

## Legislative Assembly

Wednesday, 6 September, 1978

---

Death of Louis Andrew Walsh, B.Ec., a former Member of the Legislative Assembly—Petitions—Questions without Notice—Price of Petrol (Urgency)—Police Regulation (Allegations of Misconduct) Bill (second reading)—Police Regulation (Appeals) Amendment Bill (second reading)—Ombudsman (Amendment) Bill (second reading)—Defamation (Amendment) Bill (second reading)—General Loan Account Appropriation Bill (second reading)—Bills Returned—Adjournment (Crime Control)—Questions upon Notice.

---

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

Mr Speaker offered the Prayer.

### DEATH OF LOUIS ANDREW WALSH, B.Ec., A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY

Mr SPEAKER: It is with regret that I have to inform the House of the death of Louis Andrew Walsh, B.E., a former member of the Legislative Assembly, who represented the electorate of Coogee from 1953 to 1956 and from 1962 to 1965. On behalf of the House I have extended to Mrs Walsh and the family the deep sympathy of members of the Legislative Assembly in the loss sustained. Will honourable members please stand as a mark of respect.

*Members and officers of the House stood in their places.*

### PETITIONS

The Clerk announced that the following petitions had been lodged for presentation:

#### Sunday Hotel Trading

The Petition of the undersigned citizens in the State of New South Wales respectfully sheweth:

- (1) A referendum on Sunday trading in hotels was held in New South Wales in the year 1969 which showed an overwhelming majority voting against Sunday trading in hotels.
- (2) Alcohol is a contributing factor in a large proportion of road accidents causing many fatalities and maimings and more facilities for weekend drinking will inevitably add to the problem.

- (3) The high incidence of alcoholism among our young people is causing much concern.

Your Petitioners therefore humbly pray that your honourable House:

- (1) Will not pass any legislation which will allow any extension of Sunday trading in liquor in hotels or any other place where sale of liquor is permitted.
- (2) If however it is intended to submit legislation to the House, this should not be done until the people of New South Wales be given the democratic right of vote by referendum on this important issue.

And your Petitioners, as in duty bound, will ever pray.

Petition, lodged by Mr F. J. Walker, received.

#### Prison for **Parklea**

The Petition of concerned residents of the electorates of The Hills, Hawkesbury and adjacent electorates, respectfully sheweth:

That they are in opposition to the erection of a maximum security prison, or other penal institution, at **Parklea** or thereabouts, as this will adversely affect the interests of the community in the aforesaid areas.

Your Petitioners therefore humbly pray that your honourable House will take steps to reverse the decision announced by the Premier to build such a prison in this locality.

And your Petitioners, as in duty bound, will ever pray.

Petitions, lodged by Mr **Caterson** and Mr **Rozzoli**, received.

#### Armed Robbery

The Petition of certain residents of New South Wales respectfully sheweth:

That in the State of New South Wales violent crimes are rapidly increasing. Armed robberies, extortion and acts of terror are endangering properties and human lives.

That if this upsurge of crime will not be brought under control the lives and public safety of all citizens of New South Wales will be endangered.

That existing laws do not provide adequate penalties to discourage criminals from committing armed robberies, extortion and acts of terror.

Your Petitioners therefore humbly pray that your honourable House will take the necessary action to—

Amend legislation where necessary to provide harsher mandatory minimum penalties for armed robbery, extortion and acts of terror without parole as follows:

- (a) Without physical injury—ten years' gaol with hard labour.
- (b) With physical injury—fifteen years' gaol with hard labour.
- (c) With murder—life sentence with hard labour.

And your Petitioners, as in duty bound, will ever pray.

Petition, lodged by Mr **Barraclough**, received.

## Quality of Education

The humble petition of the undersigned citizens of Australia, New South Wales, respectfully sheweth:

That because there is much concern in the community over the failure of modern education at primary and secondary levels to meet the expectations of many parents, teachers, lecturers, professors, employers and students.

That because there is considerable doubt as to the content **and** standards, philosophy and moral values of new courses or projects, such as M.A.C.O.S. ("Man—a Course of Study"—ex U.S.A.); "People of the Western Desert" (Aust.); and S.E.M.P. ("Social Education Materials Project"—Aust.) and in view of the fact that M.A.C.O.S. and S.E.M.P. have been withdrawn from Queensland schools.

That because there is concern that the Final Report of the Working Party for the Establishment of an Education Commission does not appear to have considered all aspects of Education in New South Wales, to the possible detriment of some sections of the community, and that the Working Party did not investigate, report and recommend on all areas of its terms of reference.

Your Petitioners therefore humbly pray that the Parliament of New South Wales will:

- (1) Immediately suspend Courses and Projects such as "M.A.C.O.S.", "People of the Western Desert" and "S.E.M.P." from all N.S.W. Primary and Secondary Schools and Teachers Colleges, and conduct an independent public inquiry into their suitability and conformity with the provisions of the N.S.W. Education Act.
- (2) Enforce the following guidelines in relation to all text books, courses, projects, etc., used in State schools and institutions:—
  - (a) They should encourage loyalty and respect for God, Queen and Country, our Federal and State Constitutions and observance of the laws of the land.
  - (b) They should recognize the importance of marriage, family life, motherhood and fatherhood, **as well as the privacy** of family and the individual student.
  - (c) They should avoid profanity, indecency or any encouragement of racial hatred, anti-semitism, sedition or violent revolution against our Australian democratic parliamentary institutions.
  - (d) They should provide for studies in history and geography (rather than sociology) and show the importance of the **Judeo-Christian** ethic as our natural Australian heritage.
  - (e) They should teach the **3 R's**, that is, the **skills** of reading, writing and arithmetic, so that all children receive an effective basic education for their future responsibilities.
- (3) Implement a system of public preview of all materials and courses with reasonable access for all parents and citizens before they are approved for use in schools in accordance with an approved core curriculum.
- (4) Introduce a more meaningful system of the testing and assessing of educational results so as to provide a more equal opportunity for all students in New South Wales.

- (5) Immediately suspend all proposed legislation for the establishment of an Education Commission and appoint a Parliamentary Select Committee, or establish a Royal Commission, to fully investigate all aspects of Education in New South Wales by open and public inquiry.

And your Petitioners, as in duty bound, will ever pray.

Petition, lodged by Mr Mutton, received.

#### Education Commission

The Petition of the undersigned citizens and parents of children attending schools in New South Wales respectfully sheweth:

That because there is criticism, confusion and great concern in the community and especially by parents about all levels of the present systems and methods and aims of education.

That the majority of the community and especially parents again are not aware of the formation of an education commission.

That the method of informing the community and parents has not been satisfactory in reaching the majority, and therefore the majority are unaware that such a commission is to be formed.

That there has been insufficient time allowed for the majority to become informed fully, as to the pros and cons of an education commission.

That there should be more information made available to the community and parents on all issues to do with education or the formation of an education commission and where our tax money is to be spent.

Your Petitioners therefore humbly pray that your honourable House will:

- (1) Not allow under any circumstances the formation of an education commission at this time, and take steps to fully inform the public of what an education commission is all about and the effects it will and will not have on our children.
- (2) Hold a full open inquiry on education in New South Wales schools and take steps to fully inform the majority of the community and call for them to write and make submissions to this inquiry as a matter of urgency.
- (3) By holding a full open inquiry eliminate the existing criticism, confusion and concern and produce a standard of education that is acceptable to the majority of the community, i.e., parents, employers, students and other citizens of New South Wales.

And your Petitioners, as in duty bound, will ever pray.

Petition, lodged by Mr Caterson, received.

### Inquiry on Education

The Petition of concerned citizens, including parents of children attending schools in New South Wales respectfully sheweth:

That there is criticism, confusion, and great concern in the community and especially amongst parents about all levels of the present systems, methods and aims of education.

That the majority of the community and especially parents are not aware of the formation of an Education Commission.

That the methods of informing the community and parents have not been satisfactory and the majority is therefore unaware that such a Commission is to be formed.

That there has been insufficient time allowed for the majority to become informed fully of the pros and cons of an Education Commission.

That there should be more information made available to the community and parents on all issues to do with education or the formation of an Education Commission.

Your Petitioners therefore humbly pray that your honourable House:

- (1) Not allow under any circumstances the formation of an Education Commission at this time.
- (2) Take steps to fully inform the public of what an Education Commission is all about and the effects it will or **will** not have on our **children**.
- (3) Hold a full open inquiry into education in New South Wales schools, taking steps to fully inform the community and inviting them to make written submissions to the inquiry, as a matter of urgency.
- (4) By holding a full open inquiry eliminate the existing criticism, confusion and concern, and produce a standard of education acceptable to the majority of the community.

And your Petitioners, as in duty bound, will ever pray.

Petition, lodged by Mr Catterson, received.

### Fairfield Hospital

The Petition of the citizens of the Municipality of **Fairfield** respectfully sheweth that the present hospital which was constructed as a temporary unit in 1956 is now operating at a capacity of 101 per cent in general wards compared with the average of New South Wales hospitals in the bed range A.D.A. 120-199 of 81 per cent. The bed stay per patient is five days. Patients repeatedly have to sit on chairs in corridors from early in the morning until the afternoon waiting for a bed to become vacant. It is not unusual for two to three patients to occupy the same bed in the one day.

All surveys and studies conducted by the Health Commission have shown positive proof and evidence that the hospital is now working at a danger level and action should be taken to provide some relief. The patients attending **casualty/emergency** are increasing and now number over 64 000 per

**annum.** The total of general beds to cope with the needs of the community are 75 with an additional 7 in the intensive care unit/coronary care unit, 40 maternity beds and 25 children's beds for a population of 120 000 people.

Your Petitioners therefore humbly pray that your honourable House proceed to allocate funds to enable:

- (a) the acquisition of land and the construction of a new hospital to the first stage of 290 beds with all due expedience as this has been shown in all studies and reports to be required by 1982; or alternatively,
- (b) make immediate funds available for the addition of at least another 50 general beds on the existing site in an attempt to relieve the tremendous demand being experienced by the hospital as well as reducing the waiting period for patients who require hospitalization, many of whom have been waiting over twelve months.

And your Petitioners, as in duty bound, will ever pray.

Petition, lodged by Mr Bedford, received.

#### Education System

The Petition of certain confirmed citizens of **Winston Hills** and **Baulkham Hills**, and other suburbs, being parents and friends of children attending various schools, respectfully sheweth:

There is widespread criticism and confusion of the education systems.

There should be a return to either full external examinations or 50 per cent **examination** and 50 per cent assessment for school certificate and higher school certificate.

There should be a return to a more easily understood school reports and certificates. There should be a return to a syllabus which includes spelling tests and grammar, and some courses reintroduced should include shorthand, bookkeeping and typing. There should be uniformity in all schools. Terminology such as "moderated reference tests", "core", "electives", etc., should be done away with and plain simple English used.

The Education Department's methods of informing parents and the community of the Secondary School Board's Invitation has not been satisfactory in reaching the majority.

Parents and community should have more say before the people concerned keep making so many changes every year in our schools. This only creates confusion.

Extension of time on the Secondary School Board's Invitation, so more submissions can be made.

More information to reach the parents and community on the board's final decision.

Your Petitioners humbly pray that your honourable House will take steps to eliminate the existing education problems as a matter of urgency.

And your Petitioners, as in duty bound, **will** ever pray.

Petition, lodged by Mr Caterson, received.

Guild Teachers' College, Ultimo

The Petition of certain residents of New South Wales respectfully sheweth:

That they are opposed to the recommendation by the **Butland** Committee set up by the Higher Education Board that the Guild Teachers' College of **Ultimo** should close at the end of this year and that the students complete their courses at the Alexander **Mackie** College of Advanced Education.

Your Petitioners will acknowledge that this recommendation plans to absorb students of a Non-Government College which will offend the principle of institutional autonomy and must be seen as a threat to any independent college or school.

And your Petitioners, as in duty bound, will ever pray.

Petition, lodged by Mr Barraclough, received.

