During the debate the honourable member, without evidence, proceeded to criticize the Commonwealth Government for having indicated that Commonwealth aid was to be withdrawn from State schemes. I contacted the Deputy Prime Minister's office as he had been blamed for making the statement in the absence of the Prime Minister. That allegation was denied emphatically, and I was told that there would be no withdrawal of Commonwealth funds.

I do not know what the Minister for Conservation and Minister for Water Resources was doing when he discussed matters that were outside the terms of the debate. This debate relates to measures to relieve the drought, but the Minister gave honourable members the history of water resources in New South Wales. He did a lot of waffling about it. I do not deny that the history of water resources is important, but we were waiting to hear from him some initiatives that related to the problems created by the present drought. That is why I believe this debate is a padding exercise, designed to fill a gap because the Government has no business to go on with. We had evidence of this last night when the House rose earlier than most honourable members can remember.

The seriousness of the drought is well known to members of the Opposition. It was mentioned on many occasions by us last spring when it first became apparent that the drought was developing into a critical situation. In many parts of New South Wales a drought has continued since 1976. I was disappointed that the Minister showed no initiative during the 1976 drought. It was as though he was oblivious of the fact that southern New South Wales was in a desperate situation. Also, I ask why the Premier was so surprised on his recent visit to find these conditions. Was it because the Minister was unable to advise him of the seriousness of the drought?

I can give an example of what is occurring in an area in my electorate, close to the Burrinjuck electorate. This is typical of what is happening in the highlands. A grasshopper plague has been worrying people there for the last few seasons. The grasshoppers have built up and although the matter has been brought to the attention of the Minister for Primary Industries on many occasions, by telegrams, questions and letters, the representations were not acknowledged until pressure built up when the matter came to the attention of the public. I tried to negotiate directly with the Minister, for I knew that we might do it that way and get the desired result. After we took that initiative, the Minister sent entomologists to the area. They were amazed at the extent of the problem. I am surprised that the Minister for Decentralisation and Development and Minister for Primary Industries is not in the Chamber when this serious debate concerning the agricultural industries is taking place. He does not seem to be aware of the seriousness of the situation, and has given no lead or initiative.

The honourable member for Burrinjuck did not outline the constructive suggestions that have been made to the Premier. He said that many suggestions were put to the Premier, but we would like some information that the Premier gathered on his recent visit to the country. I am beginning to believe that his visit was a publicity campaign. The Premier has done an excellent job in getting the propaganda across. In opening the debate, the honourable member for Burrinjuck called for more publicity, but surely the Government should be giving more publicity to what is going on in the primary industries. The Government sent out information to all members in regard to drought-relief measures. I made sure that this information received publicity in my electorate. Indeed, I believe that the honourable member for Burrinjuck quoted from a press statement I issued when he said that this was a continuing drought, that the whole matter needed to be invited to the attention of the public, and that no one but the Government would provide the relief. Also, I called for assistance in regard to the cartage of water. We know the crippling effects of drought. If the water supply runs out, the man on the land is in real trouble.

As I am committed to restrict my remarks so that the mover of the motion will have an opportunity to reply to the debate, I cannot expand fully my views on this subject. We realize the seriousness of the situation, and we realize that, in some way or other, half the population of New South Wales depends on the rural industries. I heard the other day that the two most critical problems confronting the Commonwealth are unemployment and drought. I hope that the Government of New South Wales will do the right thing by the people who are enmeshed by this drought. It can be done. I ask the Minister to put plans into operation to provide some additional relief in the drought-affected areas of New South Wales.

Mr SHEAHAN (Burrinjuck) [5.56], in reply: The Deputy Leader of the Opposition and other members of the Opposition criticized me for taking advantage of the forms of the House to raise this matter. That is an extraordinary attitude when one considers that I moved for the adjournment of the House so as to present all members with an opportunity of discussing this matter and of putting forward constructive suggestions. I explained that at the outset. The Deputy Leader of the Opposition talked about freight rates and freight subsidies, as well as the inadequacies of concessions. This afternoon I received information indicating the amount spent on freight subsidies of this type in 1976–77. During that year those subsidies amounted to \$5.5 million. In 1977–78, it will be \$9 million. It is all very well for the Deputy Leader of the Opposition to talk about freight rates, but I am sure it is already on record that the previous Government increased freights by 10 per cent in December, 1974, by 5 per cent in May, 1975, and by 15 per cent in October, 1975. That does not compare too favourably with the two increases by the present Government of 6 per cent and 7 per cent.

I was interested to hear the honourable member for Wagga Wagga say that the Deputy Prime Minister's office denied a statement that was in fact made by the Deputy Prime Minister. It is a matter of public record that the statement was in fact made; indeed, it was the subject of correspondence between the Premier and the Prime Minister after it was made. It is also a matter of public record that the stance of the Commonwealth Government was changed at the Premiers' Conference. I mentioned that earlier.

I am sorry that no members of the Opposition took advantage of this opportunity to make constructive suggestions. The honourable member for Barwon made some good points about the need to implement more conservation measures. I was pleased to hear the Deputy Leader of the Opposition echo a call I made when moving the motion—to cut red tape and to reduce delays to a minimum by appointing senior officers to arbitrate on matters in dispute. The purpose of moving this

motion was to give honourable members an opportunity to contribute suggestions on drought relief. As that purpose has been satisfied, I seek the leave of the House to withdraw the motion.

Motion, by leave, withdrawn.

*[Mr Speaker left the chair at 6 p.m. The House resumed at 7.30 p.m.]*

## CONSTITUTION AND PARLIAMENTARY ELECTORATES AND ELECTIONS (AMENDMENT) BILL

### Message

Mr WRAN (Bass Hill), Premier [7.30]: I seek the leave of the House to amend Government business notice of motion No. 1 standing in my name by leaving out the words "Mr Bedford" and inserting instead the words "Mr Einfeld". The reason for this is that Mr Bedford will be paired during next week.

Mr COLEMAN (Fuller), Leader of the Opposition [7.31]: The Opposition anticipated this request and will not oppose it. But what an extraordinary piece of ineptitude it is on the part of the Government that when preparing for a most important constitutional conference it appoints a person with whom it has not discussed the matter and who is not going to be here. What an extraordinary booboo. In fact, it was the Opposition which drew the attention of the Government to this blunder. The Opposition was aware of this matter but apparently the Government had not discussed it with the person appointed.

Mr Arblaster: Typical.

Mr SPEAKER: Order! I call the honourable member for Mosman to order.

Mr COLEMAN: I hope that this further example of the Government's mismanagement, following the snafu of last night, is not an indication of what will continue. It certainly indicates the mess in which the Government has got itself. In the circumstances the Opposition will not oppose the amendment.

Leave granted.

Mr WRAN (Bass Hill), Premier [7.33]: I move:

That the following Message be sent to the Legislative Council:

The Legislative Assembly, pursuant to the provisions of section 5B of the Constitution Act, 1902, and having regard to the Legislative Council's Message dated 11 January, 1978, in reference to the Constitution and Parliamentary Electorates and Elections (Amendment) Bill, requests a Free Conference with the Legislative Council with respect to the disagreement between the Legislative Council and the Legislative Assembly on the said Bill; and the Legislative Assembly has appointed ten of its members to be managers of such conference in its behalf and such managers shall be:

Mr Wran, Mr Ferguson, Mr Renshaw, Mr Cox, Mr F. J. Walker, Mr Hills, Mr Day, Mr Jensen, Mr Crabtree and Mr Einfeld.

This motion takes us one step closer to the moment of truth. It takes the Opposition and the Legislative Council one step nearer to the day of reckoning. It takes us nearer the time when all the obstruction, the hypocrisy, the humbug, the distortion and the prevarication must stop, and the people of New South Wales are allowed to say whether or not they want a democratically elected Parliament and a democratically elected Legislative Council.

This bill has now been passed twice by the Legislative Assembly. The first time it was sent up to the Legislative Council, the Council failed to return it to this House within two months. Accordingly, the Council is taken to have failed to pass the bill for the purposes of subsection (4) of section 5B of the Constitution Act. This House again passed the bill, again transmitted it to the Council—and again the Council rejected it on the 11th January, 1978. The next stages in the procedures provided by section 5B of the Constitution are set out in subsection (1):

“ . . . if after a free Conference between managers there is not agreement between the Legislative Council and the Legislative Assembly, the Governor may convene a Joint Sitting of the members of the Legislative Council and the members of the Legislative Assembly.”

This motion therefore initiates the next step—the holding of a free conference between managers. If that free conference fails to reach agreement the Governor is empowered to convene a joint sitting of both Houses.

The standing orders of this House require that a motion requesting a conference shall contain the names of the members proposed by the mover to be the managers for the Assembly and the number of such members shall never be fewer than ten at a free conference. The naming of ten Government members in the motion is not an attempt to prevent the Opposition parties from taking part in the free conference. Rather is it a recognition of the fact that the conference is designed to break the deadlock between two Houses, the majorities of which hold opposing views on the proposed legislation. It would be pointless for this House to be represented by opponents of the measure, when the House has already passed the bill twice. It would be equally pointless for the Council to be represented by Government members, when the Opposition majority in that House has rejected the measure.

The reason that Mr Einfeld's name is now, by leave of the House, substituted for that of Mr Bedford is that the Act requires that the free conference shall be held without delay. It was thought by the Government that the Legislative Council, once this resolution was passed by this House and a message given to it, would be content to have a conference tomorrow, that being without delay. However, in discussions between the Government's leader in the Legislative Council, the Hon. D. P. Landa and the Leader of the Opposition, Sir John Fuller, Sir John suggested that the conference might take place on Tuesday next in response to Mr Landa's proposal that ten members of the Opposition in the Legislative Council be nominated by the Council to attend the free conference of managers—in other words, in accordance with the clear and succinct principles which I articulated a few moments ago. We know of the cabals and cells into which the Opposition is broken, but if there were more communication between the Leader of the Opposition in the Assembly and the Leader of the Opposition in the Council, members of the Opposition in the Assembly would know of the arrangements between Sir John and Mr Landa and the rather unbecoming and churlish remarks of the Leader of the Opposition when he spoke on the matter of leave would not needed to have been made in circumstances requiring some objectivity and responsibility in regard to such an important constitutional matter.

Mr Punch: How did you find out? You were away fishing.

Mr SPEAKER: Order! I call the Leader of the Country Party to order.

Mr WRAN: It is good to see the Leader of the Country Party here. He is usually a long way from his electorate. This is the closest he has been to it in the past four weeks.

*[Interruption]*

Mr SPEAKER: Order! I call the Leader of the Country Party to order.

Mr WRAN: As I have already indicated, section 5B of the Constitution Act is designed to break the deadlock between the Houses. It is designed to break down the barriers between the Houses so that meaningful dialogue can take place in an endeavour to reach agreement on matters of great constitutional importance. The sequence of events set down in the Constitution Act gives this Parliament every opportunity to ensure that legislation of this type is fully and properly ventilated in the Parliament before it is presented to the people for the final decision to be made.

It must be remembered that, whether or not there is agreement between the Houses, the bill must still be submitted to a referendum and receive the approval of a majority of the electors of the State before it can become law. The Government hopes that the deadlock can be broken. We propose to enter into the free conference with that aim in mind. That will certainly be the approach and the aim of the Government. I have to say however, that the attitude of the Opposition and the Legislative Council offers scant hope of any agreement or even rational debate.

Honourable members may have read the recommendations, so called, contained in the report from the Legislative Council's select committee on the bill. It is more than a disappointing document. It is a downright dishonest document, full of distortions, full of special pleading, the pleading of self-serving entrenched interests determined to hang on to their privileges and perks to the bitter end. I invite the House to examine this document as only the latest example of how entrenched interests in this State have sought to protect their privileges and have sought to retard democracy in New South Wales for more than a century. The report drags out the red herring of a Constitutional convention. It says: "A change to the Constitution should only be made after exhaustive non-partisan study. We can get a fair idea of how non-partisan such a convention would be from the turgid, inaccurate, usually irrelevant and generally incomprehensible articles on this subject by the latest Leader of the Opposition. In the report itself, they give the show away.

The call for a convention is just another delaying device, another step in the delay and obstruction of the past year. The report says: "There are 300 systems of voting incorporating proportional representation." The implication is, of course, that a convention should examine these 300 systems. I have no doubt that if the Legislative Council had its way, there would be on-the-spot investigations of some of these systems, oversea trips to Europe and North America, and more perks for these members of the most exclusive club in Australia.

It is all humbug. The fact is that there is to be a convention—a people's convention, a convention of all the people of New South Wales when they come together to vote on this bill and say once and for all whether they want a democratic Parliament and a democratically elected Legislative Council. That is the convention we are going to have, that is the only convention worth having and that is the only convention that counts. There is only one real question to be answered, just as this bill has one purpose and one purpose only—to provide for a democratically elected Legislative Council—

*[Interruption]*

Mr SPEAKER: Order! I call the Leader of the Country Party and the honourable member for Monaro to order.

Mr WRAN: I shall repeat that because members of the Opposition seem to be more interested in hearing their own voices than what I am putting to the House. There is only one real question to be answered, just as the bill has only one purpose—to

provide for a democratically elected Legislative Council, elected by the people and not by the politicians, a Legislative Council that will faithfully and accurately reflect the will of the people. That is the only question: that is the only purpose of this bill. It is futile for the Opposition to try to muddy the waters by self-serving and dishonest argument about the proposed voting system. The plain fact is that the voting system proposed is the most democratic and fairest that could be devised for an upper House. It is equitable, straightforward and realistic.

*[Interruption]*

Mr SPEAKER: Order! If the Leader of the Opposition wishes to participate in the debate I ask him to seek the call and I shall give him the call.

Mr WRAN: It is more generous to small parties, new parties and independents than any system operating in any parliament in Australia. We have this incredible humbug from the Opposition and the Legislative Council about their new-found concern for small groups and small parties. What chance have independents or small parties of getting a look in as far as the present Legislative Council is concerned? What shrift would small parties get under any new system which the Opposition might devise? For genuine parties, like the Australian Democrats, this bill offers a fair chance, a real chance. More than that, it is their last chance of securing representation in a democratically elected Legislative Council. If the bill fails, all hope of a democratic Legislative Council will come to an end.

The honourable member for Bligh gives a maniacal guffaw, but with his colleagues he must think the public are very naive. The party whose membership he embraces was in government for eleven years and though it was part of that party's policy to reform the upper House, never once did it bring to the people any suggestion or proposal to achieve that end and to give the people—not politicians—a vote. It is part and parcel of the policy of the Country Party, its coalition partners, and always has been the policy of these men of principle such as the Deputy Leader of the Country Party and his cohorts in the Legislative Council—

Mr Bruxner: I am glad that the Premier recognizes me as a man of principle.

Mr WRAN: I recognize that the Deputy Leader of the Country Party is a great espouser of his principles but he never sticks to them. It has been the avowed policy of the Deputy Leader of the Opposition, the Leader of the Opposition and members of the Country Party that the constitution of the Legislative Council should never change and that the people should never be given a vote. They now expect the people to accept that there has been the greatest conversion since that of Saint Paul, and that suddenly the Country Party is all in favour of a democratically elected upper House. What poppycock, what hypocrisy. It has no more intention of reforming the Legislative Council than it had when it was in government for eleven years. That remark goes for the Liberal Party but more so for the Country Party. Nothing will convince the public that the Country Party is a leopard that has changed its spots. It has entered into a dishonourable compact—

*[Interruption]*

Mr SPEAKER: Order! I call the honourable member for Yaralla to order.

Mr WRAN: I have been to race meetings at country centres in New South Wales where pamphlets have been stuck under windscreen wipers of cars saying that there should be no change in the method of election of members of the upper House. That was done by these men of principle, the members of the Country Party, in order to hoodwink, obfuscate and deceive. They pretend that suddenly a great conversion has taken place and they want a democratically elected upper House. The public of New South Wales and Australians generally are not as easy to fool as all that.

Under this bill a group of candidates or a party securing 6.25 per cent of the vote would be represented. This is lower than required for any legislature in Australia and I know of no lower required percentage in any democracy in the world. What lower percentage than 6.25 per cent would the Opposition suggest? Our parliaments, built on the Westminster system, are not congeries of special interest groups; they are representative assemblies for the good government of the people. The party system is not something grafted on to parliaments; it is an integral part of the parliamentary system, absolutely essential to democratic government.