**QUESTION WITHOUT NOTICE**

COURT HEARING DELAYS

Mr **COLEMAN**: My question without notice is directed to the Minister of Justice and Minister for Housing. Did the Under Secretary of Justice state in evidence to the Legislative Council Select Committee on Crime Control that two years ago the prospect of a speedy hearing of a criminal charge was, to quote him, "very good" but there is now a delay of possibly three months in obtaining a listing in courts of petty sessions which, to quote him again, is "not good"? Can the Minister explain to the House why these delays in dealing with criminal matters have developed under his administration and what steps, if any, he is taking to correct the situation and to return it to what it was under the former Liberal-Country party Government?

Mr **MULOCK**: I am not aware of the evidence that was given by the Under Secretary of the Department of the Attorney-General and of Justice to the Select Committee of the upper House which, of course, has met in *camera*. If the information conveyed by the Leader of the Opposition in his question is in keeping with the usual measure of veracity that is attached to what he has to say, it will be found wanting. However, I shall take what the honourable member has said at its face value and indicate to him and to the House that there are certainly delays in courts of petty sessions in certain areas.

Mr Coleman: In the metropolitan area?

Mr **MULOCK**: In certain parts of the metropolitan area. I have repeatedly drawn this matter to the attention of the chairman of stipendiary magistrates, who is responsible for the administration of the courts of petty sessions. The chairman of stipendiary magistrates has indicated that steps have been taken in this respect. Honourable members should note that there has been a substantial increase in the workload of the courts of petty sessions as a result of the lifting of the monetary ceiling from

\$500 to \$2,000 in the civil claims jurisdiction. The result has been that—and I am speaking from memory—approximately 40 000 cases have been listed for hearing by the courts of petty sessions, which previously had been listed for hearing in the District Court. There has been a corresponding decrease in the number of matters now being dealt with by the District Court. It has not come particularly to my notice that committal proceedings in courts of petty sessions are the subject of lengthy delays. Nevertheless, the matter to which I have just alluded would be an explanation if delays have been experienced. Certainly it would not have anything to do with what the position was under the former administration or the present administration, for the same chief stipendiary magistrate is still in office.

---

### PRICE OF PETROL

Urgency

Mr SHEAHAN (Burrinjuck) [2.26]: I move:

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

That this House condemns the Australian Government for increasing the cost of petrol to the motorist by up to 3.5 cents a litre, or 16 cents a gallon, without making provision for any of this additional revenue to be returned to this State for road purposes.

*[Interruption]*

Mr SPEAKER: Order!

Mr SHEAHAN: The urgency of this matter should be patently obvious to all members of this House. I was surprised at the welcome I just received from members of the Country Party. The largest proportion of this horrendous increase will be passed on to country-people.

Mr J. A. Clough: On a point of order. Still on the business paper for further debate is the Appropriation Bill. The honourable member for Burrinjuck and any other member of this House will have ample opportunity to discuss this subject in that debate. Therefore I request, Mr Speaker, that you rule the honourable member for Burrinjuck out of order.

Mr SPEAKER: Order! On many occasions it has been ruled that though there is before the House a debate that would permit discussion on a particular matter, an honourable member may raise that subject in a more effective form to get the best possible result. No point of order is involved.

Mr SHEAHAN: During the term of office of this Government every possible effort has been made to hold back, to the maximum extent possible, the price of petrol. The New South Wales Prices Commission has done an outstanding job in this respect. The decision of the federal Government in its **Budget**—

Mr **Pickard**: On a point of order. So far the honourable member for **Burrinjuck** has not established why it is urgent that this subject should be discussed. He is merely debating the issue. Mr Speaker, I suggest that, as you have done in other cases, you should draw his attention to the fact that he must establish urgency or sit down.

Mr **SPEAKER**: I must ask the honourable member for **Burrinjuck** to speak to urgency. When speaking to this motion he should establish why the matter is urgent and why the business of the House should be interrupted to deal with it.

Mr **SHEAHAN**: As I was in the process of saying before being interrupted by the honourable member for **Hornsby**, who is not interested in the price of petrol, the decision of the federal Government in its Budget is about to be implemented by a decision of the Prices Justification Tribunal. The New South Wales Government will not be able to resist that decision. It is inevitable that within the next few days the Prices Justification Tribunal will hand down its decision. Therefore, the New South Wales Prices Commission, and through it the New South Wales Government, will then be under pressure to implement the price increase in this State. If one were to believe all the press reports one would think that this Parliament might not have a great deal of time to run. But certainly it has only this sitting day and one more sitting day at the outside before the Prices Justification Tribunal decision comes into effect. This motion will give members of Parliament an opportunity before it is too late to unite across political lines in an endeavour to protect our citizens. The people of New South Wales are already unfairly disadvantaged by the petrol price war that has taken place in other States. The Commonwealth's Royal commission on petroleum intimated that the low petrol prices available in Victoria should be available to motorists in all other States of Australia. Today is probably one of the last opportunities for this Parliament to take action on this important matter and protect the citizens of New South Wales. It would seem to me that the urgency of the matter is self-explanatory. Because of the imminence of the decision of the Prices Justification Tribunal, I commend the motion to the House.

Mr **Healey**: On a point of order. The honourable member for **Burrinjuck** may have finished what he intended to say at this stage, but it is of no use for him to say that something appears to be urgent or seems to him to be urgent. He should put forward specific valid arguments to prove the point he is endeavouring to make. Time and time again this session Ministers and Government supporters have used the **forms** of **the** House to prevent Opposition members from **asking** questions. I take this point of order as members on this side of the House are unfairly treated by this process.

Mr **SPEAKER**: There is no substance in the honourable member's point of order.

Mr **WRAN** (**Bass Hill**), Premier [2.35]: The matter raised by the honourable member for **Burrinjuck** is one that should be discussed as a matter of urgent necessity because of its effect, not only on New South Wales, but indeed on the whole of Australia. I hope that for once—at least on this occasion—the Leader of the Country Party and his supporters will show some interest in the country people of this State, who are hard hit by rising petrol prices. Urgency is granted so far as the Government is concerned.

Question of urgency put.

The House divided.

Ayes, 49

Mr Akister  
 Mr **Bannon**  
 Mr **Barnier**  
 Mr Bedford  
 Mr Booth  
 Mr Brereton  
 Mr **Cahill**  
 Mr Cleary  
 Mr R. J. **Clough**  
 Mr Cox  
 Mr **Crabtree**  
 Mr Day  
 Mr Degen  
 Mr **Durick**  
 Mr **Einfeld**  
 Mr **Ferguson**  
 Mr **Flaherty**

Mr Gabb  
 Mr Gordon  
 Mr **Haigh**  
 Mr **Hatton**  
 Mr Hills  
 Mr Hunter  
 Mr **Jackson**  
 Mr Jensen  
 Mr Johnson  
 Mr Johnstone  
 Mr **Keane**  
 Mr Kearns  
 Mr **McGowan**  
 Mr **Maher**  
 Mr Mallam  
 Mr Mulock  
 Mr **O'Connell**

Mr Paciullo  
 Mr Petersen  
 Mr **Quinn**  
 Mr **Ramsay**  
 Mr Renshaw  
 Mr Rogan  
 Mr **Sheahan**  
 Mr **Stewart**  
 Mr Wade  
 Mr F. J. Walker  
 Mr Whelan  
 Mr Wilde  
 Mr **Wran**  
  
*Tellers.*  
 Mr Face  
 Mr Ryan

Noes, 40

Mr Arblaster  
 Mr Barraclough  
 Mr Boyd  
 Mr Brewer  
 Mr Brown  
 Mr **Bruxner**  
 Mr **Cameron**  
 Mr **Caterson**  
 Mr J. A. **Clough**  
 Mr **Coleman**  
 Mr **Cowan**  
 Mr Dowd  
 Mr Doyle  
 Mr **Duncan**

Mr Fisher  
 Mr **Freudenstein**  
 Mr Griffith  
 Mr Healey  
 Mr Jackett  
 Mr Leitch  
 Mr **McDonald**  
 Mr Mackie  
 Mr Maddison  
 Mr Mason  
 Mr **Moore**  
 Mr Moms  
 Mr Murray  
 Mr Mutton

Mr **Osborne**  
 Mr Pickard  
 Mr Punch  
 Mr **Schipp**  
 Mr Singleton  
 Mr Taylor  
 Mr Viney  
 Mr N. D. Walker  
 Mr West  
 Mr Wotton  
  
*Tellers,*  
 Mr Fischer  
 Mr **Rozzoli**

Question so resolved in the affirmative.

Motion of urgency agreed to.

#### Suspension of Standing Orders

Mr SHEAHAN (**Burrinjuck**) [2.36]: I move:

That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, *viz.*:

That this House condemns the Australian Government for increasing the cost of petrol to the motorist by up to 3.5 cents a litre, or 16 cents a gallon, without making provision for any of this additional revenue to be returned to this State for road purposes.

Mr MASON (Dubbo), Deputy Leader of the Opposition [2.37]: The Opposition opposes this motion to suspend standing orders. It is one of the most blatant attempts ever made in this House to disregard completely the rights of members to ask questions of Ministers. So far this afternoon one question had been asked, by the Leader of the Opposition, before the motion of urgency was moved. Yesterday, honourable members

were able to ask the magnificent total of six questions. On another day there were ten questions, only one of which could be asked by a Liberal Party member. The Opposition makes the strongest possible protest at the erosion of question time. Mr Speaker, I should like to invite your attention to the refreshing attitude of the Speaker of the Australian House of Representatives—

Mr SPEAKER: Order! The question before this Chair—That standing orders be suspended—does not allow for debate on the conduct of question time or reference to the Speaker in another place. I ask the honourable member for Dubbo to return to the question before the Chair.

Mr MASON: Surely the question before the House is the suspension of standing orders—

Mr F. J. Walker: On a point of order. On all except two days in this session the Leader of the Opposition has, at the very first question, sought to prevent question time by moving urgency.

*[Interruption]*

Mr SPEAKER: Order!

Mr F. J. Walker: If what I am saying is now out of order, then what the honourable member for Dubbo is saying is completely out of order.

Mr SPEAKER: Order! The Deputy Leader of the Opposition has made reference to question time. Underlying his remark there was some reflection on the Chair. He said that on one day only one Liberal member asked a question. He has observed the figures. He well knows that he and another member of his party visited me in my chambers in regard to the arrangement for questions. I undertook to him that questions from the Opposition would be asked in the ratio of two from the Liberal party to one from the Country Party.

*[Interruption]*

Mr SPEAKER: Order! That was the arrangement.

*[Interruption]*

Mr SPEAKER: Order! So far as the other day was concerned—

Mr Mason: That is not true, Mr Speaker.

Mr SPEAKER: Until the time that I called the Country Party member—the honourable member for Goulburn—not one backbench member of the Country Party had asked a question but six backbench members of the Liberal Party had asked questions. There is a further error in what the Deputy Leader of the Opposition said about question time yesterday. Nine questions were asked yesterday, not *six*. I bring the Deputy Leader of the Opposition back to the motion before the House, which deals with the suspension of standing orders.

Mr MASON: Mr Speaker, I refute absolutely and completely that any **arrangement** has been made between you and me regarding questions.

Mr SPEAKER: The position is that when he became the Deputy Leader of the Opposition, the honourable member for Dubbo visited my chambers with another member, namely, the Opposition Whip, the honourable member for **Yaralla**. He discussed question time **with me**—

Mr MASON: We made no arrangement.

Mr SPEAKER: I go a little further and say that the Leader of the Country Party also suggested that questions should be on the basis of two to one. I have endeavoured to comply with that. Reference to *Hansard* will clearly show that in this session Liberal Party members have asked twenty-three questions and Country Party members fourteen. I am endeavouring to keep questions as near as possible to the ratio of two to one. I ask the honourable member for Dubbo to come back to the question, otherwise I shall ask him to resume his seat.

Mr MASON: One must always bow to your rulings, Mr Speaker. However, I hope you will note the seriousness and importance of the responsibility that you bear—I do not say this lightly—to guard the rights and privileges of every member of this House. Undoubtedly one of the most important rights that members of this House have is the right to raise questions in the House and to bring into the House matters that affect their constituencies. At this moment we are debating a motion for the suspension of standing orders, the result of which will be that question time this day will be completely abandoned. If this motion is carried, there will be no more opportunity for any other member to raise any question in the House.

Mr F. J. Walker: On a point of order. The House has already decided that **this** matter is urgent and should be discussed now. It has already been decided that question time should be set aside for that purpose. The motion before the House at the moment is whether the subject-matter of this motion should be debated. It is incumbent upon members of the Liberal Party and the Country Party to say whether they want the people of New South Wales to pay more for petrol or not. That is the question; not urgency.

Mr SPEAKER: Order! I repeat the question for the benefit of the Deputy Leader of the Opposition:

That so much of the standing orders be suspended as would preclude the consideration forthwith of the following motion, viz.:

That this House condemns the Australian Government for increasing the cost of petrol to the motorist by up to 3.5 cents a litre, or 16 cents a gallon, without making provision for any of this additional revenue to be returned to this State for road purposes.

**It** would be in order for the Deputy Leader of the Opposition to make passing reference to the matters he has discussed already. He should return now to submitting why standing orders should not be suspended.

Mr MASON: The Opposition is implacably and completely opposed to the suspension of standing orders. That is what I want to say. I want to say also why the Opposition opposes it. We oppose it because the rights of Opposition members **have** been completely intruded upon. There is no doubt in anyone's mind that this arrangement has been made by the Government—an arrangement has been entered **into**. The honourable member for Burrinjuck is not moving this motion in a vacuum; he is **moving** it because he has been asked to do so by the Government in order to intrude upon question time. That is why the Opposition is opposed to the suspension of standing orders. This is a complete and absolute farce to try to stop questions being asked by the Opposition. That is the fact of the matter. All honourable members know that the honourable member for Burrinjuck has had the opportunity during the Address-in-Reply debate to refer to the matter he now seeks to raise. Although the federal Budget was brought down over two weeks ago, we have the farce of this matter being raised now as one of urgency. Let it be clear that it is the **Government** that decides it is an urgent matter. The Government has used its numbers to declare **this** matter to be urgent. It is a complete phoney.

Mr Quinn: On a point of order. I submit that the Deputy Leader of the Opposition is reflecting upon the decision of the House just taken. The House has decided that the matter is urgent. The Deputy Leader of the Opposition is implying that it was not a decision of the House, and that somebody other than the House made the decision.

Mr SPEAKER: The Deputy Leader of the Opposition has been a member of this House for a long time and I am sure he realizes what its procedures are. He has experienced this situation many times before. He knows that there are some emotive reasons that prompt him to argue in the way that he has done. To clarify matters for the benefit of the House, I ask the honourable member for Dubbo to reflect upon a discussion he and I had about the number of questions asked during the time that other Speakers were in the chair. I drew the honourable member's attention to three separate periods of eighteen days during the time of Mr Speaker Sir Kevin Ellis, Mr Speaker Cameron and myself. The average number of questions asked during a period of eighteen days when Sir Kevin Ellis was in the chair was 10.3; with Mr Speaker Cameron it was 8.7 and with myself in the chair it was 12.6. I ask the Deputy Leader of the Opposition to cast his mind back to the occasion to which I refer. I ask him also to return to the question before the Chair, that is, the suspension of standing orders to allow the matter to be dealt with as one of urgency.

Mr MASON: Mr Speaker, now that you have raised the matter of question time, I submit that I have some right to say something about question time in this House——

Mr SPEAKER: Order! The honourable member for Dubbo is now debating the matter with the Chair. I warn him that if he continues to do so I will name him and have him removed from the Chamber.

Mr MASON: Obviously the rights of Opposition members are in doubt. With great respect, Mr Speaker, you have cast a great deal of doubt on this matter of question time——

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

Mr J. A. CLOUGH: Mr Speaker——

Mr FLAHERTY (Granville), Government Whip [2.47]: I move:

That the question be now put.

The House divided.

Ayes, 48

Mr Akister	Mr Day	Mr Jackson
Mr Bannon	Mr Degen	Mr Jensen
Mr Barnier	Mr Durick	Mr Johnson
Mr Bedford	Mr Einfeld	Mr Johnstone
Mr Booth	Mr Ferguson	Mr Keane
Mr Brereton	Mr Flaherty	Mr Kearns
Mr Cahill	Mr Gabb	Mr McGowan
Mr Cleary	Mr Gordon	Mr Maher
Mr R. J. Clough	Mr Haigh	Mr Mallam
Mr Cox	Mr Hills	Mr Mulock
Mr Crabtree	Mr Hunter	Mr O'Connell'

Mr Paciullo	Mr Sheahan	Mr Wran
Mr Petersen	Mr Stewart	
Mr Quinn	Mr Wade	
Mr Ramsay	Mr F. J. Walker	<i>Tellers,</i>
Mr Renshaw	Mr Whelan	Mr Face
Mr Rogan	Mr Wilde	Mr Ryan

Noes, 41

Mr Arblaster	Mr Fisher	Mr Mutton
Mr Barraclough	Mr Freudenstein	Mr Osborne
Mr Boyd	Mr Griffith	Mr Pickard
Mr Brewer	Mr Hatton	Mr Punch
Mr Brown	Mr Healey	Mr Schipp
Mr Bruxner	Mr Jackett	Mr Singleton
Mr Cameron	Mr Leitch	Mr Taylor
Mr Caterson	Mr McDonald	Mr Viney
Mr J. A. Clough	Mr Mackie	Mr N. D. Walker
Mr Coleman	Mr Maddison	Mr West
Mr Cowan	Mr Mason	Mr Wotton
Mr Dowd	Mr Moore	<i>Tellers,</i>
Mr Doyle	Mr Morris	Mr Fischer
Mr Duncan	Mr Murray	Mr Rozzoli

Resolved in the affirmative.

Question—That standing orders be suspended—proposed.

Mr Jackett: On a matter of privilege. I am reluctant to take this point of privilege at this stage, but a few moments ago before the division the Deputy Leader of the Opposition was debating a resolution before the House and you, Mr Speaker, interrupted him and engaged in debate on the subject. Then, when the Deputy Leader of the Opposition was replying to what you had to say, you directed him to resume his seat. I say, on a matter of privilege, that the Opposition, particularly the Leader of the Opposition, has been denied the rights——

Hr Hills: On a point of order——

Mr Jackett: There can be no point of order on a matter of privilege.

Mr SPEAKER: Order!

Mr Hills: I submit, Mr Speaker, that the honourable member has to demonstrate to you that his privileges have been interfered with in some way. He has been referring only to the recent debate on the question of urgency and whether his arguments have been affected. He has to demonstrate that by the way the Deputy Leader of the Opposition has placed his case before the Parliament the privileges of the honourable member for Burwood have been interfered with.

Mr SPEAKER: The point of order taken by the Minister for Industrial Relations, Minister for Mines and Minister for Energy is valid. In raising a matter of privilege the honourable member has to satisfy the Chair that there has been some breach of privilege. I ask him to indicate to the House as quickly as possible how there has been a breach of privilege.

Mr Jackett: There has been a breach of privilege in that the Leader of the Opposition, I and all other members of the Opposition have been prevented from carrying out our parliamentary duties because you, Mr Speaker, indulged in debate. You **stated**——

Mr SPEAKER: Order! So far in his brief statement the honourable member for Burwood has not satisfied the Chair that there has been a breach of privilege. I ask him to come quickly to the point, otherwise I shall ask him to resume his seat.

Mr Jackett: The privilege that I claim has been denied to me and to the Deputy Leader of the Opposition arises from your entry into the debate and discussing how many questions were asked. I should like to know, for one thing, how you decided which questions—

Mr SPEAKER: Order! There is no breach of privilege.

Mr SHEAHAN (Burrinjuck) [2.57], in reply: I commend the motion to the House.

Motion for suspension of standing orders agreed to.

#### Motion

Mr SHEAHAN (Burrinjuck) [2.58]: I move:

That this House condemns the Australian Government for increasing the cost of petrol to the motorist by up to 3.5 cents a litre, or 16 cents a gallon, without making provision for any of this additional revenue to be returned to this State for road purposes.

It was interesting to sit in the House during the debate on the motion of urgency and on the motion for suspension of standing orders and observe the attitude of members of the Opposition to debating this most important matter. It was interesting also to hear the reflections cast upon the Government because I chose today, above all other days, to move this motion as a matter of urgency.

Mr Healey: You were told to do it.

Mr SHEAHAN: I was not told to do it. The honourable member for Davidson ought to remember that the coalition parties lost the last elections and that if he votes against this motion there is every chance they will lose the next. In the time I have been in the Parliament during the current session I recollect only one urgency motion being moved by a supporter of the Government, and that is the one I have moved today. It was suggested by a spokesman for the Opposition that the substantive matter should have been raised during the Address-in-Reply debate. I did not have the opportunity to speak during that debate. In any event, I did not believe that that debate was the appropriate one in which to raise the matter. This is a critical and important matter deserving of a specific resolution by the Parliament. If there is any doubt about the urgency of the matter, let us wait and see what members of the Opposition have to say on the merits of the question. I want to know where members of the Liberal Party and Country Party stand on the question of petrol prices in New South Wales.

Mr Dowd: You did not even attack them.

Mr SHEAHAN: The honourable member will have his opportunity to speak. I suggest to honourable members on both sides of the House that this is the most urgent matter that could possibly be brought before the House at this time. It was not possible during the Address-in-Reply debate for me to move such a specific motion of condemnation of the Australian Government for its unilateral, horrendous decision on petrol prices in Australia. The record of the New South Wales Government since its election in 1976 compares favourably with the record of the Australian Government in the few short moments it took the federal Treasurer to impose this burden on the

people of Australia. During the period of the price freeze that was instituted by the Minister for Consumer Affairs and Minister for Co-operative Societies, consumers of petrol in New South Wales were saved at least \$60 million. The Government has acted consistently and continuously and at every possible opportunity to contain the price of petrol in New South Wales. Doubtless the implications of the increased price of petrol will be discussed in this debate.

The callous increase of 22 per cent in the price of petrol to consumers is nothing more than a glad-handing windfall to the petrol companies. Not one cent of the money that will be raised by the Australian Government will go on expenditure on roads throughout Australia. That is of major importance to the people of New South Wales and right throughout the Commonwealth of Australia. It is estimated that in the remainder of the current financial year the fuel excise increase will result in revenue to the Commonwealth Government of \$676 million, of which more than \$250 million will be contributed by the citizens of New South Wales who purchase petrol for their private, business, professional or farming purposes. That represents an increase of 22 per cent in the price of petrol in New South Wales, at a time when the Commonwealth Government, in a fit of feigned generosity, has increased the amount of funds allocated to this State for roadbuilding purposes by only 6.9 per cent. Motorists in New South Wales pay approximately \$2 a week in fuel tax charges but at least they have some comfort in the knowledge that some of the fuel taxes are applied to the ever decreasing proportion of expenditure by governments on the roads used by those motorists.

The federal Budget increased the price of petrol by 22 per cent. Although this massive increase will net the federal Government an additional \$676 million this financial year and more than \$800 million in a full financial year, not one cent of it will be spent on the construction and maintenance of roads throughout Australia. The motorists of New South Wales already pay \$100 each a year in fuel tax but not one dollar—not even 0.1 of 1 per cent—of that money, and certainly none of the increased charges, will be spent on New South Wales roads. Petrol is not the only commodity affected by the federal Budget. Most honourable members will have received a letter protesting about the increase in the price of naphtha, which is a vital commodity in the production of liquid petroleum gas. Naphtha is a major source of gas used for domestic purposes in country areas. Honourable members of the Country Party—and I put the word "honourable" in inverted commas—have the hide to come into this House and vote against the matter being treated as urgent. They know that protests have been made throughout New South Wales against the increase in the price of petrol and other commodities as provided for in the recent federal Budget.

The consequence of the federal Budget will be an increase in the price of heating fuel used in many private homes in country New South Wales. Members of the Country Party have so little interest in this matter that they can marshal only three of their members to be present during this debate to hear arguments in condemnation of the Australian Government. That they were willing to vote en *bloc* against urgency being granted to debate this motion indicates their lack of sympathy for the sentiments contained in the motion. For the benefit of members of the Country Party I propose to repeat the terms of the motion so that they can have the opportunity to reconsider their position in the interests of the country people they purport to represent. The motion is in the following terms:

That this House condemns the Australian Government for increasing the cost of petrol to the motorist by up to 3.5 cents a litre, or 16 cents a gallon, without making provision for any of this additional revenue to be returned to this State for road purposes.