The logical conclusion of all this rant and cant from the Leader of the Opposition and the time-servers and self-seekers in the Legislative Council would be that almost any group which could muster up a couple of per cent of the vote could hold the balance of power in the Legislative Council. Such a group could be anything from the Marihuana Party to the League of Rights. Is that the sort of Legislative Council the Opposition wants? Of course they do not—but that is the logical conclusion of all their humbug and hypocrisy.

The report of the Legislative Council claims that voters for candidates securing less than 6.25 per cent are in effect disfranchised. This again is arrant nonsense and just more humbug. Such a statement asserts that any elector whose vote does not result in the election of the candidate of his choice or whose preferences do not result in the election of a candidate of his choice is thereby disfranchised. If this were so, about half the electors are disfranchised in every election ever held in Australia. By that argument every Labor supporter in an electorate represented by members opposite has been disfranchised, his vote excluded, his vote discarded—put into the furnace, to use the Leader of the Opposition's expression. Such a person's vote has not resulted in the election of the candidate of his choice and his preferences never counted. Labor preferences are never counted. Liberal preferences are seldom counted, except for a straight exchange with the Country Party. That is the plain fact of political life in this parliamentary democracy.

I could go through these recommendations for example after example of deliberate deception, humbug and hypocrisy, but nothing can obscure the central issue before this Parliament and before the people of New South Wales—that the Legislative Council as constituted at present is the grossest denial of democracy in Australia, and a standing affront and disgrace to our democracy. This bill gives the people of New South Wales, for the first time, the chance of having a democratic Legislative Council, democratically elected. That is the only issue. The charade being staged by the Opposition must shortly come to an end. The Opposition must be dragged to the barrier. As another step towards the day of judgment, towards the day when the people of New South Wales will have their say, I commend this motion to the House.

Mr COLEMAN (Fuller), Leader of the Opposition [7.53]: I must start by saying that the Opposition will require a ballot in relation to this motion. We require a ballot because, although we have no objection to the motion, apart from the managers' named—indeed, we support the motion and look forward to the free conference—we nevertheless think that it is ridiculous for the Premier to suggest that a free conference, the first one to sit under the Constitution Act on a constitutional question and therefore one where the precedents cannot be regarded as binding, should be composed entirely of managers from the Government. Now that the Government is committed to this there is not the slightest doubt —

*[Interruption]*

Mr COLEMAN: Honourable members on the Government side should stop guffawing like the idiots that they appear to insist on being. There is not the slightest doubt that if commonsense were applied and there were five from each side, the coalition

parties in the other place would follow that pattern. The arrangement that the Premier referred to, which is well known to members of the Opposition, is naturally the arrangement that inevitably results from the Government's decision. But how much more sensible would a free conference be—and I stress again that the ten or so free conferences that have been held in this century have not been on constitutional matters and therefore are not binding as precedents—how much more sensible it would be to have five from this side and five from the other side, in this House and the other House, in a free conference which is trying to reach a compromise. If the free conference fails, then there will be a joint sitting.

The Premier spoke eloquently about the importance of the party system in our traditional Westminster system. Of course the party system is important. Therefore, when we are selecting managers we should refer to the party system and have five from the Government and five from the Opposition parties. If the party system is an integral part of the parliamentary system, why be so foolish as to fly in the face of reality by insisting on appointing ten Government members from this House and compelling our parties to appoint ten from the other place? If we are to consider compromise—and I hope a compromise will be reached—how much more quickly can we reach a compromise if the representatives of the parties on this side of the House were at the free conference?

The mind boggles to think of why the Government insists on this approach of following precedents that are not relevant. Although one free conference on constitutional matters was called, it did not meet, so this is the first one. It would be well within the Government's rights and well within the bounds of commonsense to depart from those other precedents. It would be sensible, and I cannot see how anyone could deny that it would not make a difference in the total party numbers—five each from this side and five each from the other side in both Houses. When it is looked at in terms of Liberal Party versus the coalition parties nothing is changed in terms of the numbers, but a better conference would result because there would be people from all parties in this House and in the other place. The Government has rejected that. Therefore, we insist on our right.

I stress that the Opposition eagerly awaits the referendum and looks forward to it with great enthusiasm. There is not the slightest doubt that the only thing that one can admire about the Premier is that he tells these fantastic stories with such apparent confidence. One might even think that he believes what he is saying, that his proposal is a fair, democratic and free form of election. We know that he knows that is a lot of rubbish, that it is the most unfair, unfree and reactionary form of election which would not be tolerated in any reasonable community and will not be tolerated by the people of New South Wales.

*[Interruption]*

Mr SPEAKER: Order! There is far too much interjection from the Government benches.

Mr COLEMAN: To listen to the Premier one would think that he really believed what he was saying, but we all know that it is a load of rubbish and that he does not believe it. The scheme is being offered to the people of New South Wales because it is a fiddle. If the people accept it, the scheme will allow the Labor Party to win the subsequent elections for the upper House. That is the purpose of it, to give the Labor Party unrestricted power in this Parliament. That is why members on the Government side support it. With unrestricted power they could go ahead with their electoral redistribution and their gerrymander before the next general elections. Every member of the Labor Party knows that. That is why they support it. All their talk about democracy is a hoax.

Let us not rely entirely on what I say or what my colleagues will say. Let us have a look at what some other people are saying. Let us examine some of the statements made before the select committee by members of some of the groups that the Labor leader in the upper House called the whingers, cringers and fringers—the minority parties. The Hon. J. S. Thompson—the six-million-dollar man—sad, "I want to eliminate minorities." I shall examine what some of these people have said. First, Senator Mason of the Australian Democrats stated:

The Australian Democrats have discussed the Bill and we believe that its provisions, as they stand now, covering the "list" system of voting are quite seriously inadequate, against the interests of the people of New South Wales, and ought to be amended.

Apparently he is one of the persons described by the Leader of the Government in another place as whingers, cringers and fringers.

Mr F. J. Walker: That is untrue.

Mr COLEMAN: His statement appears in *Hansard*. The Attorney-General does not like being reminded that it is true. Senator Mason went on to say:

Personally, I would vote against support of a referendum that was to be forwarded to the people of New South Wales on the present constitution of the Bill, and I believe that many Democrats would, because it is opposed fundamentally to our principles.

When asked his reaction if the referendum were put as a method of election of members of the Legislative Council by the people, Senator Mason said, "It is a most deceptive method of putting it." It certainly is a fraud.

Mr Sheahan: He is a senator-elect.

Mr COLEMAN: I bow to the legal eminence of the honourable member for Burrinjuck, who has just made probably his most valuable contribution in this House. I am pleased to have such a high standard of contribution from him and I hope he keeps it up. In any case, Senator Mason said that the question was most deceptive. The point is that the people will be asked whether they want to vote democratically for what will be an undemocratic system of election. I wish to refer also to Mr Neal Blewett, who was formerly a professor of politics at the Flinders University, and is now a Labor member in the House of Representatives for the seat of Bonython. When he appeared before the Legislative Council select committee he was asked about another aspect—the exclusion quota, under which the votes for parties that do not reach a quota of 6.25 per cent will be cast into the furnace. In South Australia they have a lower quota. When discussing the system in South Australia, which was introduced by the Labor Party there, Professor Blewett said:

That cut off point in South Australia created a lot of problems when the Labor Government put its legislation through. It looked like a trick.

It is a trick. If a party does not achieve 4 per cent of the total vote in South Australia, in effect the people who voted for it do not get a vote. There is no distribution of preferences, and they have no say in the final result. The people of South Australia believe they have been tricked, but that is just what the Labor Party wants to do here in New South Wales.

I shall examine what has been said by some of the other people whom the Minister for Decentralisation and Development in another place has described as whingers, cringers and fringers. Of course, in another place, the Hon. J. S. Thompson said that minorities should be eliminated. The Australia Party describes the list system in this

way: "It appears to be simple and democratic, but the system can best be described as diabolical." They went on to say that there would be an argument about filling the fifteenth seat, and commented:

It may be only the last position at stake—a travesty of justice to my way of thinking, only the voters are the pawns in this, to suit the Party.

That is the diabolical system. The Women's Electoral Lobby supplied two witnesses before the select committee. One of them, Mrs Hausfeld said:

WEL rejects the proposed introduction of non-preferential voting.

To have an electoral system which *disadvantages minority interests* to this extent can only prejudice the aims of the democracy.

WEL opposes the list system because WEL believes that candidacy should continue to be on an individual basis, not on a group basis.

Another organization, the Women's International League for Peace and Freedom, gave evidence in these terms:

The vote values would be unequal, and voters would not be able to express any preferences. That is the worst feature in the eyes of our people. That is where injustice shows.

A witness from the Proportional Representation Society stated:

A voter is expected to swallow the whole package in the form of a list and has no opportunity to indicate his preferences within that list.

Nor, of course, under the current proposal does he have any opportunity to express preferences between people who are on one list and people who are on other lists.

We do not think people should be dragooned into doing things just because they are simple and we see no justification for forcing people to accept a whole list of candidates when they might have very strong views about the relative merits of the people on the list.

One could continue to quote from these groups of people whom the Leader of the Government in the Legislative Council regards as whingers, fringers and cringers. I stress these points because we are looking forward to the free conference. Despite the absurd way the Government has been going about it, and despite the fact that we would prefer a 5-5 representation, in the interests of commonsense, we are looking forward to this free conference. We expect the Government to show a sense of compromise and commonsense, and will acknowledge the merit of the feelings that have been expressed and the arguments that have been advanced by these groups. The arguments are familiar because they are arguments that members of the Liberal Party and the Country Party have been putting forward for some time. These arguments cannot come as a surprise to the Government. The people who are advancing them belong to comparatively small groups, such as the Australia Party, the Australian Democrats, the Women's Electoral Lobby, and so on. The Government can expect these groups to campaign against it and to express definite feelings on the Government's failure to provide for a distribution of preferences.

I hope the Government will appreciate these things, and will approach the free conference that is to be held next Tuesday with these matters in mind. Therefore, I hope it will be willing to compromise and to abandon the ridiculous list system and the proposed absurd quota. I hope the Government will be willing to let the people of New South Wales exercise their right to preferential voting—a system of voting upon which the Labor Party insists when it holds its internal elections. It is good enough for the Labor Party, but apparently too good for the people of New South Wales.

*Mr Coleman]*

As I said, we are looking forward to reaching a compromise on this matter. We hope the Treasurer, the Attorney-General and the Minister for Industrial Relations, Minister for Mines and Minister for Energy will come to the conference in a spirit of commonsense and agree to a compromise, which will involve the abandoning of the proposed quota and the list system. I hope they will recognize the right of people to have preferential voting. We object to the proposal to have non-simultaneous elections. Surely it is more sensible to have simultaneous elections. We object to the whole cost of this operation. It will cost \$1.5 million for the referendum. If by a fluke the referendum is carried, it will then cost another \$1.5 million to hold the upper House election. To that outlay must be added \$3 million in golden handshakes or a total of \$6 million to change the structure of the Legislative Council. This will be a misuse of public money, and is an indication of the Government's view of its public trusteeship. I shall not say too much more because I am hoping that we can approach next Tuesday's conference in a spirit of compromise. Despite the Premier's oft-repeated references to the virtues of the party system, I hope he will not allow the party system to intrude into the proceedings of the conference.

Mr Sheahan: How did you pick the date of the conference?

Mr COLEMAN: The Premier advised us of it but, of course, we had discussed the matter with our colleagues in the other place and were well aware of what was happening. The basic problem is that the Government cooked up this scheme in its backrooms.

*[Interruption]*

Mr COLEMAN: I am not surprised that Government supporters object when they hear the truth, but it is fact. The wrong way to go about this sort of thing is by cooking up a scheme in the backrooms of the Labor Party. Obviously the right way to do this is by consulting the people. There should be public consultations. That is why we propose a constitutional convention. I stress this; far from attempting to delay the reform, the Opposition parties have committed themselves to a limiting and strict timetable. As soon as the referendum is completed, the Opposition will urge, with whatever devices are available to it, that this sort of constitutional convention be held, and within three months of the return to government of the coalition parties at the next general elections they will hold that constitutional convention. Within the following three months we will have its report and three months after that legislation will be introduced.

That approach has the united backing of the Liberal Party and the Country Party. The introduction of a universal suffrage system of election is also the united policy of the Liberal Party and the Country Party. The coalition parties do not want this to happen as a result of something being cooked up in a backroom of the Labor Party. They want it to happen as a result of consultation among political parties, local government, ethnic groups, consumer groups, citizen's groups, the churches and whoever else might have an interest in the good government of New South Wales. The Premier saw fit to have a four-day convention on victimless crimes, principally about the rights of homosexuals and prostitutes. I have no objection to his doing that but if it is good enough to have a four-day convention about the rights of homosexuals and prostitutes surely it is good enough to have a convention on the most important issue of all—the Constitution of New South Wales. The Premier even bunged on a convention about the rights of dingoes but he will not agree to a convention on the State's Constitution.

It is not fundamentally difficult to specify the principles that should cover a method of voting that has public support. Obviously the basic principles would be quickly accepted. **All** of these things are breached by the Government's proposal.

It is obvious that if you are to get public support for any sort of scheme and public satisfaction from the result of it, the system must be fair both to majorities and minorities, otherwise there can be no confidence in such a scheme. The party with the majority of votes should win most seats and there should be a proper apportionment to other candidates. A fair go should be given to minorities. Voters who do not expect their candidates to win are entitled to some say in the final result. The election should be fair. The system proposed by **Labor** is not fair.

In the scheme adopted in South Australia a **Labor** candidate was elected with 55 440 votes but a Liberal candidate had to get 70 600 votes to attain office. Of course, it was designed that way. It was a *fix*. Under the list scheme a candidate can be elected even though he gains fewer votes than a candidate who is defeated. A candidate with 50 000 votes will gain office whereas a candidate with 150 000 votes will have already been eliminated. It is an extraordinary situation and cannot be regarded as fair. The public expects another important principle to be observed—that the election should be free. Voters should be free to choose between candidates seeking their support. Voters must have complete and full freedom to choose without restriction for whom they will vote. Under this scheme the voter cannot choose as he can under other schemes. He cannot say he prefers this candidate first and that one last. He may vote only for the list in the order of preferences shown, as designed by the party machine.

I should not be surprised if there are one or two members on the Government benches who in their voting lives have departed maybe once or twice from the party ticket or have not followed the party ticket strictly. Perhaps one or two of them have thought of doing so but have not actually done it. Under this proposed scheme they would not have that right. They would have to vote for the list. They need not even consider doing anything different because it would be impossible. The Premier told us, with the conviction that he displays when he knows he is telling lies, that 99 per cent of the people follow the party ticket. He said that not many people are really interested in how they vote. That is not so. Many people like to depart from the party ticket, and this is exemplified in voting patterns in Tasmania where on occasions 30 per cent of votes have departed from the party ticket. People generally might follow the party ticket but there is evidence of departures. Voters there have the right to exercise their own judgment. They do not have to stick to the party ticket and they do not want that right taken away from them. The list system is not a good system.

One further thing is obviously accepted by those on this side of the Chamber but given lip-service by Government members—that there should be full adult franchise. The Opposition parties want to change the system of electing the upper House. The Lang Government introduced the stacking system and we want to change it.

Mr Petersen: To stop Labor winning.

Mr COLEMAN: It was introduced to stop the straightout stacking of the upper House and now Labor wants to stack the upper House by resorting to a fiddle. The electoral college system was introduced a few years ago to put an end to the stacking that Premier Lang made so much a part of his method of government. The time has come for us to have universal suffrage elections, but we want those elections to be fair dinkum. The proposed system will not be fair dinkum. We want a system that does not disfranchise hundreds of thousands of voters. The proposed system is not acceptable.

Candidates will have to secure **6.25** per cent of the total vote to avoid being eliminated. We know that the Australian Democrats polled better than that at the last Senate election but no other small party has ever attained a **6.25** per cent vote on a State-wide basis. The Premier said that some independent candidates have attained higher percentages than **6.25** per cent but that has not been on a State-wide basis. If a candidate does not get **6.25** per cent of the total votes recorded, those votes are thrown into the furnace. In these circumstances there would be 300 000 whingers, cringers and fringers.

The proposal of the Labor Party is not fair, free or popular. The Opposition wants a system which is fair and free and based on universal suffrage. The way to get that sort of system is not for the members of the party to go into its back-room and dig up a scheme that suits it and, with a bit of fiddling make some improvements to it, and then give it a fancy name in the hope that they will get away with it. They will not. That is not the right way to go about things. The right way is to have public consultation. In a nutshell, the Opposition's approach to the question is one of supporting the holding of a free conference. The Opposition looks forward to that free conference.