**Mr Sheahan]**

By their attitude, members of the Country Party show where they stand. These members of the so-called Country Party have advocated in this House the expenditure of \$6,000 million on urban freeways. That shows how interested they are in road expenditure in the country. Although their priorities should be concerned with country roads, they support the federal Budget which will result in the motorists of this State—including many primary producers—paying this extraordinary increase in the price of petrol. Not one cent of the extra money will be spent on freeways, let alone on country roads.

Mr Keane: They are the guilty men.

Mr SHEAHAN: As the honourable member for Woronora reminds me, members of the Country Party are the guilty men in this Parliament for they have abrogated their responsibilities. In recent weeks many commentators have dealt with the effects of the federal Budget, and some of their comments bear repeating during this debate. The *Sydney Morning Herald* of 2nd September published an editorial in these terms:

Next week's increase will take the maximum allowable retail price of premium petrol in Sydney to around 24c a litre (about \$1.09 a gallon) or more than double the 11.7c a litre (53.1c a gallon) level which applied before the massive OPEC crude oil price increases late in 1973 and early in 1974.

Admittedly the price of petrol in Australia compares favourably with the price in other parts of the world. However, in the past five years we have had a massive 100 per cent increase in the price of petrol. The editorial continues in these terms:

The abruptness of the immediate move in consumer prices to full import parity, supplanting the previous plan of progressive annual increases spread over at least eight years, is a measure of the Federal Government's desperation to keep its 1978-79 Budget deficit down to a tolerable level.

To that I say, hear, hear! The motorists of Australia are being called upon to pay a massive increase in the price of petrol. We should remember that 40 per cent of revenue collected from this source is paid by New South Wales motorists. The federal Government will not increase expenditure on road maintenance and construction. That Government wants to reduce its deficit following its financial management—or financial mismanagement, depending on one's point of view—of the economy.

We are dealing with a most important matter. It is quite insensitive for members of the Opposition parties to be present in such small numbers during this debate. At present only two members of the Liberal Party and two members of the Country Party are on the Opposition benches. As soon as I am given the opportunity I will challenge what is left of the Opposition to come into this Parliament and vote against the motion. Only a few weeks ago Opposition members had their opportunity to vote against a motion criticizing the federal Government on its Budget and economic strategy but they chose to defend the federal Government. Now they will have every opportunity to try to defend the federal Government's action in increasing the price of petrol. The honourable member for Young is one honourable member who is in need of road transport. I hope the improvement in his leg continues. The honourable member, who is the shadow Minister for Mines and Energy, now has the opportunity to indicate where he and members of his party—in fact all members of the Opposition—stand on this issue.

Responsible spokesmen for rural industry and our great primary industries have estimated that the huge increase in the price of petrol imposed by the federal Government will increase by 15 per cent the production costs of all primary industries. A number of those industries are just starting to turn the corner and get out of the

recession they have been in for many years. One wonders what the honourable member for Bathurst has to say about the wheatfarmer whose production costs will rise at the rate of \$3 per acre of wheat sown. In addition, all transportation costs will increase as a result of the rise in the price of petrol. Other spokesmen for the rural industries have estimated that production costs to the average farmer will increase by \$1,000 a year---or \$20 a week. All honourable members representing country areas have been inundated by representations from their constituents about the condition of main roads, highways, trunk roads and, in particular, local roads. Local roads are the lifeblood of the primary industries. They are necessary to enable primary producers to compete not only with their counterparts in Australia but also with farmers overseas.

As I have said, there will be an increase of \$3 an acre in the wheatfarmer's costs of transportation. Also, there will be a 15 per cent across-the-board increase in primary industry production costs. These increases will represent to the average farmer an outgoing of an extra \$1,000 a year. This will aid our international competitors, particularly in the wheat industry.

Mr Dowd: On a point of order. The specific words of the motion are that the House condemns the Australian Government for increasing the cost of petrol without making provision for any of this additional revenue to be returned to the State for road purposes. The condemnation is of the increase without making provision for money to come back to the State for road purposes. The diatribe we have just listened to deals with increase *simpliciter*. It does not deal with the motion before the Chair. The condemnation is the failure to make a share available to the State. Arguments relating to an increase and the effect of that increase are outside the motion. The mover of the motion has specifically chosen wording which condemns, in effect, the failure to allocate a proportion of money to the State. Arguments that go to the cost of the increase, which are obvious because any increase must be passed on or absorbed, are quite outside the motion.

The House agreed to urgency and the suspension of standing orders to permit debate of the motion which condemns the federal Government for increasing the cost of petrol without making money available to the State in return. The honourable member for Burrinjuck ought to be brought back to the motion. The cost of passing on this additional tax, unfortunate though it might be, is outside what we are debating. The honourable member for Burrinjuck chose the words of the motion. He drafted it, apparently without any assistance. It is hard to concede that anyone could have advised him to frame a motion in those terms.

Therefore, I ask you, Mr Speaker, to direct him to return to the motion before the Chair and not to talk about increases. This motion does not condemn the federal Government for the increase. It is not a condemnation of the increase as such. If we understand the motion properly, had the federal Government increased the price of petrol and made a provision for the State to receive extra money, there would be no need for this debate. The motion condemns the failure to return a proportion to the State, and that is all. Therefore the honourable member for Burrinjuck should be asked to return to the extraordinary motion that is before the Chair so that we may debate it without wasting the time of the House on other issues.

Mr Sheahan: On the point of order. To use the words of the honourable member for Northcott, I am square on the motion. The motion is that the House condemns the Australian Government for increasing the cost of petrol without making provision for additional revenue to be returned to the State for road purposes. **At**  
*Mr Sheahan]*

this stage I am debating the increase. I shall have more to say about the additional revenue for roadbuilding purposes later. I am linking up the increase in the cost of petrol with the increase in transport costs involved in primary production.

Mr SPEAKER: Order! It is not right for the honourable member for Lane Cove to take out of context any part of the motion and suggest that the honourable member for **Burrinjuck** should not speak to that part or any other part of the motion. The honourable member for Burrinjuck is in order in what he has said about the increase in the cost of petrol leading up to the reason why the federal **Government** should have made provision to return some funds to the State.

Mr SHEAHAN: The agricultural industry in New South Wales uses 20 per cent of all refined petroleum products. That 20 per cent is divided between transportation and machinery-running in the course of production as well as transportation of the product. Honourable members should not infer that the impact of this increase is confined to the agricultural sector of industry. Every citizen will bear a share of it. The cost of transportation of every single commodity, from the most humble of consumer goods to the most major item of equipment, will be increased as a result of this rise in the price of petrol. The Australian Bureau of Statistics has published figures revealing that Sydney uses 55 per cent of all petroleum products used in New South Wales. Newcastle uses 9 per cent, Wollongong uses 6 per cent and the remainder of the State uses 30 per cent.

Frequently in this House reference has been made to the proportion of the country's population involved in agricultural pursuits. Bearing in mind that 20 per cent of petroleum products are used for agriculture and 30 per cent of petroleum products are used in country areas, the enormous impact of this price increase on the rural sector becomes obvious. It is estimated that in a full year this increase will net the federal Government more than \$800 million. One figure suggests that in a full year the revenue from this source will be \$804 million. Of that sum \$160 million, or 20 per cent, will be paid by the agricultural industry simply to reduce the deficit of the Fraser Government. At the same time, this price rise will increase the cost of foodstuffs and all commodities produced or transported in any way by machines or devices that use petroleum products. Therefore, this subject is of the utmost importance not only to the agricultural sector and the motoring public but also to every citizen of New South Wales, and I would suggest, of Australia.

Though none of this money will be used to improve roads in Australia it will provide a great windfall to the oil companies. For example, **Esso-BHP** will enjoy a windfall profit rise of \$298 million in this financial year. That enormous benefit will flow to that organization simply as a result of the petroleum pricing policies of the federal Government. In 1970–80 that same company will get a further windfall profit of \$150 million and in 1980–81 yet a further \$150 million. It is important that this information be conveyed to the House so that members opposite will have an opportunity to decide where their priorities should lie.

It is of interest also to recall the great song and dance about the reduction in sales tax on new motor vehicles from 27.5 per cent to 15 per cent in the same Budget that increased the price of petrol. The increase in the cost of running the average motor car will offset any benefit that may have come to the ordinary motorist from that reduction in sales tax. Australia, by its geography, has a heavy reliance on road transport, yet its roads are a national disgrace compared with countries of roughly similar economic standing overseas. The Commonwealth has continued to abrogate its responsibilities in this regard and has left the burden for the States to bear.

Earlier I intimated that I was sure country members of Parliament would agree that from year to year they are inundated with representations for improvements to roads, be they the humblest little country local roads or the most important of our road arteries such as the Hume Highway. In my electorate of Burrinjuck I have a wide range of roads from a very long stretch of the Hume Highway, most of which is known as the horror stretch of the highway, to the ordinary unmade country roadways. Much of the work on the roads in country areas is done in accordance with priorities decided by elected local government authorities. Those authorities are responsible for most of the work done to trunk and main roads in this State. They are responsible for determining priorities for expenditure on roadworks. They are gravely affected, as are other responsible authorities, by any holding back in the amount of money available for roadwork. They are proportionally disadvantaged by an increase such as this mammoth rise being debated today.

The need for safe, efficient, speedy road transport is greater in the rural areas than it is elsewhere, because of the distances that must be travelled by private and commercial motor vehicles. I have already alluded to the importance to export industry of a safe, efficient and economical means of transport, and what I have said applies particularly to our wheat crops and the other commodities on which we depend for rural prosperity, such as it may be from time to time.

I want to quote some statistics on roads in New South Wales outside the County of Cumberland, where we have 41.43 kilometres of asphalt freeways. In fact, all freeways outside the County of Cumberland are surfaced with asphalt. State highways amount to 10 164 kilometres, of which 922.36 kilometres remain unsealed. These are state highways—the most important classification of roads—some of which have been replaced by freeway development, and yet 922.36 kilometres remain unsealed. There are 7 074.54 kilometres of trunk roads, of which an extraordinary 2 576.55 kilometres remain unsealed. That is more than one-third—approximately 40 per cent of the trunk roads outside the County of Cumberland. There are 17 218.28 kilometres of classified main roads, and of them, 8 436.62 kilometres remain unsealed. So, fractionally under 50 per cent of our main roads remain unsealed.

Mr Mason: Where is that?

Mr SHEAHAN: I am talking about main roads outside the County of Cumberland in New South Wales. If the Deputy Leader of the Opposition had stayed in the House, he would have followed my argument. All he wants to do is reflect on the Chair. The honourable gentleman is well known as a true defender of petrol companies. Indeed, he is known to have made a quid out of petrol companies over the years.

Tourist roads are an important object of road expenditure. In this State there are 317.87 kilometres of tourist roads, 90.29 kilometres of which are unsealed. Of the 3 587.69 kilometres of developmental roads, 3 445.82 kilometres remain unsealed. Almost the whole length of classified developmental roads in this State is unsealed. Of the unclassified roads, 2 391.58 kilometres of the 2 438.28 kilometres are unsealed. So the State picture outside the County of Cumberland is one of 40 842.09 kilometres of roads, a massive 17 863.22 kilometres of which are unsealed. In other words, just under 50 per cent of those roads are unsealed. Yet we have, on the one hand, a paltry increase of 6.9 per cent in Commonwealth involvement in expenditure on roads and, on the other hand, a 22 per cent increase in the price of petrol, with none of the additional revenue collected by Commonwealth being made available for roadworks. There is fierce competition in Australia over where money should be spent on roadworks; indeed, there is fierce competition between different parts of the

same communities on this matter. The result is a great demand for roadworks to be carried out, whether they be ordinary maintenance and improvement, reconstruction, or construction of entirely new roads.

Roadworks generate employment. The federal Government has more interest in reducing the size of its deficit than it has in generating employment. Imagine the employment opportunities that would be generated throughout country areas of New South Wales if the enormous proportion of the roads that are unsealed were put on a priority programme and funds allocated for the work. Even with a moderate expansion of the roadbuilding programme much employment would be generated in country areas, and in other areas for that matter. Despite the need, there has been a massive increase in the price of petrol and an effective reduction in real terms over recent years in the amount of money spent on roads.

Since approximately 1972 the increases in the cost of roadworks have outstripped the increases in the consumer price index. For example, in the financial year 1974-75 there was an increase of 30 per cent in the cost of roadworks. In addition, there has been a series of representations, made consistently, about the quality of the work done by the Department of Main Roads and other roadbuilding authorities. There is an incentive for such authorities, be they State or otherwise, to maximize the value per dollar of their roadworks expenditure, with a consequent disregard on some occasions for the likely effect on the quality of the workmanship.

In the six years since 1972 the real value of Commonwealth funding has been reduced substantially. That is a well-known fact. The States must attempt to raise the necessary finance to bridge the gap. For that reason there has been a gradual winding down of road construction, maintenance and improvement, despite commendable initiatives by the present New South Wales Government, unprecedented levels of expenditure on roadwork, and unprecedented borrowing in our loan programme for roadworks.

In the past ten years the users of roads in New South Wales have paid more than \$2,000 million to the Commonwealth in fuel taxes and have received back the benefit of less than \$1,000 million in terms of funds made available for roadworks in this State. I know that the practice of governments over the years has been to keep some of the fuel tax revenue for purposes of consolidated revenue. But, generally, as I shall demonstrate with some figures, there has been a major winding down on roadwork. That is why I have moved this motion and why my colleagues on the Treasury benches will support it. I appeal to members of the Opposition to support it. Let us at long last unite in the interests of the people of New South Wales and protest against the mammoth increase in petrol price and the consequent failure, or perhaps contemporaneous failure, of the Commonwealth Government to lift its interest and degree of involvement in expenditure on roadwork.

Motorists in this State have been slugged consistently over the years and are entitled to a fairer share of the revenue paid into Commonwealth funds returned to the State for roadworks. The Government supports this endeavour. The motorists of New South Wales are entitled to a fairer share before they are slugged again either by the State Government or by the Commonwealth Government. What an inspiration. What a dreadful example the Commonwealth Government has given the States when it introduced this increase in the price of fuel. A fairer share of fuel excise going back to the States would be the most practical solution to the continual problem of funding roadworks. That would be more palatable to the public than an increase in motor registration or other taxes and charges in New South Wales. It would certainly be a far more palatable solution than the alternatives that have been tried in the past, and the proposals that some honourable members opposite have been advancing.

I shall examine the fuel excise duty collected by the Commonwealth throughout New South Wales and the road grants returned by the Commonwealth to this State. About ten years ago 51.5 per cent of the fuel excise duty collected was returned for roadworks. Prior to 1964–1965 the percentage was consistently in excess of 75 per cent, but in the past ten years it has fallen from 51.5 per cent in 1968–69. In 1972–73, when \$169.8 million was collected in New South Wales, 51 per cent of the roads expenditure came from the Commonwealth for New South Wales projects. Between 1968 and 1969 there was some variation. In 1969–70, 58.5 per cent was returned; in 1970–71, 52 per cent; in 1971–72, 46.4 per cent, and in 1972–73, 51 per cent. Since then the figure has consistently been below 51 per cent.

Prior to 1964–65 the figure was consistently above 75 per cent, and during the period much could be done to complete roadworks in New South Wales. A Labor Government was in office in New South Wales at the time. In 1973–74 the figure was 43.1 per cent, and in 1974–75 it was 46 per cent. Then there was a period in which the crude oil levy fluctuated. In the 1975–76 financial year, and including the crude oil levy in the calculations, the percentage of fuel excise duty returned to New South Wales fell alarmingly to 38.7 per cent. In 1976–77 it fell again to 37.9 per cent, and in 1977–78 to 34 per cent. For the current financial year the estimated total revenue from fuel excise duty collected in New South Wales is \$700 million, and the federal contribution to expenditure on roadworks in New South Wales is \$164.5 million. That represents 23.4 per cent of the total fuel excise duty collected in New South Wales.

Therein lies the secret behind the urgency of the motion, and my appeal to all honourable members of this Parliament to unite in criticizing the rise in the price of fuel. During the past four or five years the percentage of excise duty being returned to New South Wales has fallen from 46 per cent to 23.4 per cent, a third of what it was fifteen years ago, a half of what it was five years ago, and now a quarter of the money paid in good faith and without choice by citizens of New South Wales, whether they be the government bus operator, private bus companies, taxi drivers, trucking companies, independent contractors, farmers, primary producers, or motorists. Even those who do not own motor vehicles have to pay for the increase in cost for goods and services.

Honourable members on this side of the House look forward to the honourable member for Lane Cove, the shadow minister for transport and the shadow minister for highways, making a contribution to this debate. He may then indicate exactly what he thinks of these matters. The figures are there and cannot be disputed. I am sure the honourable member, with his research resources, will have the opportunity to find out that those figures are accurate. As he is so good at **making** things available to honourable members of the House, I shall let him see my figures. The role of the New South Wales Government in road construction should be brought into this debate, despite the extraordinary situation at the federal level. I welcome the opportunity to do this. Honourable members as well as the public would have been surprised at recent advertising by the Department of Main Roads inviting public investment in a main roads loan. This has been forced on the people of New South Wales by the shortfall in federal grants. The Government has provided the Department of Main Roads with a borrowing allocation to make up for the shortfall; details of that were discussed during the Loan Estimates debate. Also the Government has provided a special allocation of \$40 million from State funds to undertake high priority roadworks. The Treasurer in his Loan Speech outlined the major works to be undertaken. In the Budget a further \$7 million for road purposes from the State Consolidated Revenue Fund is being made available. Other State instrumentalities, such as the Forestry Commission and the Housing Commission, are spending more than \$30 million on roads in the current financial year.

*Mr Sheahan]*

The Government has tried to keep up the road programme. It has been an almost impossible burden to bear, but loan funds have been made available to the Department of Main Roads, and local authorities have been assisted to fulfil their responsibilities. The Government has also contributed to the added prosperity of the commuter service provided by the Public Transport Commission. However, in one fell swoop the increase in the price of petrol will cost the Public Transport Commission of New South Wales a further \$6.5 million in a full year. This occurred when the Government was endeavouring to contain the level of fares paid by users of public transport in New South Wales. Members of the Country Party suggest that we have increased freight costs while decreasing city public transport fares, but the fare reductions applied right across the State. The proposed increase in the price of fuel will add \$6.5 million to the operating costs of the Public Transport Commission in a full year, and will increase the public transport deficit. It will increase costs in all avenues of private life and production, particularly the primary industries on which the country areas are so dependent. The Liberal-Country party Government in Canberra is crowing about the fact that inflation has been reduced to 7.9 per cent. At the same time it increases the cost of petrol, one of the basic commodities, by 22.6 per cent and increases road grants by only 6.9 per cent in overall financial terms.

As I have said, this increase in the price of petrol will cost the people of New South Wales \$250 million a year, without any prospect of increased road construction and maintenance. The petrol price increase and the certainty of a continuing fall-off in the percentage return of fuel tax paid by New South Wales—which has already fallen below 25 per cent to a figure of 23.4 per cent—makes a joke of the State Opposition's commitment to build 23 kilometres of interurban freeways at a cost of more than \$750 million on current estimates. We shall be interested to hear the contributions of honourable members opposite to this debate. In the face of this shabby manoeuvre by the federal Government, how do they propose to fund the programmes to which they are committed?

I said in the debate on urgency, and I have said repeatedly throughout this debate, that this is a priceless opportunity for all members of the New South Wales Parliament, irrespective of their political persuasion, philosophical differences, geographical representation, and parliamentary activities, to join in a concerted appeal in an endeavour to prevail upon the federal Government. I say this, whatever be the future of the State political scene in the next few weeks or months. The ninety-nine members of this Legislative Assembly of the oldest and mother Parliament of Australia, representing constituencies throughout the State, have this last opportunity to say unitedly to Mr Fraser and his Government that this is too much. We must declare that in the light of the return to the New South Wales road-building programme, the cost to every citizen of New South Wales—whether motorist or not—is too much to bear, and it is time a halt was called.

I come back to the words I quoted earlier from the editorial of the *Sydney Morning Herald*: We realize that it is inevitable that at some stage in the future crude oil prices in Australia will have to reach world parity, but the initial commitment of the federal Government was to do this over an eight-year period, not in one fell swoop of a 22 per cent increase. Such an increase will have the disastrous effects that I have outlined. I am sure that those effects will be emphasized further by the honourable member for Coogee and other honourable members who will speak for the Government in this debate. Of course, we shall welcome contributions from members of the Opposition. They voted against urgency, delayed the debate on the suspension of standing orders, took frivolous points of order, canvassed the rulings of the Chair, and treated the Chair with contempt. Now is the opportunity for them to show that they have not the same contempt for the people of New South Wales who will have to bear the burden of this increase in the price of fuel.

Mr DOWD (Lane Cove) [3.43]: It is quite clear from the wording of the motion that the intellectual giant from **Burrinjuck** is either **clearly** supporting the federal Government or does not understand the meaning of his motion. I shall take a **little** time to explain this to him for he obviously does not understand the subtlety of his own wording. I shall refer to precisely what he has asked the House to consider. I appreciate that he needs some assistance if he is to understand this. As a matter of simple English, the motion does not condemn the federal Government for the increase. All the blather that he went on with about additional costs and so on was the sort of thing that any 10-year-old child could have worked out. That is probably about the level that he understands.

I tell the honourable member now that, if the price of any item is increased in any business, it will be either absorbed or passed on. That is a matter of logic, which I am sure even members on the Government side can understand. All his arguments about increases in costs, surprisingly enough, have some validity as a matter of logic. An increase is either passed on or absorbed but, if the honourable member for **Burrinjuck** thinks that businesses in New South Wales, with the present Government in office, can absorb any further costs, he has another think coming. The only condemnation of the federal Government in his motion is that it fails to give New South Wales a proper share.

Mr Sheahan: Do not misrepresent the motion.

Mr DOWD: Other members on the Government side understand what I am putting and they are embarrassed about it. The motion condemns the federal Government for increasing the cost of petrol without making provision for a share for New South Wales. On behalf of the Opposition, I tell the honourable member for **Burrinjuck** and the House that, of course, we of the Opposition condemn the failure to give us a proper share.

Mr Sheahan: Do you support the increase?

Mr DOWD: The motion does not talk about or criticize the increase. I ask the honourable member for **Burrinjuck** to look at it again. It condemns not the increase but the failure to give New South Wales a share. The Opposition considers that this State does not get an adequate share of the fuel tax collected by the federal Government. Even a 10-year-old child, with the level of intelligence of the honourable member for **Burrinjuck**, would understand that we want a better share for this State. If the honourable member for **Burrinjuck** looks at his own party's federal platform he will note that the Labor Party wants all power and the allocation of funds to be centralized in Canberra. It does not want the present federal system. Anybody with any sort of brain could work out that the Opposition wants this State to get a fair and better share of petrol tax, because we realize that this State has enough problems under the present Labor Government without the added burden of inadequate funds.

It may surprise the honourable member for **Burrinjuck** to know that his motion does not condemn the federal Government as such, but only its failure to give New South Wales a proper share. I support the motion, provided that the honourable member and the other members of the House understand that there is a little more to it than the inadequate return of fuel tax. In the first place he should understand that members of the Opposition believe that the State of New South Wales does not get a proper share of fuel tax. I have been to the federal Minister about that matter. We shall continue to go to him, seeking a better share of fuel tax so that this State can get some decent roads. I recently visited the electorate of **Castlereagh**, which is represented by the Treasurer. He has not told the House of the disastrous condition of the rural roads in this State. He is one of the urban country members, living in Sydney but rarely visiting his electorate. He has failed to tell the House of the disastrous

situation of the roads in the electorate of Castlereagh. Even the honourable member for Burrinjuck understands that the cost of road construction has increased astronomically, for he adverted to that fact. The Treasurer talked about a 16 per cent increase in the allocation of loan funds for roads, but he knows that with inflation and the increased cost of construction of roads, the Government is building fewer kilometres of roads this year than previously. He knows that a 16 per cent increase goes nowhere towards covering the increased cost of road construction.

The first point is that this State does not get enough from the fuel tax. The second point is that the State Government ignores the roads needs of the State, particularly with respect to inner urban freeways or local rural roads. When I visited the electorate of Castlereagh the people there pointed out to me, through their elected representatives on the shire and municipal councils, that the moneys they are getting from the State Government are not enough—to use their words—to keep the roads in their present state of disrepair. It is not a question of building more roads. The Government does not make sufficient money available to local government to maintain existing roads. If the Government were serious about the rural vote and about people and industries in rural areas, it would spend a bit of time looking at the country roads.