Motion (by Mr Mason) agreed to:

That the Honourable Member for Fuller, Mr Coleman, be allowed to continue his speech for a further period of fifteen minutes.

Mr COLEMAN: I thank the House for its indulgence. That briefly is our approach to the question. Though we will be locked out of the actual conference there are ways to get round that. We shall be in close consultation with our colleagues from the Liberal Party and the Country Party in the other place. Nevertheless, that is the spirit in which we shall approach it. I hope that the Premier will accept our suggestion that five members from each side of the House represent this place at the conference. That would be a commonsense approach. I hope the Government will reconsider its position, adopt a mood of compromise bearing in mind that success at the conference next Tuesday depends on a spirit of compromise. The Act wisely sets out that before the State is put to the cost of holding a referendum in an amount of \$1.5 million—I know the Government is contemplating a total outlay of \$6 million—before the public is put to that expense and inconvenience, two opportunities for further discussion are available. First, there is to be the free conference. Second, the Governor may convene a joint sitting of both Houses. We should take full advantage of both procedures. The Opposition is in a mood to consider proposals from the Government based on the Government's conceding the questions of the furnace vote and the granting of preferential voting. The Opposition looks forward to the free conference.

Mr F. J. WALKER (Georges River), Attorney-General [8.25]: Initially I should like to answer some of the rather churlish comments made by the Leader of the Opposition, or should we call him the spy who came in out of the cold. The Leader of the Opposition had every reason to be a little upset. I have no doubt that he was stunned by the reception he received from members of his own party to his pitiful performance earlier today. The Premier has explained the reason for the change in the names of the members of the committee. The remarks of the Leader of the Opposition about the collapse of the programme last night were a little out of sorts. After all, were not honourable members regaled for a week or two in the news media and on television by the Leader of the Opposition saying how the task forces and shadow ministers—all chiefs and no Indians—would fight in the House.

Mr Barraclough: Never laugh at your own jokes.

Mr SPEAKER: Order! I call the honourable member for Bligh to order.

Mr F. J. WALKER: The Leader of the Opposition said he would change the performance of the honourable member for Earlwood in his regime. Last night fourteen bills passed through the House in two and a half hours. Those bills should have taken at least twenty-seven hours to debate.

*[Interruption]*

Mr SPEAKER: Order! Far too much noise is coming from the Opposition benches. I ask honourable members to subside otherwise those honourable members who already have had marks placed against their names might find themselves outside the Chamber.

Mr F. J. WALKER: At the rate at which legislation passed through here last night I would put 900 bills through the Parliament this year. The best honourable members opposite did when in government was an average of seventy-five bills a year. The Opposition will have to improve its fighting performance or the House will be sitting only six weeks a year, or does the Opposition want this House to sit for only one hundred hours a year like the Legislative Council does? I shall take up immediately the smear on the Leader of the Government in the Legislative Council relating to whingers, cringers and fringers by quoting the passage in *Hansard* about which the Opposition was so confident. The Leader of the Government in the Legislative Council said this:

As I have said on a number of other occasions when this bill has been before the House, the Government is confident that the bill will be approved by the people. It is also confident that the public of New South Wales will not be hoodwinked by the findings of this committee, the smokescreen set up by it and the evidence put before it, with a few exceptions, from all those whingers, cringers and fringers who have come before it, dragooned in some cases with question and answer more reminiscent of the Spanish Inquisition than a fact-finding exercise.

At a later stage he made this statement and all of it so as not to give it out of context:

Would honourable members opposite tell me that Mr Bulbeck, Mr Buxton and the Hon. R. C. DeGaris are not members of the Liberal Party or are not supporters of either the Liberal Party or the Country Party? Would they say that David Minty is not a supporter of the Liberal Party, and that Elliott Raine is not a supporter of the Liberal Party? Would they say that Arthur Whyte is not a Liberal Party supporter?

These were witnesses before the committee.

Mr Mason: The Attorney-General is misleading the House.

Mr SPEAKER: Order! I call the honourable member for Dubbo to order.

Mr F. J. WALKER: The Leader of the Government in the Legislative Council continued:

Would they say that Arthur Butterell, Phillip Irvine and John McLaughlin, a failed Liberal candidate, are not supporters of the Liberal Party? And so the list goes on, through a whole saga of people. They are the cringers. No doubt the whingers are the archdeacon and the archbishop, Frieda Brown and the Reverend Fred Nile.

He turned his attention then to the fringers. The Leader of the Government in the Legislative Council said:

Of course, when we talk about the fringers we are talking about groups like the Ryde Citizens for Democracy. I have no doubt they are fine people—or they may not be fine people. However, it is an indisputable fact that the Ryde Citizens for Democracy does not form a major part of the political fabric of this country.

It ill behoves the Leader of the Opposition to deal with the matter in such a false way. It is a sad day for the Mother of the Australian Parliaments when it is necessary for this Chamber to invoke the Constitution in order to counter the efforts of the other Chamber to prevent people from being given an opportunity to put their point of view at a referendum. The Government seeks to ask the people to express their views by voting for or against the Government's proposal. It is a sad reflection on the forces of reaction in Australia's most exclusive club, the Legislative Council, that the measure they seek to frustrate, impede and delay, proposes universal adult franchise in elections for the Legislative Council. It is always difficult to force open the bastions of profit and privilege. No one can be surprised that those with vested interests do not wish to risk their \$14,500 a year and associated perks and perks. I understand that each member receives, in effect, \$145 for each hour of sitting in that other place. That is not bad payment for the sort of contribution they make to society.

Mr Arblaster: Does the Attorney-General want to get rid of the Legislative Council?

Mr SPEAKER: Order! I call the honourable member for Mosman to order.

Mr F. J. WALKER: There is no doubt that people of the sort that the Liberal and Country parties have in the Legislative Council would not be willing to submit themselves to a democratic election, for the simple reason that they would not be elected, most of them not having the qualities required for election to the Parliament of New South Wales. They would prefer to be elected by politicians whom they can control, mostly through the control of the purse-strings with donations to the Liberal and Country parties. Those parties are more impressed by that sort of power than by the qualities of parliamentarians.

The Government seeks a conference of managers so that it can reiterate to that conference the logic of its case. We honourable members on this side of the House believe in a democratically elected Chamber, and the overwhelming majority of Australians take the same view. Even tonight we have the Leader of the Opposition pretending it is all right. What a *volte* face by the Leader of the Country Party. He strongly defended the present system and said that it was all right. He asked, how else would captains of industry and commerce ever be elected to a parliament? He said that we would never have the advantage of their experience if they had to face the electors. How else, he asked, would women get into parliament unless they were elected by parliamentarians? He was even worried about trade unionists getting into parliament unless the existing system were maintained. Now there is a complete *volte face*, and a red face, as he trails behind the coattails of the Leader of the Opposition, pretending that that is what he believed all along. No one will accept that sort of nonsense.

The system of election that the Government proposes is the fairest and most sensible that could be evolved. The boundaries are the whole State, so there can be no gerrymander of them. The system uses proportional representation, which is acknowledged throughout the world, and also by the experts called by the select committee, as the fairest system for multiple member elections. No system that has been devised can please everyone, for each person has his own tastes about the system

that he feels is best. Our system is painstakingly planned to reflect accurately the will of the people. The Labor Party will not be elected unless it gets more than 50 per cent of the votes. That is an indisputable fact. It is not an elitist system to serve the tiny percentage of people who delight in grappling with an exhaustive preferential ballot-paper with up to 200 candidates' names. There is no doubt that there will be at least 100 candidates and probably as many as 200. If the sort of tactics occur that were used in the Senate election there could be over 400 candidates in the election. One recalls how the pensioners and the undereducated had so much difficulty filling in 73 numbers. God help them if they have to fill in 400.

It was said by the select committee and is now said by the Opposition that a quota of 6.25 per cent is unfair to the smaller parties. They say that the quota should be 2 per cent; that is the figure being bandied about at present. Opposition members did not mention that in their own Senate system, which they could change if they wished, a candidate must get a quota of 17 per cent to be elected. That is a system that honourable members opposite say is better than ours. But they want a system under which a candidate who can get 2 per cent of the votes will gain a seat in the upper House. The Leader of the Government in the other place was right about the fringers if 2 per cent is to be the figure. The Marihuana Party would get a seat, perhaps the Socialist Party or the Communist Party would get one—certainly if both those parties ran on the same ticket they would have a chance of getting a candidate into the upper House. The Rev. Fred Nile and his fanatics from the Festival of Light would get a seat and as many as four other minority parties would get a seat.

Chaos in government would be the result. We would have the same sort of government in New South Wales as they had in Italy and elsewhere where minority parties get into parliament with a small percentage of votes. There would be no confidence in oversea investment, no business confidence in the community, and we would have a system more like that of a banana republic than the two-party democratic system that the Australian people have come to appreciate.

There has been criticism of the dreaded list system that the Opposition fears so much. If that is the Opposition's main point of attack—it seems to be the only one at the moment—I must accuse it of belabouring us with powder-puffs and feather dusters. The list system is the easiest one in the world to defend. We are told that in some way it is undemocratic. It is the system used in United States of America, Israel, Sweden, West Germany, Belgium, Denmark, Italy, Holland and France—all great democracies. Is it suggested that they are undemocratic countries? The list system has been used in Tasmania for many years without any complaint by the people there. Anyone would be ill-advised to go down there and say that their list system is undemocratic. The same system has been used in two elections in South Australia and there has been no complaint there that it is undemocratic.

The great advantage of the system is that it simplifies voting. In the Senate election with 73 candidates, 322 000 voters in New South Wales were unable formally to complete their ballot-papers. In other words, 12.3 per cent of the electorate were disfranchised because they were too old—discrimination against the elderly—or too undereducated to write 73 numbers consecutively. Perhaps they had poor eyesight. That is the sort of system that the Opposition favours. It discriminates against the elderly. Senior Citizens Week will be held soon. Perhaps we should point out that this is the sort of system the Opposition wants to make life difficult for elderly folk when they are voting. It causes people to take ballot-papers out of voting booths into homes to fill them in there. Thousands of breaches of the electoral laws were openly countenanced by electoral officers because people were finding it impossible to fill in the ballot-paper in the polling booths. There could be up to 400 candidates. If that happened chaos would be the result.

*Mr F. J. Walker]*

The people of New South Wales will not have that sort of system foisted on them. They expect a simpler system, such as the one put forward by the Australian Labor Party. They will have to fill in only one box and vote for the party of their choice. Only 0.8 per cent of the community will be upset by that system, for only that number of the people break party tickets. The elite—people like ourselves who are politically aware and who like to jump round the ballot-paper, and people who are highly educated, most with a tertiary education—are the ones who will not be pleased with the system. Under the Senate system 322 000 people will be disfranchised, for they would be unable to complete a ballot-paper correctly. That is the proposition that the Opposition is trying to put before the people of New South Wales. That is the argument that they will have to answer in the coming campaign.

I come now to the select committee. If ever there has been in the history of New South Wales a farcical select committee, this is it. It consisted of only members of the Opposition in the upper House. Its job was to produce a result that favoured the Opposition. For reasons of balance, the committee invited experts to give evidence, but its recommendations disregard their evidence. This is what Malcolm Mackerras, professor of military studies at the University of New South Wales, a leading Australian psephologist—and hardly a supporter of the Labor Party—said about our system:

I do not object to a list system which I think is quite a good system where you have a large number of candidates. It is far more sensible than having to make people number from 1 to 73 . . . I think the list system is better than the numbering of every square.

That is what was said by the first witness, and it was not much help. As I pointed out, he is not a friend of the Labor Party. Professor Aitkin, the second leading psephologist in Australia who gave evidence, is a member of the Country Party, and is therefore no friend of the Labor Party. He said:

There is an awful lot of rhetoric talked about elections that I do not need to tell you—wasted votes, and people being disfranchised and so on are the stock-in-trade of people who are unhappy about the electoral systems.

Of course, the rhetoric he was referring to was the rhetoric of the members of the Opposition who served on the select committee. Then came Associate Professor Ken Turner of the University of Sydney. I shall not pretend that he votes for the Liberal Party or the Country Party. He said:

The charges about it being undemocratic (or un-Australian) to have proportional representation rather than preferential, all seem to me to be beside the point. It is quite obvious when you look around the world that liberal democracies all over the place use all sorts of electoral systems—proportional representation, first-past-the-post. Preferential voting is, in fact, quite unusual, particularly preferential voting with compulsory preferences.

He was the third expert called by the committee. Next I come to Professor Neal Blewett, who is hardly a member of the Liberal Party or the Country Party. He is a senator-elect for the Labor Party.

Mr Coleman: He is a member of the House of Representatives. Get your facts straight.

Mr F. J. WALKER: I am sorry. Professor Blewett said:

Throughout Australia at the moment in most elections 30 per cent or 40 per cent of the people's votes are of no value in every single-member constituency. One side might get 45 per cent or 48 per cent, and those are wasted votes. There is nothing particularly democratic about the preferential system.

Then the committee called Mr Taylor from the State Electoral Office. The Opposition's committee was cunning about him because it sent him a letter containing six questions; he was not allowed to say any more than answer six loaded political questions. However, being a smart public servant, he managed to get this in somehow, "The Senate system is much more difficult—it is more difficult for electors and for the electoral official".

The fact of the matter is that the counting of the votes at the Senate election held early in December has only just been completed, and there were only twenty-three candidates this time, instead of seventy-three the time before. Only the other day was it decided that Senator Mason had been elected. Under the Senate system proposed by the Opposition, it would take at least two months to count the votes to elect fifteen members of the upper House. If the ballot-paper were complicated by more candidates, it could take three months. The Government of New South Wales cannot have a hiatus of three months. It might become necessary to put through a bill in the interests of the people, but the Parliament could be inoperative for three months if the Opposition's proposed system were employed. That would be a tragedy for the State.

Of course, the Opposition parties do not really believe in the people electing members of the upper House. There is a great deal of huff and puff. For eleven years they promised to have the upper House elected by the people, but for eleven years they did nothing. For eleven years the Country Party refused to move. Who is going to believe that the party has changed now? Who will believe that somehow a revelation has come to its members? It might be suggested that this would happen as a result of change of leadership, but the Leader of the Opposition was not particularly strong in his views on the democratic election of the upper House when he was a backbencher. Who will believe that his ascendancy to leadership has changed that? No one will believe that, during months that the bill has been going backwards and forwards between the two Houses, the Leader of the Country Party has been stamping around the State advocating election of the members of the Legislative Council by the people.

Mr Wran: I have not seen him anywhere that I have been in the country.

Mr F. J. WALKER: He is usually in the city electorates. He will discover the bush some time during the referendum campaign. He will leave his stronghold at Darling Point and sally forth to rural climes. When the Leader of the Country Party gets into the bush he will not be saying, "We are going to have a referendum, and we are going to support universal franchise for the upper House." When he does not have the television cameras on him, he will be saying, "Retain the present system." We know that is the attitude of the Country Party, and there is no way it will change.

We hear all this nonsense about a constitutional convention. A convention has been proceeding in the federal sphere for some time, but what has it achieved? It has achieved nothing on any political issue. One major issue before it related to the action of the Governor-General, but no consensus was ever reached between the parties. There is no way a consensus could be reached. From what I can understand of the proposed convention, it would be something like the victimless crimes seminar. It would not be a convention on the Constitution but would be stacked with people like the Reverend Fred Nile. No such convention would reach agreement because every individual has his own preference for a voting system. There are hundreds of permutations and combinations that can be arrived at. We would all have different pressures; some of the pressures would be based on intellectual convictions; others would be based on base party political motivation. There is no way such a convention would reach a consensus on this issue. Indeed, a convention has been proposed simply because it will never reach a result, and there will never be reform of the upper House.

The people of New South Wales have one chance this century of ever attaining reform; that will be the referendum that is to be held in a couple of months' time. That will be the last chance this century for the voters of this State to get reform. Perhaps they will not all agree with the proposed system, but I am sure that when it comes to the point they will prefer the system that the Government is putting forward to no change at all. That is the attitude recently expressed by the independent member for South Coast, who has taken a responsible stance all along on this issue. That is the stand I am sure the overwhelming majority of the people of New South Wales must inevitably take when they vote at the referendum.