Mr Gordon: The honourable member should come with me tomorrow.

Mr DOWD: As I am receiving an invitation to accompany the Minister to the country, obviously Parliament will be prorogued tonight and the Minister will not be here tomorrow. Someone from the Parliament, even if it be I, must go and look at the state of the country roads. I would be quite happy to go with the Minister if the House is not sitting tomorrow. The Opposition believes that the present formula, which was introduced by a federal Labor Government, has interfered with the allocation of funds for rural local roads. As country councils cannot get through to the Government notwithstanding the country members and Ministers on the Government benches, they complain to Opposition members about not only the federal allocation but also the fact that they have lost their autonomy to decide how the money made available to them will be spent. The Government says to the council, "Although you have those funds, you will spend them on trunk road so-and-so, and not on any road that you might select."

Mr Gordon: That has nothing to do with local government. Has the honourable member for Lane Cove ever been a member of local government? I remind him that I have been the president of a rural shire.

Mr ACTING-SPEAKER (Mr O'Connell): Order! The honourable member for Lane Cove has the call.

Mr DOWD: If the Minister were to contact the shires in the western region, as I did, he would learn that their power to allocate priorities has been removed by pressure from the State Government, which tells them to spend the money on roads nominated by the State Government. I take it that the Minister is implying that these shires are lying.

Mr Gordon: No, they are pulling your leg. Did they tell the honourable member to jump out of the train 20 yards before it reached the station?

Mr ACTING-SPEAKER: Order!

Mr DOWD: If New South Wales is given a proper share of funds, it will be able to, first, allocate more funds for local roads, particularly in the rural areas, so that essential roads may be completed; and second—and this is most important to the people of New South Wales—it will provide funds to build the inner urban freeways that the Government has rejected. The honourable member for Burrinjuck, who is

interested in listening only to himself and has bolted out of the Chamber, criticized the former Government's proposal to build **\$6,000** million of urban freeways. Although it may be difficult for the honourable member to listen to the Premier, if he managed to do so he would learn that the Government alleges that it will go on with these 560 kilometres of road. As that would be on the never-never, the Government will have the opportunity to change its mind and break its promises. The essential urban freeways, including the northwestern distributor, the Warringah expressway, the southern freeway, the southwestern freeway and the disaster road—the Great Western Highway—will not be built as the Government is preoccupied in building roads to nowhere, such as the road across Darling Harbour which then stops, and the road into Burwood which then stops, forcing people to battle their way along Parramatta Road, Victoria Road and other disastrous urban roads.

If the honourable member for **Burrinjuck** were concerned about inflation, he would realize that the cost of goods is incurred mainly in the city areas. At some stage or other goods come into the city area, which has inadequate roads for their transportation. Because of the disastrous inner city roads, business is being deterred from investing in New South Wales. Although there is a transport strike today, which would prevent the honourable member for **Burrinjuck** observing road conditions in Sydney, if he took the first opportunity to do so he would appreciate the problem and the cost to business, which is ultimately a cost to the consumers. He would then not Meat so much about inflationary costs. The Government was elected to office—to use its magic words—to reduce the crippling railways deficit. Although a select committee of members of the upper House has said that most government accounting figures are meaningless—and this is the sworn evidence of Public Transport Commission employees—if one accepts the published figures, the Government during its term of office has been responsible for a deficit of **\$1,200** million in the Public Transport Commission.

Mr Sheahan: On a point of order. The honourable member for Lane Cove is anticipating debate on the matter covered by order of the day No. **6**, and he is not debating the substantive motion.

Mr J. A. Clough: On the point of order. Earlier today when the honourable member for **Burrinjuck** moved for urgency to discuss this matter I raised a point of order and the Speaker ruled—

Mr Sheahan: Why did not the honourable member for Eastwood take the point of order during the debate?

Mr J. A. Clough: I was listening to the debate until the honourable member for **Burrinjuck** sent me to sleep. When I raised this matter the Speaker ruled that it had no relevance to the Appropriation Bill, which is waiting to be debated by the House.

Mr Sheahan: Further on the point of order. The terms of the motion do not anticipate debate on order of the day No. **6**. The honourable member for Lane Cove is not debating the motion but is anticipating debate on order of the day No. **6**.

Mr **Duncan**: Further on the point of order. I submit that the honourable member for Lane Cove is perfectly in order in mentioning the deficit of the Public Transport Commission. When the Premier first castigated the federal Government about the increased price of petrol, he mentioned the effect it would have on the Public Transport Commission. I submit there is no reason why the public **transport** deficit **cannot** be **debated** in this debate.

**Mr Dowd]**

Mr ACTING-SPEAKER (Mr O'Connell): Order! The motion before **the** House is in these terms:

That this House condemns the Australian Government for increasing the cost of petrol to the motorist by up to 3.5 cents a litre, or 16 cents a gallon, without making provision for **any** of this additional revenue to be returned to this State for road purposes.

I accept the point of order that nowhere in the motion is there reference to the Public Transport Commission, the operation of the railways or similar matters. I request the honourable member for Lane Cove to direct his attention to the motion before the House.

Mr DOWD: When one speaks about funds for road purposes, obviously it is necessary to consider what other funds may or may not be available as a result of the failure of the Government to promote other areas to bring in more revenue. Although I abide by your ruling, Mr Acting-Speaker, it is necessary for me to emphasize that more money is required for road purposes. This has been brought about by the Government's failure to provide sufficient moneys. Moneys have been diverted to meet other deficits. One option is for the Government to embark upon deficit budgeting, which is apparently what it wants the federal Government to do. Although it was difficult to understand precisely what the honourable member for **Burrinjuck** had in mind, even though the motion does not say so specifically he was condemning the federal Government for earning more money. Therefore, he wants an increased deficit. He does not understand that inflation is the primary problem in Australia. He does not understand that the federal Government is containing **the** inflation that was caused by the former federal Labor Government. Inflation **is** being effectively contained. We are not going to change the price of money—which is interest—in order to create more employment until inflation and deficit spending is reduced. The honourable member for **Burrinjuck** wants the federal Government to increase its deficit. Most people with a greater brain capacity than the honourable member for **Burrinjuck** would appreciate the effect that this would have on the price of money.

The Opposition parties are determined that Sydney will have a roads system that this State does not have to apologize for. We do not want to be ashamed of **the** mounting road toll or of the fact that this Government has cancelled the hub of the wheel of transport—the urban freeway system. The Government says that it will build the outer spokes of the wheel but it has cancelled the hub of it. Also, the **Government** intended to sell off the property that had been acquired——

Mr Maher: It does not own any of it.

Mr DOWD: Obviously, the honourable member for Drummoyne has interjected in the debate because he will not get the call. If the honourable member knew anything about road resumptions and the workings of the Department of Main Roads, or if he searched a little, he would find that a large percentage of the urban freeway lands are already acquired and owned by the Department of Main Roads.

Mr Maher: Less than 10 per cent.

Mr DOWD: Now he is changing his ground.

Mr ACTING-SPEAKER (Mr O'Connell): Order! I suggest that the honourable member for Lane Cove ignore interjections and concentrate on the motion before **the** House.

Mr DOWD: Thank you, Mr Acting-Speaker. You are right in saying that I should ignore the honourable member for Drummoyne. I shall move on behalf of the Opposition an amendment to this motion to emphasize that members on this side of the House do not condemn the federal Government, just as this Government, by this motion, does not condemn it, for the petrol tax increase of itself.

Mr Sheahan: Do not misrepresent us.

Mr DOWD: The honourable member for Burrinjuck does not understand his motion.

Mr Sheahan: You are misrepresenting it; I understand that.

Mr DOWD: There have been at least four or five interjections during one sentence. I should have thought that the honourable member for Burrinjuck should be disciplined for interrupting, if I am to be advised not to indulge in debate with interjections.

Mr ACTING-SPEAKER: Order! I shall look after interjections.

Mr DOWD: Thank you, Mr Acting-Speaker. If the honourable member for Burrinjuck wants the federal Government deficit increased, that will have repercussions throughout the country. The motion does not condemn the federal Government; it condemns the federal Government's failure to allocate a fair share of the petrol tax to this State. The Opposition amendment will underline the fact that this Government must have money for inner urban freeways and more money for rural local roads. It must have enough money to enable it to abolish road maintenance charges.

Mr Wran: You want to put up all the taxes on the motorists.

Mr ACTING-SPEAKER: Order!

Mr DOWD: We are delighted to have the interest of the Premier in this matter. He knows that road maintenance charges are an inflationary cost on all goods. He understands the logic of the honourable member for Burrinjuck and his concern about inflation. That is why the Opposition wants to reduce road maintenance charges. If this State had a proper share of the fuel tax from the federal Government it would permit a reduction in those charges. The Government, by a mere 16 per cent increase in the capital loan fund allocation, has provided a smaller amount to build the roads that this State needs. This Government is not concerned with efficiency or saving money in the Public Transport Commission by improving the service and making it more efficient. Therefore, inadequate funds are available for roads. The Government has cancelled the inner hub of transport—the inner city freeways—and made it more difficult for the people of Sydney to get to their places of business. It has loaded costs on to goods.

There are other matters on which this Government has failed. Botany Bay is the prime example. The Premier ought to visit Botany Bay occasionally and see the roads. There has been no provision for roads in the Botany Bay area for the container terminal or the VLCC berth which is being built. The Premier tries to make out that it is not being built. It is being built now. He ought to visit the area. He would like to make out before the election that that project will not go ahead. I repeat, no adequate provision has been made for roads for the Botany Bay container terminal. The Opposition believes that the construction of these roads should proceed forthwith as a matter of urgency.

Not only has the Government failed to make provision for Port Botany Bay. There is another development that will have a massive impact on the western suburbs of Sydney. I refer to the new Westmead hospital which the former Liberal-Country

party Government planned. The Government has made not the slightest allocation of funds for roads in relation to that massive development. When activity in that area becomes highly intensive there will be massive increases in road usage. Everyone who has to travel along the Great Western Highway and the roads contiguous to it will be affected. **If** the Government acted in a responsible way it would closely examine the problems that will arise at Botany Bay, on General Holmes Drive and Botany Road. But nothing has been done, except a start on the foreshore road. Airy-fairy promises have been made but nothing has been done to make proper provision for roads for the container terminal and all the other massive development in that area.

If the Government can spend \$1,200 million in three years as a Public Transport Commission deficit and, maintaining the same rate of deficit, if it spends another \$1,800 million—a total of \$3,000 million—in the unlikely event of its being returned to government, that \$3,000 million in six budgets could otherwise be available for roads. **If** it were at all sincere in this motion—and one doubts the sincerity of the mover—much of that \$3,000 million would be made available for the roads of this State. Australians are the second most motorized **people** in the world. There are almost as many motor vehicles in this State as there are adult persons to drive them. There is about one motor vehicle for every two of population. **But** the Government seems to forget the motorist. Its failure to put its house in order restricts the amount of money that is available for roads in the city and the country. The Opposition is concerned about the cost to the motorist of the Government's failure to provide adequate roads. In areas in the country, such as where I visited the other day, the roads are almost impassable because of one shower of rain. The Government should realize its responsibility and have a decent road system.

The Opposition supports the motion to provide a better share of federal funds but it wants these moneys spent on inner urban freeways, rural local roads and the abolition of road maintenance charges. The Government is totally insincere in supporting the motion. **It** was aware that the honourable member for Burrinjuck would get the call at the beginning of question time because we understand that the Government is worried about question time and wanted to prevent it being available and perhaps embarrassing to it.

Mr Sbeahan: On a point of order. The honourable member is reflecting on the Chair.

Mr Dowd: On the point of order. As you know, Mr Acting-Speaker, in no way would I reflect on you in the chair.

Mr Sheahan: He was reflecting on the Speaker.

Mr Dowd: Nor ~~was~~ I reflecting on the Speaker. We makes the allocation of questions in accordance with his discretion, one to the Government, one to the Opposition and so on. It was no surprise to other honourable members on the Government side that it was the honourable member for Burrinjuck who **sought** the call and received it. The object was to consume question time. It is not a reflection on the Speaker and I ask that you rule against the point of order.