Mr PUNCH (Gloucester), Leader of the Country Party [8.48]: I am delighted to have the opportunity to say a few words in this debate, so important to all of us present today. It is important not only to the people of New South Wales but also to the people of Australia and the free-thinking peoples of the world. We have just listened to a speech by the Attorney-General which contained nothing that requires a reply from me. He uttered complete garbage when he was on his feet; it was his usual tirade of bitterness and hatred, and class-consciousness. We are so used to it that we take no notice of it. The Attorney-General made only one point of importance so far as he is concerned—the reason why the House rose early last night. I have been here for only nineteen years, and I know that some honourable members on both sides of the House have served longer. However, I have never before seen the business of the House so mismanaged as it was last night.

The only other point made by the Attorney-General that might be of interest to honourable members was in regard to the debate on the urgency motion moved by the Leader of the Opposition this afternoon for the dismissal of the Minister of Services and Minister Assisting the Premier because of his total incompetence. In that debate the Leader of the Opposition presented his arguments with extreme efficiency, but the Premier rambled on for one and a half hours. He laboured in more ways than one when trying to make his points. He won no marks for his contribution to the debate, and he certainly did not defend his Minister in any way. The Minister for Services was shown to be totally incompetent. The Premier was very brief in defence of his Minister; probably that was intentional.

Tonight we heard the Premier deliver his usual smart sort of speech. His acting is far superior to that of Sir Laurence Olivier. He waves his arms about and looks up at the gallery, grimaces and contorts his face and generally carries on with hysterical nonsense. There was little truth or fact in anything he said tonight. Indeed, there is little truth or fact in anything that he ever says. I can remember similar speeches on a couple of other occasions when the Premier waved his arms around. It might be coincidental that it usually happens to be at night after a good dinner. We have heard the Premier say that the Government will not back down and that certain things will happen even if we have to stay here right over Christmas. I ask honourable members to recall what happened with regard to the Stamp Duties (Amendment) Bill and the Anti-Discrimination Bill. In relation to both of them we saw the Premier give performances that would have done justice to Sir Laurence Olivier. He waved his arms about and carried on in all sorts of fashions. But on both occasions he was defeated, as indeed he will be defeated in regard to this matter.

The Premier spoke about a democratically elected Legislative Council. He spoke of what it has done and how terrible it has been in the past. He put up proposals about what he and his socialist friends who support him call a democratizing of the Legislative Council. I know that the honourable member for Illawarra would agree with democratizing that Chamber if it would let the **Halfpennys** and the **Mundeys** and their Communist Party colleagues into the Council. I have no doubt that that is what will come about if this scheme is adopted. The Minister for Industrial Relations,

Minister for Mines and Minister for Energy is cackling in his usual manner. Of course, we all know that his proposal was rejected by the Premier. Now he cackles as if he will lay an egg at any moment. No doubt the Minister will support his Premier's proposal. He, of all people, even with his many defects is not a supporter of the communist regime involving people like Mundey and Halfpenny, yet he will now vote for a system that will open the door to that sort of people. He will vote for a system that will give an unparalleled opportunity to the Mundeyes, the Halfpennys, the Clancys and all the other parasites in the community who are dedicated to destroying our great country. Under the proposed system they will get into positions of power.

If that is what Government supporters want, they will certainly get it by supporting this scheme. The system of a list election with no preferences will bring about pro-communistic deals that will be made by left-wingers such as the Attorney-General and the Premier. It is useless for Government supporters to shake their heads. They know as well as I do that under this scheme they will denigrate democracy in this country. They are doing something that has never been seen before in Australia and has rarely been seen in any free country. The New South Wales Government is trying to introduce such a scheme into this great country of Australia. People have worked for more than 200 years to develop this great country into what it is today. The Government is working towards bringing about the destruction of free thought and free enterprise.

I should like to know what the Premier regards as democracy. He constantly refers to the democratic election of the Legislative Council and to democratizing it. Even his own supporters, keen journalists throughout the news media, have time and again written that there is only one reason for bringing forward this matter that is before us tonight in relation to the bill that was dealt with some time ago. That reason is to try to put the Labor Party into a position where it cannot be defeated in this State, to allow a gerrymander of electoral boundaries.

Mr Petersen: What about the gerrymander with the existing boundaries?

Mr PUNCH: At the last elections Labor won 52 per cent of the vote and 513 per cent of the seats. That is much closer than when Labor was in power previously and the coalition parties had to gain 56 per cent of the vote to attain office. Labor's principle of one man one vote is a sham. The Premier talks about democratizing the Legislative Council but that is only so that he might work a gerrymander. His scheme is acknowledged in the news media by his own supporters. I challenge him to deny it. That is the main intention of the bill that has been under discussion by both Houses of Parliament for the past six months or so. It is to try to get a redistribution of boundaries. According to the information that I have I should not be the least bit surprised if that little gerrymander has not been carried out already and the master plan is in a safe awaiting only the Council election. As soon as Labor gets control of the Council the new boundaries will be revealed.

The Premier referred to a sell-out of principles. I do not think he knows what principle means unless the word is spelt principal. I do not think he knows what the word principle means. One need only ask church leaders what happened with regard to casinos, or consider what happened with regard to State aid and the Premier's undertakings, to have doubt about his sincerity. If one considers what happened with railway freights in country areas one sees the way he thinks. Local government authorities in country areas know all about his principles with regard to upping the ante for them. We have seen blatant discrimination against them.

Mr Wran: It is not sour milk; it is sour grapes.

Mr PUNCH: It is something that you would not understand. It is principle, spelt p-r-i-n-c-i-p-l-e. Some people call it honesty, others call it decency. The Premier would not know much about any of those things. It would be a new experience for him. Perhaps at some time in his life he may encounter it.

I wish to refer to the approaches that were made when the appointment of managers from both Houses was being considered. The Hon. Sir John Fuller was consulted by the Leader of the Government in the Legislative Council about what would happen in this House. The Minister for Education, who was nominated here by the Government to be one of the managers, is unavailable to serve in that capacity. But the Government's attitude on the proposal to appoint managers has also resulted in their denying their leader in the Legislative Council an opportunity to serve as a manager from that House. I can understand the Government perhaps not wanting the leader there to be on the management committee; perhaps they want to denigrate him even more, as they try to do every now and again.

Mr Petersen: What are you talking about?

Mr PUNCH: I would not expect the honourable member for **Illawarra** to understand because I am neither talking communist doctrine nor supporting it. I never will. The action of the Government in this matter demonstrates the political motive behind the whole measure. It is not for the good of the State. It is not with any genuine desire to be democratic, as the Premier said. The motive is to confer an advantage on only the Australian Labor Party. Though there may be a precedent for what is proposed, it is extremely unfair for the Government to use its numbers in this House to manipulate the terms on which there shall be a meeting of managers between this House and the Legislative Council. By any sense of fair play there should be a balanced representation from this House of five members of the Government and five members of the Opposition parties—not a stacked grouping of ten members of the Government. That is not only a denial of the usual practice and convention, and a repudiation of the principles of democracy, but it is also an act of contempt against the processes of the Parliament, particularly this House. It is further proof of the blatant political nature of what the Premier has set out to achieve by his so-called reform of the Legislative Council.

It is interesting that the Premier has nominated as the ten managers the ten most senior Ministers of the Government with the exception of the Leader of the Government in the Legislative Council. That further underlines the deliberate political intent behind the Premier's motives. The Premier is not leaving anything to chance. By not playing it fair and allowing a committee of five from either side of the House he is serving only to demonstrate his blatant bias and political machinations in relation to this bill. The fact that honourable members are meeting here tonight is testimony also to the political manoeuvring involved—simply to maintain the Premier's timetable to enable him to try to push through reform so that he can carry out a gerrymander of electoral boundaries of the lower House before he has to call the election for the lower House. State Parliament does not normally meet in January. In my nineteen years in the House it has not sat in January. I do not think it has sat in January for many years before that. The House is meeting purely to satisfy the timetable that is being adopted to suit the political whims of the Premier.

If the Premier and his colleagues were really serious about democratic reform of the Legislative Council there would be none of this haste and jockeying of parliamentary sitting dates and tampering with the management of the House. Demands have been made from people in various fields, including some of Australia's foremost political authorities, for a proper review before any changes are made to the Legislative Council. Those experts, along with political commentators in the media,

have made pointed reference to the direct political motive of the Wran plan for reform of the Legislative Council. They know—and the public is becoming more and more aware of the fact—that it is nothing more than a gerrymander measure which, if successful, will perpetuate Labor Party control of both Houses for ten or twenty years or more. Responsible people and organizations have been recommending that such significant reforms dealing with the Constitution of the State should be determined only after adequate public consultation and, in fact, should be decided by a fully representative State constitutional convention.

If the Premier were at all serious about his platitudes to democratize the upper House he would take note of the public criticism about his move and agree to the holding of such a constitutional convention, so that any reform measures would be adopted in the interest of the State and not just in the interests of the Australian Labor Party. Of course, if the Premier did agree, it would upset his timetable and, as all honourable members know, that is the only purpose of his actions. For the same reason the Premier has taken the unprecedented action of forcing the retirement of two members of the Legislative Council who would otherwise by law continue to serve. One of them would normally retire in 1985 and the other in 1988. The Premier is compelling those two members to retire for one reason only—to reduce the number of remaining Liberal Party or Country Party members in the Legislative Council from sixteen to fourteen in order to increase his chances of gaining control of the Legislative Council for the Labor Party.

By design, sitting members of the Legislative Councils in all States have always been allowed to see out their terms of office as part of the house of review structure, which normally results in the political make up of the upper House being carried over into the first year or two of any change of government in a lower House. Our forefathers saw that, no doubt, as a constitutional brake on a new government acting too quickly and without restraint, or exploiting the mood of an election win to push through extremely radical legislation.

Mr Petersen: Like Sir John Peden did.

Mr PUNCH: No, like a Labor government tried to push through nationalization of the oil industry, anti-discrimination laws and those sorts of things—and now Labor seeks to deprive people of the right to vote as they wish. Those are perfect examples of what I am trying to point out. The honourable member for Illawarra would support anything to do with revolution. So would his colleague the Attorney-General. They have similar political beliefs. I believe in democracy but the honourable member for Illawarra never has. He is a former communist candidate and a strong supporter of the communist regime. He does not mean to tell me that he believes in democracy. Where is the democracy in communism? The honourable member for Illawarra should tell me that. He talks about democracy in East Germany—so-called socialist democratic East Germany.

Mr Petersen: I am not supporting East Germany. For God's sake be reasonable.

Mr PUNCH: You are not supporting democracy either, and never have.

Mr Hatton: On a point of order. In the interests of bringing the debate back to the question before the Chair, may I ask you, Mr Speaker, to ask honourable members to direct their remarks to the Chair and to ignore interjections?

Mr SPEAKER: Order! Some degree of interjection may be acceptable in debate. I should be the last Speaker to eliminate interjection completely but I ask the Leader of the Country Party to observe the rules of debate. In the spirit of encouraging the debate to proceed in a proper manner he will address his remarks to the Chair, and the honourable member for Illawarra will desist from interjection.

Mr PUNCH: Certainly, Mr Speaker, I shall be only too happy to do so. The point I was making is that the honourable member for Illawarra would not know what democracy is. He neither practices it nor supports it. For him to talk about democratizing anything is farcical because it is against his basic, political belief.

Mr Wran: Have you lost your place? It is always a trouble when someone else writes a speech for you.

Mr PUNCH: Would you like me to repeat that paragraph? It might be of advantage to you for it involves you and your Government. I shall labour the point, if the Premier wishes me to do so, by saying that communist control, communist domination and lack of democracy are basically the same thing. I am proud of my forefathers. Over many generations they made this country what it is—not like what some of you people would make of it, especially the honourable member for Illawarra. They saw this as a constitutional brake on any new government acting too quickly without restraint, exploiting the mode of election or wanting to push through extremely radical legislation. There is no real conflict over the question of providing for popular elections of the Legislative Council.

*[Interruption]*

Mr SPEAKER: Order! I ask honourable members on both sides of the Chamber to cease interjecting.

Mr PUNCH: It is true that in the past the Country Party, along with various other State authorities, has been reluctant to rush into any change for change's sake. But for the benefit of members on the Government side, who are obviously ignorant on this subject, seven months ago at the last Country Party conference at Coffs Harbour the party made it plain that it was willing to consider a change, and as a matter of record, it **carried**—

Mr WRAN: Another fifty years to go.

Mr SPEAKER: Order!

Mr PUNCH: When we change, we change for the better. We do not rush in and make changes in a biased fashion, as does the Labor Party. Our record has shown this to be fact. The Country Party carried a resolution calling for a review, but only after the one-sided Labor proposal for reform was defeated. More recently, the Opposition parties announced a commitment to change the method of election of the Legislative Council to provide for universal franchise but they affirmed their opposition to the Labor Party's proposed list system of voting.

We believe that the list system is undemocratic and, coupled with the lack of provision under the Wran plan for distribution of preferences, it is loaded to suit Labor Party purposes and is a direct denial of the rights of people to vote for candidates of their choice. At the same time, it disfranchises the people who might want to vote for independent candidates or minority parties. The Opposition, as has been made widely known, has set a timetable for change. Details of it were given by the Leader of the Opposition in his excellent speech tonight but I shall repeat some of the points he made.

Once the people have voted against the Labor Party's plan at the referendum, the Opposition would plan to move in Parliament to establish a constitutional convention. Then, if Labor does not co-operate—and it seldom does—the Opposition would take action itself. Within nine months of the Liberal–Country party coalition's return to power, we would introduce legislation to reconstitute the Legislative Council on a democratic basis rather than a party-political basis. The Opposition stipulates that four basic principles must apply. First, the Legislative Council should be elected directly

by the people by universal franchise. Second, the voter must have freedom to choose among the candidates, and not be confined to any list system. Third, a fully preferential-proportional voting system must apply, as in Senate elections. Finally, the details for reconstitution of the Council should be determined by a constitutional convention.

In the report presented early this month from the Select Committee on the Constitution and Parliamentary Electorates and Elections (Amendment) Bill, it was recommended that Labor's bill be rejected. The committee's recommendations note that: the proposed list system of voting does not allow an elector the option to vote for a candidate of his choice, that no preferences whatever are allowed and that groups of candidates obtaining less than 6.25 per cent of the total number of formal votes cast, or approximately 190 000 votes, are excluded and their votes are to be discarded. That would mean that in State elections almost all those votes would be discarded. The proposed Droop method of determining quotas in a non-preferential list system of voting, where a small number of seats are to be filled, unduly favours the major parties in the allotment of the last vital seat. The committee noted also that party preselection determines the order of election of candidates. The voter will not be able to vary that order.

The committee recommended the establishment by the Parliament of a State constitutional convention. It did so not just on its own say so, but based its recommendation on a long investigation and a great deal of evidence from a great many people. The majority of witnesses favoured popular election of the Legislative Council, but they rejected the Labor Party's proposed list system. Malcolm Mackerras, lecturer in government at the University of New South Wales, is opposed to the bill and would prefer optional preferential voting, with the Hare-Clark system. Don Aitken, professor of politics at Macquarie University, has recommended optional preferential voting.

Objection has been expressed by the Institute of Public Affairs, which stresses that a State constitutional convention should be held to allow the people to express their views. The Australia Party is also against the bill and has called for a quota preferential proportional representation system, the same as that recommended by Malcolm Mackerras. The Women's Electoral Lobby, too, is against the bill and has particularly recommended the elimination of the list system to allow for voting for candidates on an individual, not a group, basis. Kenneth Turner, Associate Professor, Department of Government, Sydney University, has advocated a new Legislative Council modelled on the present House of Lords, and has recommended that a State constitutional convention or joint standing committee on constitutional reform be held before deciding on any change. That is the important part.

Mr Colin Mason, the New South Wales Senate representative of the Australian Democrats, has, of course, spoken out against this bill. The Australian Democrats also would like a quota preferential proportional system similar to that advocated by the Australia Party and Malcolm Mackerras. Mr Mason also has called for a State constitutional convention to discuss suitable alternative methods of reform. Professor Joan Rydon, Professor of Politics, La Trobe University, has suggested a shorter term of office. Dr Dean Jaensch, Senior Lecturer in Politics, Flinders University, also has expressed opposition to the bill. Professor Neal Blewitt, then a lecturer at Flinders University, and now a federal Labor member of Parliament, does not favour the bill but approves the list system. However, he calls for a natural quota instead of the proposed Droop quota.

Significantly, the overwhelming majority of witnesses were totally opposed to the list system of voting and recommended either rejection, withdrawal or amendment of the bill. In this afternoon's edition of the *Daily Mirror*, the president of the Local Government Association, Alderman Stan Cole, a former A.L.P. candidate, is quoted as

*Mr Punch*]

saying that the list system is unacceptable for local government elections. So it is not just the Country Party, the Liberal Party or any constitutional pressure group that says that Labor's plan should be rejected. That is the very definite view of a wide range of political experts and independent authorities. There is no doubt that they reflect the view of the public at large. Therefore, the Government should desist and, even at this late stage, consider the public interest, abandon its political manoeuvrings and allow time for a constitutional convention. If the Government fails to accede to such a democratic and sensible approach, it is destined to suffer rejection by a majority no vote if and when a referendum is held. I join with the Leader of the Opposition in rejecting the message in its present unfair and biased form as presented by the Premier tonight.

Mr HATTON (South Coast) [9.19]: This motion is a direct result of the provisions contained in the Constitution Act, which lays down that there shall be a joint conference of managers appointed from both Houses. This provision was wisely, I thought, based on the commonsense approach of having two groups of individuals, elected representatives, trying to reach a compromise. To my knowledge, this has been the first time this has happened in fifty years: there are no precedents. When the members of the group meet they will set their own rules and will decide their own procedures. Whether they reach agreement or not, there will be a referendum. I do not think the people of New South Wales are impressed. Right from the outset I believe the battle lines have been drawn. Both sides have clearly indicated that there is no room for commonsense, trust or compromise. I wonder how an observer tonight could reconcile the statements that have been made here? It was alleged that Government and Opposition leaders reached agreement in the upper House that ten members would be appointed from that Chamber. Now we have a suggestion from the Leader of the Opposition here that a better proposal would be to appoint five from each side of the House. In view of the conflicting statements, I wonder whether in those circumstances we can reach any sort of real conclusion on this matter, even if the Parliament decided there would be a crossing of party lines.

The charade is clear. The Labor Party says it will have no part of a constitutional convention, and that it will rigidly adhere to its list system. The Liberal Party and the Country Party vigorously oppose the list system and advocate a constitutional convention. Although a motion is before the Chair that could provide an opportunity for both Houses to sit down to talk sensibly with a view to reaching a compromise, the battle lines have already been clearly drawn and both sides are saying that there is no room for compromise.

The whole point of this debate has been that the Constitution Act provides for a conference of managers, representative of the views of both Houses, when both Houses are in conflict. This House has expressed its opinion. I vigorously opposed the proposal that was ultimately passed here. However, the House expressed its opinion. Therefore, it is logical for this Chamber to appoint representatives who would reflect the opinion of this House, and that the upper House, which had a different opinion, would obviously appoint its representatives, in equal number, to reflect its opinion.

We are missing the point. The founding fathers did not look at this from a party-political view and say, "There should be five from the Liberal and Country parties and five from the Labor Party." They said, "It should be a group that is representative of the opinion of one House, meeting with a group that is representative of the opinion of the other House." Despite the fact that I oppose this proposal vigorously, that is the way I shall vote, because that is the intention of that section of the Constitution Act. It is quite clear to me, and it is logical in the extreme.

One needed to listen only to the debate tonight to appreciate that what has gone on has been a complete sham. One must conclude that to be so from what has been said tonight and what has been done and said since last June. In all sincerity I gave this House an opportunity to express a view different from the view of the Government. No amendments were put forward apart from mine and there was no support for them. There was just blind opposition to them. I take comfort from the fact—though appreciating that it is a sham—that the first, and I take it the most important, recommendation of the select committee of the upper House is in line with a view that I put to this House when proposing my amendments. Despite this, no opportunity was taken to support my amendments, which were rejected out of hand.

We hear clear and unequivocal statements made by members of the Country Party that they do not want any change. Can I now go to the citizens of New South Wales and say: "Fair enough. The Country Party says it will consider a change, and the holding of a constitutional convention. In the light of the unequivocal statements and the unfair advantage that the present system gives to that party, can the people really believe that there has been a sincere change of mind by its members? I have not heard the Leader of the Country Party here or in the upper House say exactly what they want. They want a constitutional convention, but let them say to the people, "This is what we as a party propose, and this is how we believe the House should be elected."

After no amendments, no expressions of support and no action for eleven years, the Country Party is now calling for a constitutional convention. I have made my view clear when I have spoken in the House. If there is a constitutional convention, no matter what is decided, its decisions will still have to go through the party-political sieve. We were not born yesterday. Suppose it takes six, twelve or eighteen months for the convention to come to a decision and to send back its recommendations. Those recommendations will still have to go through the party-political sieve in this House. No matter who is in control, and what party is in office, that party will have its way. If there is not enough experience in this House and not enough talent here to sort out this problem at this level, I doubt whether one could use the argument that it should go to a constitutional convention. We know that it would have to come back to the party-political sieve. To use those arguments and to use that device would support moves for further delay.

My position was made clear during the debate, but I shall reiterate one thing that I have made clear previously. I am rather amused to hear people saying that independents, Australian Democrats, the Women's Electoral Lobby, and other minor groups of independents will not get a fair go under the proposed system—the system I opposed. But what chance have they ever had under the present system? None whatsoever. Who ever shed tears for them under the present system? No one. Who chooses the candidates now? The Labor Party conference, the Liberal Party and probably the Country Party leader in consultation with party members. There is absolutely no chance whatsoever of Australian Democrats, independents or minor groups getting any representation. The only people who vote at the upper House election are the elected members of this House and the members who have already been elected to the upper House.

I have fought the list system method proposed by the Government and I have expressed vigorous support for the principle of getting a more democratic election of members of the upper House. I hope—it is a vain hope, I am sorry to say—that the joint managers will come to some agreement. This is such an historic occasion that I do not even like to feel that I am pre-empting what will occur at the forthcoming meeting. I hope a compromise will be reached, and the citizens of New South

*Mr Hatton]*

Wales will get a better choice than what is proposed. I should like to see an optional preferential system, whether it be on a proportional basis or on some other basis. However, I am alert enough and am politically aware enough to feel that, in the absence of such a system, we must support the referendum—that we must accept a part of the cake rather than, at present, the likelihood of none at all.

Mr WRAN (Bass Hill), Premier [9.30], in reply: The honourable member for South Coast quite clearly stated the intendment of the Constitution Act in respect of membership of this committee or free conference of managers. It is obviously intended that the membership from one House will be representative of the opinion of that House and that the membership from the other House will be representative of the opinion of that House where there is disagreement between the Houses—and of course, there is no conference unless there is such a disagreement. That proposition is undeniable but it strains ones credulity to the limit for the Leader of the Opposition, supported as he was by the Leader of the Country Party, to suggest that we in this House, with no power to bind the members of the Legislative Council in their vote, should have an equally divided committee, five Government members and five Opposition members, and then trust those lovers of convention in the Legislative Council to abide by their word. We saw the trust that can be put in them when they broke convention in electing Mr Cleavor **Bunton** to the Senate.

How could one rest one's trust in them in the knowledge that for the first time in history members of the same party broke a convention and refused supply to the democratically elected federal Government? I make this quite clear. I would not trust them on a matter of that kind as far as I could throw the honourable member for Miranda. I know that the Leader of the Opposition is new in the job and I do not want to subject him to the sort of wet-behind-the-ears type of vilification that I got when I was new in that job. But he does have a lot to learn if he thinks that we on this side of the House are so naive. I would not trust any member of the Opposition as far as I could throw him, and I am sure those sentiments are held by all my colleagues. The simple fact is that the conservatives have never failed to break tradition, convention or trust whenever their political skins were at stake. That is the position now.

Be that as it may, what the honourable member for South Coast has said about this representation of a view of the House as opposed to representation of the view of the other House is so patently correct that the argument is deserving of no more discussion. Both of the contributors for the Opposition have endeavoured to create the impression in this House and among the public that the proposals in the bill are designed to ensure a majority for the Labor Party at an election on the boundaries of the State. First of all I should like to reiterate that there can be no gerrymander of the boundaries or the borders of the State of New South Wales and it will be those borders which will constitute the boundaries of the electorate from which members of the upper House will be democratically elected.

It is a sheer figment of the imaginations of those political pundits who say that the Labor Party will win an election on those boundaries which were devised by our forefathers. But the real pundits, before 10th December last when the Australian Democrats gained 8.5 per cent of the vote in this State, said that on those boundaries—the borders of the State of New South Wales—with this system in a vote for fifteen candidates, the Labor Party would win eight seats to seven or the coalition of the Liberal Party and Country Party would win eight seats to seven. That was predicted on the sheer basis that the party or the group of parties that gets a majority of votes will get a majority of seats. But so close will be the result under the system that on the known voting patterns it could result in a win of eight to seven either way.

Following the vote at the recent federal elections a new ingredient has been added. The general view of the pundits—not those who sit in the Opposition benches in this Parliament but people who really analyse political statistics—is that on those figures the Australian Labor Party would win seven seats, the Liberal-Country party coalition would win seven seats and the Australian Democrats, having gained 8.5 per cent of the vote, would have a little more than a quota of 6.25 per cent and so they would get the remaining seat in the Legislative Council. For the benefit of the Australian Democrats, I repeat that this is not only their only chance—but it is their last chance to get a seat in the Legislative Council of New South Wales, because in the lifetime of every present member of this House there will never be another referendum to provide for a democratic vote for that Council should this referendum be lost.

It was absolutely laughable to hear the Leader of the Country Party, who became articulate only when he read that portion of his speech prepared for him by his press officer, talking about the policy of the Country Party. The honourable member was unintelligible for most of his speech and it was an insult to one's intelligence to have to listen to him. He referred to the last conference of the Country Party and the reawakening and the burgeoning of the truth. That conference took place seven months ago at Coffs Harbour, when the Country Party declared that it was willing to consider a change. It did not say it would embrace the concept or principle that there should be a democratic election. It took the great leap forward of announcing that it was willing to consider a change.

The suggestion is that the 12-year term of office for members of the upper House was designed by our forefathers to provide a brake or restraint on enthusiasm. Certainly there was a restraint on the enthusiasm of the Country Party and the Liberal Party during their eleven years in office in this State. I was amused to hear the Leader of the Country Party say he had been here for only nineteen years. Perhaps I should remind him that his colleague the Hon. Sir Harry Budd, president of the Legislative Council, has been a member of that House of Parliament for thirty-two years, though he has never faced a ballot-box. One of his colleagues, the Hon. O. M. Falkiner, another member of the Liberal Party, has been a member of the upper House for a little more than thirty-two years. Those gentlemen have been members of that place for the equivalent of almost eleven terms of the democratically elected Legislative Assembly, but they have never once faced the public in a ballot. That is what they want to resist. Of course they would do so. One wonders how many votes the Hon. Sir Harry Budd would get at a democratic election, even after thirty-two years in office.

The Opposition is worried about what will happen at the conference of managers. What are members opposite really worried about? Are they worried about whether their wheelchairs will fit through the doors? The whole proposition is laughable. There has been a good deal of talk about what professor this said and what professor that said. Instead of making up what Professor Mackerras and Professor Aitken said, honourable members opposite should read direct from the transcript of the charade conducted by the select committee that was composed only of members of the Liberal Party and the Country Party. When Professor Mackerras appeared before the committee Mr Holt asked him this somewhat biting question:

Turning to a different point, are you going to tell us something about the preferential or the lack of preferential voting?—W. My views are essentially as set out in that article in the *Sydney Morning Herald*.

That is a reference to an article in the *Sydney Morning Herald* of 6th June, 1977.  
Mr Wrax]

The witness continued:

I do not object to a List system which I think is quite a good system where you have a huge number of candidates. It is far more sensible than having to make people number from 1 to 73.

Let us never forget that in the 1974 election there were seventy-three candidates on the ballot-paper, many of them put there dishonestly by the Liberal Party and its front organizations. The informal votes in New South Wales ran at 12 per cent. So 12 per cent of the people who voted in New South Wales had an informal and ineffective vote. That is what the Opposition wants. Does any honourable member for one moment think that if there were not a simple voting system the voting of Australians would not be reflected in this system and that if it were thrown open to these men of principle they would place on the ballot-paper again dozens of dummy candidates in order to get that high informal result?

Mr Mutton: What about optional preferential?

Mr WRAN: I am glad that electoral pundit, the giant from Yaralla, asked that question. The honourable member for South Coast gave every member of the Opposition a chance to vote for an optional preferential system.

Mr Mutton: And the Government.

Mr SPEAKER: Order! I call the honourable member for Yaralla to order.

Mr WRAN: The honourable member for Yaralla, the honourable member for Miranda and the Leader of the Opposition, together with every member of the Opposition voted against both preferential voting and an alternative preferential system to the list system. Not one of them would support the honourable member for South Coast.

Mr Coleman: Anyone would think you mean it.

Mr WRAN: I mean it to this extent. The Leader of the Opposition and all his colleagues threw away the chance they had to support the honourable member for South Coast and show that they really wanted a democratically elected upper House. The truth is that they want to preserve the *status quo*. Of course they support restraints on enthusiasm and an unelected Legislative Council. Of course they want members of the Legislative Council like Sir Harry Budd and the Hon. O. M. Falkiner, who were unelected for thirty-two years or more. This would be the only Parliament in the world where a man has been in parliament for thirty-two years and never once has the public had the choice of accepting or rejecting him. That is a shameful and scandalous state of affairs. Before I leave what Mr Mackerras said I should return to his article of 6th June. He said this about minor parties:

On the one hand individual groups will be encouraged to field candidates because it requires only 6.25 per cent of the State's total vote to get a candidate elected.

I shall give honourable members opposite what the electoral pundits that they so much like quoting had to say, though the Opposition never gets down to what they actually said. Professor Aitken, professor of politics at Macquarie University said:

What I probably would do is to recognize the fact that Australians no longer vote very much either for policies or for people but for parties, and I would structure a House of Parliament to take account of that.

Mr Coleman: Ridiculous.

Mr WRAN: The Leader of the Opposition called to his aid the views of Professor Aitkin a moment ago. This is what the professor said of the Legislative Council as constituted at present:

I must say that the present Chamber, with all respect to those who are members of it, really is the most extraordinary device that anyone has constructed and I would not be at all sorry to see that way of doing things go—and this seems to be a great deal better.

He was referring to the bill before the House. I turn now to the evidence of Professor Blewett. The trouble with honourable members opposite is that either they cannot read or they cannot pick out the parts of the evidence that suits them and so they generalize and tell half-truths. It is much better to go to the transcript. The Hon. L. A. Solomons, the president of the Country Party, asked Professor Blewett this question and got this answer:

Could it be said that, with the pure List system, it would lead to the entrenchment of the major party system? If so, would you be in favour of placing the party names on the ballot-paper, to identify the groups? —W. I am not sure that the List system entrenches the major party system. It would entrench equally any minor party which could regularly get 10 per cent of the vote. But undoubtedly a general proposition is true, that a list system favours the party system in *toto*. I do not think particularly major parties. I personally am quite happy to put the names of parties on the ballot-paper. I think we should in all ballots indicate what party the person belongs to. I never could understand why we do not do this.

All through the evidence of the professors and people who are expert and qualified there is support for the proposition of a simple group non-preferential proportional system of voting and support for the proposition that the system that the Labor Party is putting forward to achieve a House that will be based on a majority of seats to the party with the majority of votes, is clearly the sensible and practical way of doing things. The further the debate proceeds the more I understand why the Opposition has not drawn many speakers into the debate. The longer the debate went on the more it became obvious that the Opposition's intention is to leave the upper House as it is. It was said that the Women's Electoral Lobby was opposed to the bill. That is not true. The two persons from WEL who came along to give evidence were speaking on their own behalf and their views were never ratified by the Women's Electoral Lobby. After they gave evidence it was published in the Women's Electoral Lobby journal that they were speaking on their own behalf. Other persons made contributions to that journal wholly in support of the views put forward by the Government.

I should like to put one other matter to rest because once the Leader of the Opposition invents a lie he seems to want to polish it up and repeat it, on the basis that if one says something that is wrong often enough it will be accepted. It is the reference to the so-called golden handshake of millions of dollars. The Leader of the Opposition knows perfectly well that the matter of compensation, if any, payable to members of the Legislative Council who lose their seats because of reform has been referred to Mr Justice Selby of the remunerations tribunal.

Mr Coleman: What principles will be applied?