Mr ACTING-SPEAKER (Mr O'Connell): I **am** pleased to hear the honourable member for Lane Cove say that he did not intend to reflect upon the Chair. My impression was that that was exactly what he had done. I accept his explanation that no reflection was intended.

Mr DOWD: First, the **Opposition** supports criticism of the failure to give **an** allocation to the New South Wales Government. Second, the Opposition believes that there is a need to look again at **Labor** Party federal legislation which gave too

much power to the Commonwealth to direct where money should be spent. **The** Opposition believes also that money should be available to give New South Wales a freeway system which will enable Sydney to become an efficient operating unit again and that funds should be given for the building of rural roads. Most important, the Opposition believes that road maintenance charges which are an indirect cost, a discriminatory cost, against the trucking industry and therefore add to consumer costs, ought to be removed. I therefore move:

That the Question be amended by adding after the word "purposes" the following words: "and in particular seeks the allocation of the additional funds to inner urban freeways, rural local roads and to permit the abolition of road maintenance charges".

The Opposition condemns the failure to allocate funds. Either because of incompetency or by deliberate design—not wanting to embarrass the federal Government—the motion does not condemn it absolutely. The motion condemns only the failure to allocate a fair share to New South Wales. The Opposition will support the original motion but would expect the Government to accept the amendment, to underline to the people of New South Wales the present position relating to rural roads and inner urban freeways and the horrendous cost of road maintenance charges, which should be abolished to let the State get back to being the premier State in the Commonwealth.

Mr CLEARY (Coogee) [4.12]: I should like to compliment the honourable member for Burrinjuck on moving the motion of urgency and directing the attention of the House to the actions of the federal Government in increasing by 22 per cent the price of petrol, with nothing going back to the State which contributes a great deal of money to the Commonwealth coffers. It should at least be brought home to the Opposition that in the action it has taken in seeking to amend the motion the Opposition has virtually said that it condemns the federal Government for the non-return of taxes to New South Wales by way of road grants. It also indicates that the Opposition supports huge increases rather than having gradual increases. The price of petrol has risen by 3.5 cents per litre or 16 cents per gallon. That means that the federal Government has turned its back on the people of New South Wales, who seem to be hit all the time with increases in costs, but seem to be receiving the lowest returns from the federal Government.

I presume that the amendment, as moved by the honourable member for Lane Cove, will be rejected by the Government. The Government fully supports the original motion that was moved by the honourable member for Burrinjuck which condemns whole-heartedly the federal Government for the way it is going about the revenue producing business. It has increased petrol charges to the people of New South Wales but none of that increase in revenue will be returned to New South Wales to assist in all avenues of business. The honourable member for Lane Cove mentioned that inflation will be contained by the action of the federal Government. If containing inflation means increasing the burden on the motorists of New South Wales it seems to be a funny way to contain the inflationary trend. It is attempting to do so by taking more money out of the pockets of the people of New South Wales.

The honourable member for Lane Cove neglected to compliment the Premier and the Treasurer for the way the situation in New South Wales has been contained, particularly in regard to unemployment. A decline in unemployment has occurred in New South Wales. An increase in the number of business interests coming to New South Wales to invest money has taken place. Those people have confidence in the State and in the Premier. In three budgets the Treasurer has not increased taxes at all. Though the federal Government promised that there would be no increases in taxation, suddenly it implemented huge increases in the price of petrol. The federal Budget announcement of an increase in petrol prices of up to 3.5 cents a litre or 16

cents a gallon represents a 22 per cent increase in the price. That massive increase will take effect soon. An attempt has been made in New South Wales to try to contain the price but due to pressure from the federal Government it cannot be contained any further.

The price increase will give the federal Government an additional \$676 million in revenue in the current financial year, of which more than \$250 million will come from New South Wales. The honourable member for Burrinjuck intimated that 55 per cent of the petrol used in New South Wales is used around Sydney. In Newcastle 9 per cent is used, with 6 per cent being used in Wollongong. In the country areas of the State 30 per cent is used. The people in the metropolitan areas of New South Wales will be greatly affected by the increase in price that they now face. The increase in price does not take the form of a fuel tax. Had that been so, it would have been a way of getting some funds back into New South Wales for road grants. The increase is merely a general revenue item and not one cent of the massive increase will come back to New South Wales by way of road grants.

This is a shabby manoeuvre by the Fraser Government to milk all motorists in New South Wales—for revenue purposes only. The honourable member for Lane Cove talked about freeways and other roads, but none of this money will come back to New South Wales so that the Minister for Transport and Minister for Highways or the Department of Main Roads and other bodies can use it on the matters to which the honourable member for Lane Cove adverted—the development of roads and freeways in New South Wales. No assistance will be forthcoming from the federal Government from this increase in the price of petrol.

Mr Sheahan: He went there but did no good.

Mr CLEARY: I believe that when the honourable member for Lane Cove went to Hay the locals told him to jump off onto a grass patch and they would throw his bags down after him. He did that, though the train was only 100 metres from the station. The locals were able to sell him a pup. Yet, the honourable member for Lane Cove comes into the House and wants to move amendments to get the Opposition off the hook when a motion of urgency is before the House. The Opposition would not accept the motion of urgency and wanted to go into division and do this and that. Now, the Opposition has tried to move an amendment to the motion——

*[Interruption]*

Mr CLEARY: The honourable member for Wakehurst is referred to as the dill on the hill. He would not stay away from the debate because there will be a lot of vacancies on the Opposition benches after the election but the Government side will be crowded with members. The Commonwealth Government is taking an incredibly mercenary stance. It is digging deep into the pockets of the motorists without facing its grave responsibility to provide funds for much-needed roads in New South Wales. The New South Wales Government is forced to make money available for the purposes I have mentioned. Tax is being taken from the residents of New South Wales, though nothing is coming back to New South Wales for road funding purposes. Already the share of this State's federal allocation has fallen below 35 per cent of tax contributions. That is despite the fact that the average motorist pays \$2 a week, or roughly \$100 a year, in petrol taxes. The motorists of New South Wales are entitled to know why only 35 cents in every dollar they pay by way of fuel taxes to the Commonwealth is returned to New South Wales for road construction and maintenance.

The honourable member for Burrinjuck quoted some figures that prove that returns from Commonwealth fuel tax for roads in New South Wales have shown an alarming decline since 1968. I propose to refer to some of those figures. I shall

quote not only the sums of money involved but also the relevant percentages. The honourable member for **Burrinjuck** spent some time dealing with the 1968–69 period during which New South Wales received 51 per cent of the fuel tax paid in this State. In 1969–70 the Commonwealth collected \$97.5 million from New South Wales by way of tax on automotive fuel, and it returned \$57.1 million for roadworks. The percentage of fuel tax returned to New South Wales for roadworks between 1969 and 1970 was 58.5 per cent. However, that percentage steadily went down, to 52 per cent in 1971 and 46.4 per cent in 1972. In 1972–73 the figure was 51 per cent. The most alarming feature is that in the 1974–75 period the Commonwealth collected \$250 million from New South Wales motorists but returned only \$115.2 million for roadworks. In that period the Commonwealth returned 46 per cent of fuel tax collected in New South Wales. In 1975–76 the figure went down to 38.7 per cent; in 1976–77 the figure was 37.9 per cent and 34 per cent in 1977–78. It is estimated that in the 1978–79 financial year \$700 million will be collected from New South Wales motorists of which this State will receive from the Commonwealth a measly \$164.5 million or 23.4 per cent of the sum collected. Despite these figures the honourable member for Lane Cove saw fit to move an amendment about freeways. This year New South Wales will receive only 23.4 per cent of the money collected from the motorists of this State.

The motorists of New South Wales regard the recent increase in the price of petrol as a blatant, intolerable, unjustified slug by the Fraser Government. In basic terms, the federal Government has slugged the motorists—in fact all the citizens—of New South Wales. The federal Government has imposed massive increases in the price of petrol that will net in an additional \$676 million in this financial year. The federal Budget could manage only a 6.9 per cent increase in road funds for New South Wales this financial year. This money will come from receipts from petrol tax. In 1977–78 the Commonwealth allocation to New South Wales for roads was \$153.8 million. That sum represented 34 per cent of the fuel tax paid by New South Wales motorists. However, in the same period this State spent more than \$272 million from its own resources on the State's roads. Compare that with the Commonwealth allocation of \$153.8 million.

In the current financial year the Commonwealth allocation is only \$164.4 million although the New South Wales Department of Main Roads will spend more than \$465 million on road work in this State—an increase of more than 16 per cent over last year's expenditure. That indicates that this Government does not ignore motorists. The former Government ignored not only motorists but also freeways. This Government wants to protect people whose homes have been subject to demolition for freeway development for many years. Many people in this situation have been unable to sell their homes or improve them. That is the sort of thing that took place under the former Government. This Government has adopted a realistic approach. This Government is not anti-motorist; it realizes that motorists are an important part of the community. The sum of money the Government is allocating to the development of roads and freeways indicates its interest in the welfare of motorists.

**Mr Cameron:** Are you against inner-city freeways?

**Mr CLEARY:** The former Government instituted a policy on inner-city freeways. The honourable member for Northcott should remember that 23.2 kilometres of freeway in the vicinity of the Haymarket were to be constructed at a cost of \$760 million. One would have to be against such a costly project. If a person has only 40c in his pocket he cannot buy something that is worth a dollar.

**Mr Cameron:** I am for inner-city freeways.

Mr ACTING-SPEAKER (Mr O'Connell): Order! The honourable member will ignore interjections.

Mr CLEARY: Thank you, Mr Acting-Speaker. It is difficult for one to ignore the honourable member for Northcott for it is obvious that he is in a dilemma. The honourable member has said that he is for these freeways. Though I am for freeways, it may be that there is a need for a replanning and a reassessment of the situation. The concept put forward under the former Government provided for freeways coming right into the city and choking it. It may be that in the future freeways will have to go round the city of Sydney rather than through it. A resident of Coogee who works on the North Shore should not have to drive through the city to get to his work. The inner-city freeway plan prepared by the former Government about seven years ago resembled a pak-a-pu ticket. The Commonwealth has completely disregarded the recommendation made by its own bureau of roads in 1975. That bureau is now part of the Bureau of Transport Economics. That bureau recommended that New South Wales be allocated a minimum total Commonwealth grant of \$308.5 million for its roads in 1978-79. The Commonwealth will give New South Wales the sum of \$164.4 million for its roads, while it receives the incredible sum of \$676 million from New South Wales motorists.

Commonwealth roads legislation requires New South Wales to expend \$157.9 million, an increase of 6.9 per cent, from its own resources in 1978-79 to qualify for the Commonwealth allocation of \$164.4 million. From all its resources New South Wales will spend well in excess of \$300 million, that is more than \$140 million in excess of the quota, on roads this financial year. That is an all time record and it makes the federal allocation look shabby.

New South Wales road funding, taking into account the expenditure on roads by other authorities, will be virtually twice the Commonwealth allocation in the present financial year. The Treasurer pointed out in his Loan Speech that New South Wales had presented a strong case for additional federal funds for roads. He said that the \$250 million extra revenue ripped off New South Wales motorists by way of the oil levy further strengthens the New South Wales case for increased federal grants for roads. I understand that the Premier is negotiating for a special \$50 million grant for each of the next three years so that New South Wales can meet its responsibilities in respect of freeways and roads. It is particularly important to note that, with the looming energy crisis, there is a special argument for adequate road funds to be provided so that congestion is reduced, particularly on urban roads. It is necessary that traffic be kept moving. We all know that idling motors in stationary traffic are wasteful. Many millions of dollars will have to be spent to keep traffic moving.

The Government is asking for a fair percentage of the sum paid by New South Wales motorists to the federal Government. I agree that in these times it may be necessary to impose some price increases. However, there is no need for the massive increase in the price of petrol imposed by the federal Government. Because of its topography, Australia relies heavily on road transport. Our roads are a national disgrace compared with roads in many other countries. The Commonwealth cannot turn its back on its responsibilities in respect of road funding; it certainly cannot expect the State to bear the burden. The massive jump of 22 per cent in the price of fuel will add to transport costs right across the board. However, not one cent of that money will be used to improve the roads and other transport infrastructure that are necessary to improve transport efficiency and productivity.