Mr WRAN: That is for the judge to decide. It has been made clear that if and when the judge makes recommendations those recommendations must be approved by both Houses of Parliament. It is an absolute slur on Mr Justice Selby for the Leader of the Opposition to be talking repeatedly about the money that will go to members of the Legislative Council. First there will be a recommendation, if

any—I underline that—from Mr Justice Selby. After that the matter will be in the hands of the elected representatives of the people—both Houses of Parliament—after the referendum is put to the people in the first half of the year.

Mr Coleman: In short, \$3 million.

Mr WRAN: The Leader of the Opposition, again wanting to believe his own lies, says, "In short, \$3 million". He compounds the insults he directs at Mr Justice Selby by repeating that. What he is saying is that the judge with no material before him, has predetermined the question whether compensation is payable—

Mr Coleman: No, you have.

Mr SPEAKER: Order! I call the Leader of the Opposition to order.

Mr WRAN: —and what the amount should be. He compounds it by saying that I have determined what the amount should be. It beggars commonsense and one's imagination. I know the sort of mind that the Leader of the Opposition has, for we all know his background. If we do not know it now, there will be a time when we all will. We know the devious ways in which he goes about things. He knows that the best way to do something is to repeat it and to speak falsehoods. I repeat, that is an absolute slur upon a judge of the very highest repute in this State.

Both honourable members who spoke for the Opposition said that no independent would get 6.25 per cent of the vote on a statewide basis. That is absolute nonsense. Can they not count? Can they not read a newspaper? In the Senate election the Democrats polled well over 16 per cent but on the actual number of votes they got throughout the State on a practical basis they got 8.5 per cent. Even Senator Kane got 6.89 per cent of the vote in the early 1970's. He is a close acquaintance of the Leader of the Opposition, who ought to speak to Senator Kane about this matter. They still have lots of conversations together. They are not too frightened of dark alleys but they meet in clubs like the American club. Is it suggested that if a candidate cannot get  $6\frac{1}{4}$  per cent of the votes he should have a seat in this Parliament? That is a new approach. I repeat, a quota of 6.25 per cent is the lowest quota of any democratic system in the western world.

I do not think I should occupy the time of the House on the rambling remarks of the Leader of the Country Party. If he believes the public is so naive that by ranting and raving about Communists on a Labor Party ticket he can gather in votes, he is falling into grave error. Ever since the McCarthy era in the United States of America the public has been educated and intelligent enough to know that those who propound the reds-under-the-bed slogan are suspect in the extreme. It does not worry the Leader of the Country Party that people like Mr Munday and Mr Halfpenny are not members of the Labor Party. Indeed, sometimes I suspect that they are undercover members of the Liberal Party, for they do not seem to help their working-class friends at all. The Leader of the Opposition went so far as to say that this referendum proposal—one should savour the words—designed to give people the right to elect candidates for the upper House, is working towards destruction of free thought and free enterprise. In the year before the infamous events of 11th November, 1975—

Mr Doyle: Australia threw Labor out.

Mr SPEAKER: Order! I call the honourable member for Vaucluse to order.

Mr WRAN: You have not exiled Sir John Kerr for nothing. He is an embarrassment to you. Australians saw the conservatives in action in that twelve months before the infamous day in November, 1975. What they really mean is that they are fit to have majorities in both Houses of Parliament but the Labor Party is never fit to have majorities in both Houses of Parliament. They are the gentlemen of

the land born to rule. I refer to the Liberal Party—that rag-tag and bobtail lot of real estate agents, forestallers and punsters. Those who are not real estate agents or broken-down suburban solicitors are former this or former that. None can claim fame for any achievement whatsoever. At least I say this for the Country Party: they might be woodenheaded, but some of them have done some work in their lives. By contrast, members of the Liberal Party are either failed barristers, real estate agents or defrocked ministers. These are the men—born to rule—who claim they can be trusted. Some of them like the honourable member for Earlwood, are former secretaries of little employer representative organizations such as the Fibrous Plasterers Association.

[*Interruption*]

Mr SPEAKER: Order! I call the honourable member for Yaralla to order.

Mr WRAN: The nearest the honourable member for Earlwood ever got to fibrous plaster was when he knocked a bit off the wall when he was trying to get down to the Chamber for a division. The simple situation is that they do not want to give the public a chance of electing a Legislative Assembly and a Legislative Council composed of members of the Labor Party under any circumstances. They claim that they are to be trusted, and that they are gentlemen and men of principle. We saw how many principles they had when they breached principle in this House on that infamous day in this Parliament at the joint sitting. They went against convention and tradition and sent a non-Labor Party senator to Canberra.

We listened tonight to the outbursts by the Leader of the Country Party about communists and his talk of pro-communistic deals. He said that a communistic redistribution would be rigged. They were either the rantings of a tortured mind indicating some fearful mental aberration, or they show that he is not fit to be a member of Parliament. He does not understand the way in which political parties are constituted in this nation. Although the Opposition was given every chance, particularly by the honourable member for South Coast, to put forward constructive proposals it rejected that chance. I have not the slightest doubt that the member for South Coast reflected the overwhelming majority of opinion when he said that any system would be better than that disgraceful, scandalous blot upon democracy which is called the Legislative Council of New South Wales.

Mr SPEAKER: Order! A ballot having been requested, I shall put the question, except the names of the members to be elected by this House.

Motion agreed to.

#### Ballot

Mr SPEAKER: Before honourable members proceed to cast their votes, it would be as well if I read the standing order relating to the ballot. Standing Order 346 provides:

(a) If upon any Motion for a Select Committee, any Member shall require it, such Committee shall be chosen by ballot, in the manner following, viz.: Each Member shall give in to the Clerk a list of the Members who he intends shall serve on the Committee, not exceeding and not less than the number proposed in such Motion; and if any such list contains a larger or smaller number of names, it shall be void and rejected; and the Members who shall be reported by the Clerk to have the greatest number of votes shall be declared by the Speaker to be the Members of such Committee; and in any case of doubt, arising from two or more Members having an equality of votes, the Speaker shall decide which shall serve on such Committee.

(b) Members balloting for a Select Committee shall place the Balloting Papers, after completion, in the hands of the Clerk of the Assembly, giving time for him to note one paper (as hereinafter mentioned) before another is presented.

(c) The Clerk shall have before him a complete printed list of the Members of the House, and on the presentation of any Balloting Paper shall place his initials against the entry in such list of the name of the Member presenting such Balloting Paper, and the Clerk shall place such list so initialled on record, with the other proceedings of the Ballot.

(d) At the expiration of thirty minutes from the ringing of the Bells, as provided in Standing Order 347, the Speaker shall declare the Ballot closed. Business may be proceeded with during the scrutiny, and the result declared by the Speaker at any time, but so as not to interrupt the Business then proceeding.

*[The ballot proceeded.]*

Mr SPEAKER: I declare the ballot closed.

#### JOINT COMMITTEE UPON CARAVAN PARKS

Mr F. J. WALKER (Georges River), Attorney-General [10.33]: I move:

That Mr Mason be discharged from attendance upon the Joint Committee of the Legislative Council and Legislative Assembly upon Parks for Mobile Homes and Caravans and that Mr **Rozzoli** be appointed a member of such Committee.

I move this motion at the request of the Opposition. I do not quite understand the motivation behind the change. It would appear that the Deputy Leader of the Opposition is not to be trusted with shadow portfolios. That is unusual, because everyone except the two former Premiers seems to have received a shadow portfolio. It would appear that the honourable member for Hawkesbury is highly in favour with the new regime. He was one of the assassination committee that attended the former leader of the Opposition and told him that he was finished. Unfortunately for that committee, they did not seem to do too well in the ballot that followed. That was a pup that the honourable member for Hawkesbury was sold. I hope that his career on the select committee is a fruitful one and that he can make a valuable contribution to it.

Mr MASON (Dubbo), Deputy Leader of the Opposition [10.34]: I support the motion moved by the Attorney-General. It will have the effect of replacing me on that select committee by the honourable member for Hawkesbury who, I believe, will prove to be a worthy member of it. The select committee is a most important one. It is charged with the responsibility of advising this Parliament on the policies that ought to be adopted in the future regarding caravans and caravan parks. I am a little surprised that the Attorney-General said that he could not understand why I was to go off the committee, but his surprise does not surprise me. He received a shock recently when he discovered that the Minister for Education would not be in the House this week or next week. So members on this side of the Chamber are not surprised at anything that the Attorney-General is surprised at.

Motion agreed to.

## YANCO WEIR RECONSTRUCTION BILL

### Introduction

Mr GORDON (Murrumbidgee), Minister for Conservation and Minister for Water Resources [10.36]: I move:

That leave be given to bring in a bill for an Act to sanction and provide for the carrying out of certain works for or associated with the diversion of water from the Murrumbidgee River into Yanco Creek.

The object of the bill is to authorize the reconstruction of the weir and associated works which will allow the pool level in the Murrumbidgee River to be raised to increase and control diversions to Yanco Creek. The weir when reconstructed will allow increased development of irrigation in the Yanco Creek system and result in greater efficiency in the use of flows in the system.

The works will comprise the reconstruction of the existing weir to form a fixed crested weir, the excavation of a cutting across the bend of the river on which the weir is located, and the construction of a gated control structure in the cutting. It will involve also the construction of a regulator in Yanco Creek near its offtake from the river, raising the level of an existing block bank, and the construction of minor levee banks, the construction of access roads to the works and the establishment of borrow areas for materials, and the carrying out of such work for the protection of the environment as is deemed necessary.

The estimated cost of the scheduled work is \$2.1 million and the bill provides that this sum shall not be exceeded by more than 10 per cent. The bill provides also that the Water Resources Commission is to be the constructing authority and it will empower the commission to carry out the scheduled works and for that purpose to undertake such contracts and to take any steps as it may consider necessary and proper. The works are to be carried out as an authorized work under the provisions of the Public Works Act, 1912. I shall be pleased to provide further details concerning the purposes and provisions of this bill at the second-reading stage.

Mr COWAN (Oxley) [10.37]: The Opposition raises no objection to the measure at the introductory stage. It will be anxious to examine the provisions of the bill and to debate it at the second-reading stage. I remind the Minister that it was the honourable member for Young when he was Minister for Conservation who approved the replacement of the weir. It has been strongly supported by the people of the area. The Opposition will be pleased to support the bill and will speak further on it at the second-reading stage.

Mr FISCHER (Sturt) [10.38]: I support the comments of the honourable member for Oxley. The introductory stage of a bill is an important stage, and this is an important measure. Planning for this project commenced during the tenure of the honourable member for Young as Minister for Conservation. The project advanced and feasibility studies were carried out, including detailed examination of the foundations of the existing weir. Some problems had to be resolved before large-scale allocations of finance could be made which enabled the work to proceed to the construction stage.

This is a most welcome project and one that should enjoy bipartisan support. Although the present and former members for Murrumbidgee have at times misrepresented the project as taking water away from the Murrumbidgee, it will, in fact, provide great relief across a large section of the Riverina. It will do no harm to the

Murrumbidgee Irrigation Area, but will provide a greater balancing effect against the ravages of drought in a difficult section of farmlands—primary production land, mainly dry land farm country—which will benefit **greatly** from a guaranteed water supply.

Motion agreed to.

Bill presented and read a first time.

## TOMBULLEN STORAGE BILL

### Introduction

Mr GORDON (Murrumbidgee), Minister for Conservation and Minister for Water Resources [10.41]: I move:

That leave be given to bring in a bill for an Act to sanction and provide for the carrying out of certain works for or associated with the storage, and the regulated release, of water in the Tombullen Swamp.

The object of the bill is to authorize construction of a water storage in Tombullen Swamp, which is situated adjacent to the Murrumbidgee River approximately 10 kilometres southwest of Gogeldrie Weir. The existing swamp will be developed into a conservation storage for the more effective control and utilization of water. Flows in the Murrumbidgee River surplus to requirements will be diverted for storage in Tombullen swamp, via the Coleambally canal. It has been assessed that, as a result of the expected increased efficiency created by use of the storage, an additional 50 000 megalitres of water per annum will be available for irrigation use in the Murrumbidgee valley.

The storage will have a capacity of approximately 11 000 megalitres, with a surface area of about 350 hectares. The principal works comprise the construction of levees around the swamp, an inlet channel and regulator connecting the Coleambally canal and the storage, and an outlet regulator to control releases from the storage back to the Murrumbidgee River, via an improved section of Tombullen Creek. Incidental works will include levees and spillways necessary for protection of the works against floods, relocation of an existing road and travelling stock reserve, the construction of access roads to the works and the establishment of borrow areas for construction materials. In addition, and as a result of environmental studies, provision has been made for works for protection of the environment.

The estimated cost of the scheduled works is \$3 million. The bill provides that this sum shall not be exceeded by more than 10 per cent. The bill provides, also, that the Water Resources Commission is to be the constructing authority, and empowers the commission to carry out the scheduled works, and for that purpose to undertake such contracts and to take any steps as it may consider necessary and proper. The works are to be carried out as an authorized work under the provisions of the Public Works Act, 1912. I shall be pleased to provide further details concerning the purposes and provisions of the bill at the second-reading stage. I commend the motion to the House.

Mr COWAN (Oxley) [10.44]: The Opposition supports this measure and any other measure that will effect the conservation of water, particularly in the area mentioned by the Minister. Any bill of that nature will receive our support. We should like some information on the programme of proposed works. We are concerned that there should be a work force operating in this area, and hope for some information along these lines at the second-reading stage. The Minister can be assured that the Opposition will support the bill, and looks forward to the second-reading debate.

Mr FISCHER (Sturt) [10.45]: This bill, which relates to the Tombullen storage, coming before the Parliament early in 1978, represents a nail in the coffin of the Lake Mejum storage project. Although the Opposition is not opposing this project, I challenge the Minister to take the opportunity at the second-reading stage to state categorically where he stands in relation to Lake Mejum. I ask him to advise the people of this State and this Parliament what will happen to that storage. He has jumped up an off-river storage lake project in his own electorate over several other priorities, and has brought forward this bill to go on with this project. It is the best example possible of pork barrel politics.

I concede that this project is intrinsically worth while and will generate the extra water mentioned by the Minister for the River Murray system. As an off-river storage, it combines a technique of storage that has been neglected over many decades by the Water Resources Commission and by the Water Conservation and Irrigation Commission. The Lake Mejum scheme will also be an off-river storage to the east of Tombullen. It is based on the Murrumbidgee valley and will maximize the efficient use of the vital water in that valley. The people along the Murrumbidgee want to know what is to be done. The second-reading stage of the bill will provide the Minister with a golden opportunity to indicate what will happen with this vital off-river project along the Murrumbidgee. I ask him to declare what the Government is going to do with Lake Mejum. Has it been decided to drop, defer, by-pass or abandon this project? What information can the Minister give in regard to a timetable for the Lake Mejum project?

As I have said, intrinsically the Tombullen storage is a good project and will be well worth while. The only thing I question is that it did not enjoy a top priority for off-river storage on the Murrumbidgee. Therefore, the Minister should at least indicate whether he intends to proceed with the Lake Mejum project and, if so, what timetable will apply to that scheme.

Motion agreed to.

Bill presented and read a first time.

## NATIONAL RELIEF FUND (REPEAL) BILL

### Introduction

Mr HAIGH (Maroubra), Minister for Services and Minister Assisting the Premier [10.48]: I move:

That leave be given to bring in a bill for an Act to repeal the National Relief Fund Act, 1914, and to provide for the disposal of the assets comprising the National Relief Fund of New South Wales established under that Act.

The objects of the bill are clear from the terms of the motion that I have just moved. At this stage, therefore, I intend to confine my remarks to a brief outline of the origins of the National Relief Fund Act and the reasons for its proposed repeal. The National Relief Fund of New South Wales was established under the National Relief Fund Act by combining a number of existing funds into one common fund which was to be expended for the relief of persons injured in war or public disasters or those dependent upon persons killed or injured in war or public disasters. One of these funds was the Patriotic Fund, which had been set up following a public meeting in Sydney in 1901 with the objective of providing relief to members of the New South Wales contingent which participated in the Boer War, their dependants, and for similar purposes in the

Over the years the combined fund has served to provide some measure of relief to eligible persons. In the meantime, of course, there have been significant changes in the field of social services, to the extent that the National Relief Fund can now be regarded as an anachronism. With this in mind, and for other reasons I shall explain at the second-reading stage, the Government has decided to repeal the National Relief Fund Act and to dispose of its assets. Provision has therefore been made in the bill for the payment of a lump sum to any surviving beneficiary of the fund, and for the balance of the fund to be divided equally between certain named charities whose objects are broadly similar to those of the National Relief Fund Act. I shall explain those provisions in greater detail at the second-reading stage. In the meantime, I commend the motion.

Mr MOORE (Gordon) [10.50]: The Opposition sees no reason to oppose leave to introduce this bill and looks forward to reading its provisions.

Motion agreed to.

Bill presented and read a first time.

### DORMANT FUNDS (AMENDMENT) BILL

#### Introduction

Mr HAIGH (Maroubra), Minister for Services and Minister Assisting the Premier [10.52]: I move:

That leave be given to bring in a bill for an Act to amend section 3 of the Dormant Funds Act, 1942, so as to omit a reference to the National Relief Fund Act, 1914.

This bill is cognate with the National Relief Fund (Repeal) Bill, 1977, and is designed to effect a simple amendment to the Dormant Funds Act, 1942, consequent upon the repeal of the National Relief Fund Act, 1914. I commend the bill to the House.

Mr MOORE (Gordon) [10.53]: This bill is consequential to the bill previously dealt with and the Opposition offers no objection to leave being given for its introduction.

Motion agreed to.

Bill presented and read a first time.

*[Sitting suspended from 10.54 p.m. until 11.24 p.m.]*

### CONSTITUTION AND PARLIAMENTARY ELECTORATES AND ELECTIONS (AMENDMENT) BILL

#### Declaration of Ballot

Mr SPEAKER: I have to inform the House that in accordance with the provisions of Standing Order 346 the Clerk has reported to me that the following ten members received the greatest number of votes in the ballot for managers for the free conference on the Constitution and Parliamentary Electorates and Elections (Amendment) Bill: Mr Wran, Mr Ferguson, Mr Renshaw, Mr Cox, Mr F. J. Walker, Mr Hills, Mr Day, Mr Jensen, Mr Crabtree and Mr Einfeld.

Sir Eric Willis: Mr Speaker, is it not your intention to declare the result of the ballot by giving the figures polled by each candidate?

Mr SPEAKER: Order! It is not necessary to give the figures of the result of the ballot.

Sir Eric Willis: I know it is not necessary but I think it would be of interest to honourable members to know how many votes were polled by each candidate.

Mr SPEAKER: Order! I ask the honourable member for **Earlwood** to resume his seat.

#### ADJOURNMENT

##### Access Roads to Campbelltown—Attire of Honourable Members

Mr F. J. WALKER (Georges River), Attorney-General [**11.251**]: I move:  
That this House do now adjourn.

Mr MALLAM (Campbelltown) [**11.25**]: I wish to raise a matter of great importance to the people of Campbelltown. Despite the spending of an enormous amount of money by planning authorities and governments in the Campbelltown area there is no satisfactory eastern access to that centre. Though Campbelltown has more than **52 000** names on the municipal roll, there is no easy road exit to the east from this satellite city. Most drivers use a private road that traverses an army camp. The owner of that land has threatened to close the road from 1st February next. For seven years I have been raising this matter with the local council and other authorities. Following a conference attended by the Hon. E. G. Whitlam letters were written to the federal Minister for Defence, the Hon. D. J. Killen, and to the New South Wales Minister for Transport and Minister for Highways. Subsequently the owner of this land agreed to keep his private road open for a further three months.

If no solution to the problem is arrived at by the end of that time he intends to close the road. This will mean that the Liverpool bridge, already overloaded, will be incapable of carrying the traffic load. In times of heavy rain the army crossing of the river at Glenfield is closed and traffic banks up for more than **5** miles out of Liverpool. Some time ago I spoke to the private secretary to the Minister for Transport and Minister for Highways. He was most courteous to me. We discussed the Department of Main Roads project aimed at improving the highway about a mile north of Campbelltown. I claim that this work is unnecessary but the department is adamant that it is right. I believe that an eastern access to Campbelltown should have priority over this other work. A feasibility study suggests that it would cost **\$1** million to put a road, including the construction of a high-level bridge, through the army camp.

The Hon. E. G. Whitlam claimed at the meeting that a further crossing of the Georges River should be provided near Warwick Farm. It has been said that **11 000** cars a day use the access road in that area but other people believe that to be a conservative figure. Certainly in peak times up to **1 700** cars an hour pass through that area. They use this narrow road which was leased to the army during the war years. It is known as Cambridge Avenue but no one knows how it got its name. For many years it had an identifying signpost which said that unauthorized military traffic was prohibited. Somebody tore down that sign. Subsequently the road was tar sealed. It is quite narrow. Often at night cattle wander across the road and the person who owns the land says that he will not accept responsibility should an accident occur.

The Government should approach the army with a view to resuming this land. A new crossing should be built. It is a fact that 99 per cent of the population who live on the eastern side of Campbelltown use that road. I am amazed that so

many planning authorities have never looked at the problem of getting people in and out of this district. There are in existence plans for 250 000 people to be living in the Campbelltown area by the year 2000. I should like to inform the Minister that the honourable member for Wollondilly, a former Minister for Lands, referred to the fact that of some 80 square miles of land used by the army, 57 square miles belong to this State. The former Minister intended to use that land for housing purposes. However, one of his federal colleagues, the Hon. A. Fairhall, rushed a bill through the Commonwealth Parliament to prevent it and nothing further was heard of that scheme.

The roads in the army camp are in good order. A road from Speers Crossing across to Lucas Heights would enable the people of Campbelltown to reach Cronulla Beach in half an hour and the Sutherland area in less than half an hour. How a satellite city at Campbelltown can be effective with only one exit route via the Liverpool bridge I do not know. The existing train service is unable to transport the people adequately. Neither can the roads in the district. This is an urgent matter. Nothing has been more urgent since my election as representative of the district than to have this road constructed. I do not know why, but some years ago the council allowed a subdivision, the backyards of which come right on to the boundary of this man's property. Obviously provision should have been made for a road there.

I suggest that the Minister look at Victoria Road and the possibility of resuming some of Mr Kennett's land. I ask the Minister to treat the matter as one of great urgency. What I have proposed would be cheaper than building another access bridge at Liverpool or Warwick Farm. I have raised this matter with the local councils and with the planning authorities in the area, but they never seem to be able to get their feet on the ground. They have maps for the future including extension of the F5 freeway. A development plan is available for the year 2000. Another bridge is planned to be built between Campbelltown and Liverpool. I ask for an emergency two-lane bridge through the military camp. I have had the project costed at \$1 million. The road could go straight across to the Heathcote Road.

The traffic flow is chaotic even in fine weather. In wet weather I have seen traffic banked up for 5 miles to the crossroads, waiting to get from Campbelltown to Liverpool. A large amount of money has been spent on the freeway and a considerable amount of town planning has been done. The Government has made available \$100 million for the Campbelltown complex over a period of eighteen months. All that money will be wasted if the people cannot get to and from their homes.

I shall leave with the Minister copies of two letters. One is from the Hon. E. G. Whitlam to the Hon. D. J. Killen. I shall leave also with the Minister a statement made by the Hon. T. L. Lewis about the land in this area. Much of the 57 square miles held by the army could well belong to the State. The road from Campbelltown to Liverpool through Speers Crossing could be taken over by the Government by way of negotiation. That would be a way to solve this problem. A bridge could quickly be built to give access to Glenfield and Macquarie Fields. If the people of the area had even a Bailey bridge they would consider themselves fortunate. The army representatives have said that a Bailey bridge could be constructed quickly if the federal authorities gave the go-ahead. Nothing could harm the district of Campbelltown more than if this exit route is closed two months from now. If that happens, land will probably have to be resumed in a hurry and more money will have to be spent than would otherwise be necessary. This is the time to act.

Mr COX (Auburn), Minister for Transport and Minister for Highways [11.35]: The honourable member for Campbelltown has raised an important matter concerning eastern access to Campbelltown and the problem that will be faced when a private

road through the army camp, owned by Mr John Kennett, is closed. The problem will arise when Mr Kennett finally decides to close the road to private vehicles. A few minutes ago the honourable member for Campbelltown gave me a copy of the letter that the Hon. E. G. Whitlam wrote to the Hon. D. J. Killen. In the letter the area in question is mentioned and it is pointed out that Cambridge Avenue carries some 11 000 vehicles daily with 1 700 an hour during peak periods and that the closure of the road would result in chaotic traffic conditions. The volume of traffic mentioned in the letter—and it is confirmed by the honourable member for Campbelltown—clearly indicates a problem of great magnitude. I assure the honourable member that I shall give serious consideration to the points he has raised tonight.

In the interim I shall contact the Department of Main Roads to ensure that its officers confer with the honourable member for Campbelltown. I shall have a senior officer confer with the honourable member for Campbelltown and interested bodies in the Campbelltown electorate, if he so desires, so that the whole matter can be properly reviewed. I am sure that when these discussions take place proposals for the proper development of Campbelltown will be considered. The honourable member for Campbelltown mentioned the Liverpool area. I do not wish to go into that aspect tonight as it covers the electorate of another honourable member and I am sure he would want me to convey any information in relation to the Liverpool electorate direct to him. I want the honourable member and the House to know that I am sympathetic to the problems raised and I shall make arrangements for a senior officer of the Department of Main Roads to confer with the honourable member as soon as possible.

Mr FISCHER (Sturt) [11.38]: I wish to raise a matter with reference to an occurrence in the House yesterday which could have been regarded as just a mental aberration on the part of the member responsible for the events which took place, but by that member's action today he has confirmed that he plans to continue with the practice. I refer in courteous terms to the dress of the honourable member for Peats.

Mr Mallam: On a point of order. I submit that the dress of a member of Parliament has nothing to do with the adjournment debate. During the adjournment debate honourable members may raise matters dealing with their electorates and matters of great importance to the people of the State. The honourable member for Sturt comes into the House looking like a ragbag. He is more disgraceful looking than any honourable member I have ever seen in the House. He looks as if he sleeps in his suit yet he has the audacity to use the adjournment debate to complain about the dress of another honourable member. I ask you, Mr Speaker, to rule him out of order. The honourable member for Sturt is trifling with the adjournment debate in raising such a matter.

Mr Fischer: On the point of order. This issue relates to traditional practice in the House. As such, it is quite proper to be raised during the adjournment debate. This is the first opportunity I have had to raise this matter of a most recent occurrence. I am in no way criticizing the honourable member for Peats in asking you for guidelines, Mr Speaker, on whether his conduct will induce honourable members to wear shorts and other attire in the House. I merely wish to have your comments on the matter.

Mr SPEAKER: The position relating to matters that may be raised during the adjournment debate is quite clear. Honourable members speaking on the adjournment of the House are permitted to discuss any one matter of local or general interest. The honourable member for Sturt has raised a matter of general interest and it is a matter that received a mention today in Column 8 of the *Sydney Morning Herald*. I inform honourable members that I received a request from an honourable member concerning the desirability of members being allowed to wear dress more appropriate to the present climatic conditions. In replying I intimated that a recognized safari suit would be acceptable attire but I said that I would leave it to the better judgment of honour-

able members to ensure that they attired themselves in a suitable and acceptable way. I pointed out also that that was the position, unless the House decided otherwise. That is the present position.

Motion agreed to.

House adjourned at 11.39 p.m.

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## QUESTIONS UPON NOTICE

The following questions upon notice and answers were circulated in Questions and Answers this day.

### RESIDENCES IN NATIONAL PARKS

Mr MASON asked the Minister for Lands—

- (1) How many residences, valued in excess of \$15,000, have been resumed or purchased by the National Parks and Wildlife Service in the creation or extension of National Parks?
- (2) Where were they located and what was the cost of each?
- (3) Which residences have been demolished?

Answer—

(1) The National Parks and Wildlife Service, since 1967, has purchased or resumed 23 properties for the creation of, or addition to existing National Parks where the property included a dwelling used for some form of residence and the total value of the property exceeded \$15,000. Of these 23 properties only 3 were acquired by resumption. The remainder were acquired by way of agreement to purchase.

(2) The location and cost of each property is set out in (1) to (14) below.

1. *Sturt National Park*:

- (a) Fort Grey: Improvements on 57 300 ha, purchased for \$120000 which included homestead.
- (b) Mount King: Land and improvements purchased for \$80,000. Total area 83 299 ha, which included homestead.
- (c) Binerah Downs: 51 111 ha, purchased for \$105,000, which included homestead.
- (d) Olive Downs: 108 093 ha, purchased for \$159,000, which included homestead.
- (e) Mount Wood: 728.4 sq. km purchased for \$107,111.50, which included homestead.

2. *Bouddi National Park*:

Scenic Drive: 4.646 ha, purchased for \$83,000 Cottage on land used as weekender valued at less than \$15,000.

3. *Royal National Park*:

- (a) Gogerleys Point: 3.5 ha, of land including house and other improvements purchased for \$76,300.

- (b) Garrawarra Farm: 6.5 ha, plus house purchased for a total figure of \$55,284.
- (c) Gogerleys Point: 0.5 ha, including house purchased for \$16,000.

4. *Dharug National Park:*

- (a) Property known as "Hazel Dell" of 15 ha, including shop and residence purchased for \$23,000.
- (b) Gunderman Creek: 77 ha including three bedroom cottage purchased for \$26,000.

5. Kosciusko National Park:

Merambigo area—(Delegate): 1 088 ha with dwelling thereon purchased for \$59,158.

6. Red Rock National Park:

North of Red Rock Village: 1939.45 ha, including cottage not permanently occupied, purchased for \$139,289.

7. Ku-ring-gai Chase National Park:

Towlers Bay: 0.5 ha, including dwelling and caretakers cottage purchased for \$80,000.

8. *Warrumbungle National Park:*

- (a) Wambelong Creek: 1 897 ha, including a fibro house purchased for \$59,500.
- (b) "Greenslopes": 1 521 ha, including fibro house purchased for \$29,000.
- (c) Gunemooroo: 1 605 ha, including dwelling resumed at a cost of \$64,200.

9. *Myall Lakes National Park:*

Bombah Point: 6.74 ha, including dwelling resumed at a cost of \$43,500.

10. Macquarie Pass National Park:

141 ha, including house and cabins resumed at a cost of \$69,000.

11. *Mount Kaputar National Park:*

Bullawa Creek: 1 144.25 ha, including house, purchased for \$28,000.

12. *Mallee Cliffs National Park:*

Improvements on 57 872 ha, purchased for \$45,100 (included homestead).

13. Cathedral Rocks National Park:

3 770 ha, purchased for \$40,000, including a dwelling.

14. *Werrikimbee National Park:*

1 017 ha, purchased for \$160,000, included homestead and cottages.

(3) The only dwellings that have been demolished are:

- (a) Royal—3 (a) above—partly demolished (one cottage remains).
- (b) Warrumbungles—Wambelong Creek (8 (a) above).
- (c) Macquarie Pass (10 above) accidentally destroyed by fire when occupied by former owner.

CONCORD EAST HIGH SCHOOL

Mr MAHER asked the Deputy Premier, Minister for Public Works and Minister for Ports—

(1) Have contracts closed for the construction of the high school at Concord East?

(2) If so, who is the successful **tenderer** and what is the (a) contract price and (b) estimated completion date?

*Answer—*

(1) Yes.

(2)

(a) C. H. Webb Bros. Pty Ltd of 152 Bungaree Road, Pendle Hill.

(b) \$3,682,780.

(c) August, 1979.

MACKEREL BEACH DEVELOPMENT

Mr WEBSTER asked the Minister for Services and Minister Assisting the Premier—

Does the proposal by the N.S.W. Trades and **Labor** Council to sell to the public land it owns at Mackerel Beach, Pittwater, conform with Government policy on planning and use of land adjacent to a national park?

*Answer—*

Instances such as these require consideration of individual merit rather than in terms of a general policy. In this respect, the matter is before the Local Government Appeals Tribunal and the Minister for Planning and Environment is awaiting the decision.

MACKEREL BEACH DEVELOPMENT

Mr WEBSTER asked the Minister for Services and Minister Assisting the Premier—

(1) Does he intend to apply the same criteria to the development application for land at Mackerel Beach, Pittwater, lodged by the N.S.W. Trades and **Labor** Council, as was applied to the **Oran** Park project by the imposition of I.D.O. 7, specifically prohibiting that development?

(2) If so, when will he ensure that an interim development order will be gazetted which will prevent the proposed development and sale of land at Mackerel Beach?

*Answer—*

The matter is before the Local Government Appeals Tribunal and the Minister for Planning and Environment is awaiting the decision.

### DRUMMOYNE DREDGING

Mr MAHER asked the Deputy Premier, Minister for Public Works and Minister for Ports—

Does the Maritime Services Board plan any dredging in the near future in Five Dock Bay, Hen and Chicken Bay or elsewhere in Drummoyne electorate?

*Answer—*

At the present time, the Maritime Services Board does not have any plans for dredging within the electorate of the honourable member. However, the Metropolitan Water Sewerage and Drainage Board has indicated the need to dredge the outlet to the stormwater channel in Kings Bay. In cases where siltation in the bays of Sydney Harbour has been caused primarily by discharge from water channels controlled by the Sydney Water Board, the Maritime Services Board undertakes the removal of the siltation by dredging, with costs being apportioned equally between the two boards. Negotiations are at present proceeding with a view to sufficient funds being allocated to allow this work to be undertaken in the 1978-79 financial year.

Dredging works previously carried out by the Board in the Drummoyne electorate are as follows:

#### *Iron Cove*

Siltation dredging has been undertaken by the Board in recent years under special arrangement whereby the estimated cost of \$562,000 was to be shared one-third by the Metropolitan Water Sewerage and Drainage Board, one-third by the Ashfield and Drummoyne Councils, and the one-third balance by the Board. All dredging work has been completed and only the final cleaning of beaches remains to be done, but since the actual costs have exceeded the original estimates, the excess costs will be borne by the Board.

Reclamation dredging works approved by the Board were carried out in Canada Bay by the Concord and Drummoyne Councils to establish land areas for residential and parkland use.

The Board understands that the Drummoyne Council may seek to have the northeastern corner of Five Dock Bay dredged for the removal of unsightly mudflats. This area would not require a depth greater than .6 of a metre, and the dredging would be undertaken primarily for the purpose of eliminating the mudflats. In the event of the Council deciding to proceed with this dredging in order to improve the environment for the benefit of local residents, the Board would provide assistance and advice where requested.

### GREATER SOUTHERN BLUE MOUNTAINS NATIONAL PARK

Mr CAMERON asked the Minister for Lands—

(1) Has considerable concern been expressed by landholders within the boundaries of the proposed Greater Southern Blue Mountains National Park that they will suffer economic prejudice or protracted impairment of their living amenity through creation of the park?

(2) What guarantees is he able to give to minimize such prejudice and impairment?

(3) Will he give an undertaking that no acquisitions of property will take place other than upon just terms and that affected property-holders will not be left in uncertainty for protracted periods concerning their prospects?

*Answer—*

(1) Some landholders have expressed concern that they may suffer economic prejudice or protracted impairment of their living amenity as a consequence of the recent additions to the Blue Mountains National Park. However, at this stage these additions, which only involve Crown lands, have not affected the economic viability or the living conditions of any landholders on properties inside the Park boundaries.

(2) I have assured all landholders whose properties lie within the boundaries of the Park additions that their best interests will be taken into account when any action is taken by the National Parks and Wildlife Service in relation to the management of the Park and in relation to any acquisitions by the Service of any further areas for addition to the Park.

(3) I can assure you that where properties are sought for addition to the Park, all acquisitions will be undertaken on just terms and fair market value will be paid for the properties. Negotiations will be conducted as expeditiously as practicable dependent of course on agreement being reached with the landholders concerned, and every effort will be made to keep affected landholders fully informed of every development.

#### TEACHING SERVICE ACT PENALTIES

Mr PICKARD asked the Minister for Education—

(1) Has an agreement been reached between the Teachers' Federation and the Department of Education concerning penalties and their application, arising out of clause 37 of the Teaching Service Act?

(2) Will he (a) itemize those matters of Federation policy which must or may conflict with Department policy and will he (b) make public, through the media, such information in order that the public of New South Wales may be made aware of these vital changes in Education Policy?

*Answer—*

(1) The agreement between the Department and the Federation concerning section 37 of the Teaching Service Act is defined in the letters between the Director-General of Education and the General Secretary of the Federation in June this year (copies will be made available to the honourable member for Hornsby).

(2) (a) Federation policy covers a very wide range of matters relating to teachers' working conditions, staffing, class sizes and so on. The policy is embodied in resolutions of the Federation's Annual Conference. Any one of these resolutions may well conflict with Government policy or Departmental practice at a particular time. It is therefore impossible to provide an itemized list as requested by the honourable member for Hornsby.

(b) There is, moreover, no point in defining areas of possible conflict when conflict in the form of industrial action in those matters does not exist.

The Department's aim is to foster industrial harmony to the maximum possible extent.

(c) It should be realized that this agreement is for a limited period of time, on a trial basis and that since the agreement was reached, action under section 37 has been taken in relation to a number of offences. Moreover, the agreement does not preclude the Department or the Teachers' Federation from taking action through the normal industrial processes.

#### RELIGIOUS EDUCATION AND SEXISM IN SCHOOLS

Mr PICKARD asked the Minister for Education—

(1) Were the following committees established under the former **Liberal**-Country Party Government to review the following areas—

- (a) religious education in schools?
- (b) sexism in schools?

(2) If so, when does he intend to table these reports for public use and scrutiny?

*Answer—*

The Committee to Review Religious Education in Schools was established in 1975 and first met in April of that year.

The "Sexism in Education" Committee was established in May, 1975, by the then Minister for Education, Sir Eric Willis, to examine educational policy and practice in regard to sexism in education in New South Wales. The Committee included educationists and persons representative of professional and parent organizations.

The Committee members worked on a part-time basis under the Chairmanship of the then Staff Inspector, Miss Eula Guthrie. Their work was hampered by lack of support staff. However, the Committee presented its Report to me in late October, 1977. The Report is being prepared for printing and distribution to all schools and community groups for public discussion.

It is anticipated that the Report of the Committee to Review Religious Education in Schools will be published some time in 1978, while the Report of the "Sexism in Education" Committee will be available at the beginning of the new school year.

#### INVESTMENT OF AUSTRALIAN GAS LIGHT COMPANY BONDS

Mr WHELAN asked the Minister for Industrial Relations, Minister for Mines and Minister for Energy—

- (1) Does the Australian Gas Light Company invest bonds paid to it by consumers? If so, (a) where; and (b) at what interest rate?
- (2) Is any interest paid to consumers or credited to a consumer's account?
- (3) How many consumers of (a) gas; and (b) electricity are there in this State?
- (4) What percentage increase in gas and electricity charges were incurred annually from 1970 to 1976 and in 1977, to date?

- (5) Is there any public representation on the Australian Gas Light Company?  
 (6) What are the approximate average charges for gas and electricity for the average family in this State?

*Answer—*

(1) The Australian Gas Light Company requires consumers, other than homeowners, to give security for the supply of gas, in the form of a cash deposit, in accordance with the requirements of section 19 of the Gas and Electricity Act.

The company does not invest security payments outside its normal trading operations.

(2) Interest is paid to consumers, on refund, at Commonwealth Savings Bank interest rates in accordance with the requirements of section 19 of the Gas and Electricity Act.

(3) It is estimated that there are 450 000 consumers of reticulated gas in New South Wales.

In addition there is an indeterminate number of consumers supplied with liquefied petroleum gas for cooking and heating purposes. Although statistics are not available these consumers could exceed 500 000.

Statistics in June, 1977, indicated that there were 1.86 million consumers of electricity in New South Wales of which 1.67 million were domestic.

(4) Adjustments to gas and electricity tariffs are not made on an annual or regular basis. From 1970 to 1977 the overall increase in electricity domestic tariffs was 68 per cent and for gas supplied by the Australian Gas Light Company, the increase was 166 per cent.

(5) The Australian Gas Light Company is listed on the Sydney Stock Exchange and operates as a public company subject to the additional requirements of the Gas and Electricity Act.

(6) The average cost to a domestic consumer using both gas and electricity is estimated at \$110 per annum for gas and \$70 per annum for electricity. The cost for an average all-electric home is in the order of \$180 per annum.

#### TOTALIZATOR TICKETS

Mr WHELAN asked the Treasurer—

- (1) Is consideration being given by the Government to allowing payment on a mutilated or lost Totalizator ticket?  
 (2) What are the difficulties of allowing payment where a ticket has been lost or mutilated?  
 (3) Did the Government ever pay on such tickets?

*Answer—*

(1) No consideration is being given to any amendment to the various rules made under the Totalizator Act which would allow for the payment of a dividend on a lost or destroyed totalizator ticket.

In the case of a mutilated ticket, provision exists for payment to be made on the order of the Committee or Stewards of the racing club, or Totalizator Agency Board, as the case may be.

(2) The lack of any direct evidence of the genuineness of claims makes it difficult to establish the bona fides of the claimant. On several occasions the number of units **claimed**, by seemingly genuine claimants, exceeded the number of units outstanding.

The basic difficulty stems from the fact that once the Crown embarks on the course of making payments where no conclusive evidence of ownership exists (the possession of a ticket), all persons who state that tickets have been lost have to be paid unless the claims can be proved to be false.

(3) From 1955 to October, 1964, ex gratia payments were made in respect of lost or destroyed totalizator tickets. It was found that certain persons aware of this made regular **requests** for payments on the chance that dividends were outstanding and one person made it the practice to ring the Treasury and the totalizator company to inquire whether there were any outstanding dividends against certain doubles.

Cases also occurred where, after the full amount paid to the Treasury in respect of outstanding dividends for a particular race had been refunded, subsequent claims supported by valid tickets could not be met.

Because of the above, it was decided to discontinue the practice of making payments on lost and destroyed totalizator tickets.

#### POTTS POINT PREMISES INSPECTIONS

Mr DOWD asked the Minister for Industrial Relations, Minister for Mines and Minister for Energy—

(1) What inspections, if any, have been carried out by officers of the Department of Labour and Industry in respect of premises on 1st Floor, 22 Rockwall Crescent, Potts Point?

(2) Did such inspection or inspections reveal that the provisions of the Factories, Shops and Industries Act, 1962, had been complied with?

(3) If not, what was the nature of the non-compliance and have any proceedings been taken for the non-compliance? If so, against whom?

(4) If no such inspections have been made within the last two years, will he ensure that the provisions of the Factories, Shops and Industries Act, 1962, have been complied with in respect of such premises?

*Answer—*

(1) Inspections have not been made by officers of the Department of Labour and Industry of the premises on 1st Floor, 22 Rockwall Crescent, Potts Point.

(2) There is no evidence that the premises constitute a factory or a shop as defined in the Factories, Shops and Industries Act.

(3) As the Factories, Shops and Industries Act has no jurisdiction in regard to these premises, there would be no breaches of that Act. Action has not been taken against any person for non-compliance with the Act.

(4) There are no proposals for inspections to be made by officers of the Department of Labour and Industry as their authority under the Factories, Shops and Industries Act limits their inspection activities mainly to ensuring the safety, health and welfare of persons employed in factories and shops.

#### GOULBURN CLUB CASINO

Mr MOORE asked the Minister for Industrial Relations, Minister for Mines and Minister for Energy—

(1) What inspections, if any, have been carried out by officers of the Department of Labour and Industry in respect of premises at 51–57 Goulburn Street, Sydney?

(2) Did such inspection or inspections reveal that the provisions of the Factories, Shops and Industries Act, 1962, had been complied with?

(3) If not, what was the nature of the non-compliance and have any proceedings been taken for the non-compliance? If so, against whom?

(4) If no such inspections have been made within the last two years, will he ensure that the provisions of the Factories, Shops and Industries Act, 1962, have been complied with in respect of such premises?

*Answer—*

(1) Inspections have not been made by officers of the Department of Labour and Industry of the premises at 51–57 Goulburn Street, Sydney.

(2) There is no evidence that the premises constitute a factory or a shop as defined in the Factories, Shops and Industries Act.

(3) As the Factories, Shops and Industries Act has no jurisdiction in regard to these premises, there would be no breaches of that Act. Action has not been taken against any person for non-compliance with the Act.

(4) There are no proposals for inspections to be made by officers of the Department of Labour and Industry as their authority under the Factories, Shops and Industries Act limits their inspection activities mainly to ensuring the safety, health and welfare of persons employed in factories and shops.

#### TALLOWA DAM

Mr LEWIS asked the Deputy Premier, Minister for Public Works and Minister for Ports—

(1) Is he aware of the annoyance of residents of Kangaroo Valley and visitors to this area in that the Water Board has denied public access to Tallowa Dam?

(2) Has the Water Board's excuse been that amenities are necessary at the Dam site and that there should be some safety fences constructed?

(3) Will he have the Water Board construct any necessary safety fences immediately—even on a temporary basis?

(4) Will he then instruct the Water Board to give the public access to the area?

*Answer—*

It is the intention of the Metropolitan Water, Sewerage and Drainage Board to grant public access to Tallowa Dam immediately facilities such as toilets, paved areas for car parking and bus turning, safety fences, etc., are erected.

It is obvious that facilities such as these are necessary before public entry can be permitted.

Plans for these facilities have been completed and construction has commenced with a view to achieving completion at the earliest possible date.

#### RANDWICK POLICE STATION

Mr CLEARY asked the Deputy Premier, Minister for Public Works and Minister for Ports—

(1) Has approval been given for the erection of two demountable rooms at the rear of Randwick Police Station?

(2) If so,

(a) when will they be erected?

(b) when will they be ready for occupancy?

*Answer—*

(1) Yes. A formal request was received from the Police Department on 5th December, 1977.

(2) The building will be erected in February, 1978, and will be ready for occupancy during March, 1978.

#### WAHROONGA PUBLIC SCHOOL

Mr PICKARD asked the Minister for Education—

(1) Have plans for additions to Wahroonga Public School been completed?

(2) If so,

(a) have funds been made available for these works; and

(b) when will tenders be called?

(3) If not, will he give a commitment for the early completion of these long promised buildings?

*Answer—*

(1) Planning for additions to Wahroonga Public School has not commenced.

(2) The questions for provision of funds and calling of tenders in this case are matters for determination only when planning is completed.

(3) It is not possible to give a firm commitment on this project due to the competing priorities of other parts of the State, particularly the fast-growing areas.

BEROWRA PUBLIC SCHOOL

Mr PPCKARD asked the Minister for Education—

- (1) Have plans been completed for additions to Berowra Primary School, promised for some years?
- (2) If so, when will he announce the calling of tenders?

*Answer—*

Approval was granted in March, 1973, for the future provision of an administrative/library block, food service unit/shelter, toilet/ablution facilities and conversion of the existing administration/library spaces to two classrooms.

Planning has still not commenced on this project because of the priorities given to growth situations, especially new schools and no indication can be given at this juncture as to when planning will be completed or tenders called.

LEASE OF PREMISES AT PARKES

Mr WHELAN asked the Minister for Lands—

- (1) Who is the lessee of premises situated at Parkes, County of Ashburnham, being part of portion 645 and having an area of 4 907 square metres?
- (2) For how long has that tenant been the lessee?
- (3) (a) What is the rental; and  
(b) who set it?
- (4) What is:
  - (a) the Valuer-General's valuation;
  - (b) the commercial value; and
  - (c) the market rental of the site?
- (5) Is the property improved?
- (6) If so—
  - (a) to what extent; and
  - (b) who paid for the improvements?

*Answer—*

- (1) *H. C. Sleigh, Limited, 115 York Street, Sydney.*
- (2) Since 28th August, 1949.
- (3) (a) \$300 per annum from 1st January, 1977.  
(b) The Local Land Board.
- (4) (a) \$3,000; (as at 1st January, 1975).  
(b) and (c) not available. (These details could only be obtained after an inspection and a detailed analysis had been undertaken).

- (5) Yes.
- (6) (a) Improvements comprise a galvanized iron and steel storage and loading shed, three bulk fuel tanks and a 2.4 metre high chain wire fence around the boundaries of the land.
- (b) The lessee.

#### SYDNEY AIRPORT

Mr MAHER asked the **Premier**—

What has been the cost to the Government to date of the joint **State/Federal** inquiry into the future of Sydney Airport?

*Answer*—

The inquiry referred to is the investigation into the Major Airport Needs of Sydney, known as the MANS Study, which commenced in January, **1977**.

Allocations of \$30,000 each have been made to the Ministry of Transport's Urban Transportation Study Group and the Public Transport Commission. These funds are being used for related road and public transport studies associated with Kingsford-Smith Airport to ensure that the State is properly advised on implications and requirements for surface access. The studies are expected to be completed by February, **1978**.

Apart from the two \$30,000 allocations, no special funding arrangements have been made. No separate costing has been carried out in respect of the time involved so far as concerns the contributions by the various public authorities representing the State.