Outside Parliament House the Leader of the Opposition and the Deputy Leader of the Opposition have said that the Government should do this or do that. Neither of those honourable gentlemen has seen fit to participate in this debate. They have

not said that they will make representations to Prime Minister Fraser about the severity of this increase. Admittedly, the Opposition has intimated that it would support **part** of the motion which would result in a proportion of the extra revenue coming back to New South Wales. I do not believe that Prime Minister Fraser will listen to either the Leader of the Opposition or the Deputy Leader of the Opposition in this House. The Prime Minister seems to have turned his back upon New South Wales.

Honourable members will no doubt have been surprised at the recent news media advertising by the Department of Main Roads inviting investment in a main roads loan. This situation has been forced upon the Government and the department by shortfalls in federal grants. The Government has provided the Department of Main Roads with a borrowing allocation of **\$38** million to make up the shortfall. In addition, the Government has provided a special allocation of \$40 million from State loan funds to undertake high priority roadworks. This Government is not anti-freeway or anti-highways. It is all a matter of availability of funds. The Government is now forced to go to the people and ask them to invest their money in the Department of Main Roads. The people will be aware that of the additional \$676 million in revenue which the federal Government will receive this financial year more than **\$250** million will come from New South Wales. Money from this State is going to Canberra, yet the New South Wales Government is compelled to invite people of this State to invest money so that its road programme may be maintained. A further amount of \$7 million has been made available from consolidated revenue funds for road purposes.

The increase in petrol price proposed by the federal Government will have a dramatic effect on the consumer price index. The increase is 16c a gallon or 3.5c a litre, representing a rise of 22 per cent. Most certainly, the Public Transport Commission will have to meet an increase in its running costs. It has been estimated that that increase will be in the order of **\$6.5** million for a full year. The cost of delivering goods to stores and articles to private homes will also increase. Already the Minister for Consumer Affairs and Minister for Co-operative Societies has been approached by the Master Carriers Association of New South Wales. That organization has told the Minister that it will have to increase its charges for **carrying goods** to supermarkets and the like. Recently the Minister told me that the picture seems to be that at least a cent will have to be added to every item offered for sale at a supermarket merely to cover extra transport costs.

Private bus operators will be affected. When the operator of the Hunters Hill bus service is obliged to put up his fares I wonder whether the Leader of the Opposition will tell him that it has been brought about by the Fraser Government's policies and that New South Wales will get none of that extra revenue back. Perhaps the Leader of the Opposition will not have an opportunity to say much. Should the proprietor of the Hunters Hill bus service approach his local member it may be a new member who will sit on this side of the House. Certainly that new member will be able to relate the facts to him. All private bus operators, including the proprietor of the little green bus which runs around Artarmon and Hills private bus company in Wollongong, will be affected by this savage increase. They will be compelled to apply to the Minister for Transport and Minister for Highways for an increase in their fares.

Members of the metropolitan taxi association will not be able to carry the increase in fuel costs. They, too, will want to lift fares. All of these things will hit the people—you and me. If someone has to get home quickly and hails a cab he will have to pay extra, all because of Prime Minister Fraser's policies. Ambulance services and health services will have increased running costs. The federal Government has already imposed a severe cutback in funds for hospital bed occupancy. Now health

*Mr Cleary*]

services will have to meet the extra cost involved in running ambulance vehicles and home nursing staff vehicles. Sport and recreation activities will be **affected**. Perhaps some honourable members own a small pleasure craft that they use at weekends.

**Mr Duncan:** Not on this side of the House. We are not as wealthy as you.

**Mr CLEARY:** The honourable member for Lismore does not have much water **where** he lives. I do not have a boat, but if a friend were to ask my family and me to enjoy a day's outing water **skiing** my contribution, instead of \$5, would be \$10. The cost of doing many things will be greatly increased. Commercial enterprise transport costs will go up. The man who takes his **family** for a weekend drive will be affected, too. When he sees his petrol bill has increased by \$10 a month he will be reluctant to continue those family outings. None of this extra money is to come back to New South Wales. Perhaps eight or nine years ago oil heating was regarded as the ultimate in home-heating methods. People who have invested in oil heaters will now have second thoughts about continuing to use them. They will not be able to use two-bar electric radiators **as** they are rather expensive to run. Perhaps they will look to air-conditioning, though the initial outlay is rather high. These matters might be regarded as rather trivial to the motion but they are the bread-and-butter issues that will affect the people of New South Wales. The people should be made aware of them.

The federal Government proposes to increase the price of petrol by 3.5c a litre or 16c a gallon, representing a rise of more than 22 per cent, at a time when that coalition Government in Canberra is crowing that inflation has been reduced to 7.9 per cent. The increase in petrol is nearly three times that figure. The milking of a further \$250 million annually from New South Wales motorists without any prospect of proportionately increased road and maintenance grants is a shabby manoeuvre. That describes it in a nutshell. In New South Wales to 30th June, 1978, vehicle registrations had risen to a further record level of more than 2.8 million, an increase of 3.7 per cent on the 1976-77 registrations. The number of drivers' licences issued in the same period increased by 105 000 or 3.8 per cent to a record 2.8 million.

Earlier we heard reference to motor vehicle sales tax being reduced. It is like dangling a carrot. The federal Government has reduced one thing to get the people in and up goes the price of petrol. People will pay a little less for their \$7,000 motor car but they will pay many more dollars to run it. They are buying not an asset but a liability. In these days most cars are a liability. They have always been regarded as a luxury and now they will be regarded as a most expensive luxury and in many cases a liability. Some little time ago the National Roads and Motorists Association expressed concern at the Government's policy on freeways and made representations to the Government. I hope that organization will offer support to the New South Wales Government in condemnation of the Fraser Government over this outlandish increase in the price of petrol and inform its members just how much is being fleeced from motorists in New South Wales by the federal Government.

I repeat my support for the motion moved by the honourable member for Burrinjuck. I also express the Government's rejection of the amendment moved by the honourable member for Lane Cove. The Opposition is simply ducking for cover. At some time honourable members opposite will have to stand up and be counted. They must stop **looking** for excuses and must make a clear statement about their concern for New South Wales.

Mr FREUDENSTEIN (Young) [4.41]: I cannot speak of the ability of the honourable member for Coogee as a member of the Parliament, but I can give him some praise as a motor car salesman. Possibly it is because of his ability to sell such large cars that the House is debating the present motion. The federal Government was seeking a return to a better usage of fuel and that is why the price of petrol was increased. If the honourable member ceased selling huge cars we might get some commonsense on the roads.

It is unlike the honourable member for Burrinjuck to frame a motion that my colleagues and I are able to support without embarrassment. And I think it was done unintentionally because of his inability to frame his motion properly. Apparently there is some kick from a gentleman by the name of George Adams that seems to be getting the honourable member for Burrinjuck off his tail. After three years of hibernating in this House, the honourable member suddenly has a candidate in his electorate who is giving him a little spirit and push. Consequently he is being a little more active these days.

Let me say that honourable members on this side are in sympathy with road users, motorists and the farming community who will suffer greatly by the increased price of petrol. It is significant that the Minister for Industrial Relations, Minister for Mines and Minister for Energy has not spoken in this debate. It is an important part of his portfolio to look at the reserves of fuel available in this country. The federal Treasurer in his Budget Speech pointed out that since the OPEC countries quadrupled the world oil price in 1973–74 Australians have been enjoying an artificially low price for crude oil. The honourable member for Burrinjuck drew attention to an editorial in the *Sydney Morning Herald* indicating that Australia had been enjoying remarkably low prices for fuel. He used the editorial's condemnation of the price increase, but when it proceeded to be realistic and explain the reason for the increase the honourable member stopped reading from the editorial.

He omitted to read the comment that, despite this increase, Australia still enjoys lower petrol prices than many other countries. In France the cost of petrol is 39c a litre, in Britain it is more than 30c a litre, in Germany and Sweden over 30c a litre, and in New Zealand it is 28c a litre. It is ridiculous that Australia should continue to subsidize indigenous oil prices. It is a wasteful use of this country's heat and energy resources. Figures recently published by the Commonwealth statistician show that by 1990 the demand gap—the gap between daily production in the oil fields of Australia and our usage—would be 820 000 barrels a day. That prodigious difference will drain the resources of this nation when that quantity of fuel has to be imported. The federal and State governments must assume responsibility for better usage of fuel in this country.

The honourable member for Burrinjuck said that the cost of naphtha increased the price of liquid petroleum gas in rural areas. In this regard I condemn the Minister for Industrial Relations, Minister for Mines and Minister for Energy as well as the petrol companies. Unfortunately, the companies have lowered the cost of crude oil for use in heating in order to compete with natural gas. The cost of every other petroleum product has been loaded so that producers of liquid petroleum gas will not be able to compete with producers of crude oil. The Minister has the power to correct this imbalance, but has done nothing.

The federal Government has been condemned for the rapid increase in the price of petrol. I support that criticism for I believe that it should have been a much more gradual increase until Australia was brought up to world parity. I condemn the federal Government for failing to return to New South Wales sufficient funds to make a marked improvement in our State roads system. **The** amendment moved

by the honourable member for Lane Cove seeks the addition of the following words, "and in particular seeks the allocation of the additional funds to inner urban freeways, **rural** local roads and to permit the ablation of road maintenance charges". This addition would make the motion more specific. Much has been said about the **Commonwealth** Government failing to return additional revenue to this State for road purposes. Honourable members should remember **Charlie Jones**, in the **Whitlam** days, who slashed by half expenditure on rural roads. Where was the honourable member for **Burrinjuck** then?

Mr F. J. Walker: He was on the road to Gundagai.

Mr FREUDENSTEIN: Being a city-trained barrister, no doubt he was probably lurking in the bush about Sydney while his constituents were objecting strongly to what was being done in Canberra. It should also be remembered that the State Government in its Loan Estimates has not assisted country roads. The Treasurer made a great noise about the fact that he had increased the loan funds for roads by **16** per cent. He did not mention that this increase was handed to him by an increase of **6** per cent in grants from the federal Government. That Government gave **\$164.5** million by way of grants for roads in New South Wales. Of the amount that the Treasurer was able to find, **\$267** million came out of the pockets of motorists who have been belted ever since the Government came into office.

Although the Government did not increase charges in the Budget, they have been lifted sky high by way of regulations. Increases included in a budget become too public for the Government so it does it surreptitiously by regulations. Further, those regulations are included among other desirable amendments. In this way they are sneaked in and the Opposition can merely draw attention to them but cannot move for their disallowance without rejecting all the regulations. One did not hear the honourable member for **Burrinjuck** condemn his Treasurer for breaking down his grants to country areas.

In addition to the mounts I have mentioned, the Government is borrowing **\$40** million for the Department of Main Roads. The honourable member for **Burrinjuck** did not tell the House that all the \$40 million will go to freeways in the western suburbs of Sydney. Although citizens in country areas will be called upon to help repay that sum, not one cent of it is being spent on a rural area. Instead of offering constructive criticism of his own party's actions, the honourable member endeavoured to draw a red herring across the trail to direct attention from the fact that funds that normally should go to rural roads are being filched from them. That was done first by **Charlie Jones** when federal Minister for Transport. It is being done now by this State's Treasurer. Although he calls himself a country Treasurer, he lives on the **Worth Shore** of Sydney and rarely sees the roads in the **Castlereagh** electorate. At taxpayers' expense he flies to and from that electorate by aeroplane. Recently, when the Treasurer was flying round his electorate, I tried to follow him in my little old **Holden** to learn what was occurring. The honourable member for **Burrinjuck** has tried to cover up the difficulties created by his own political party in Sydney.

The House heard the increase in the price of petrol condemned as being inflationary. I am sure that all honourable members would join in praise of the **Fraser** Government's efforts to reduce inflation. This afternoon figures were banded about in an endeavour to show that the increased petrol price will inflate the economy. The increase is not supposed to have an impact on the consumer price index until the December quarter, when it will be only about **0.7** of a point. Later on there will be a slight increase as the petrol price is reflected in costs of production. I do not excuse the federal Government for increasing the price of petrol. It was **inevitable**

that Australians would pay world parity prices for petrol. However, this should have been achieved gradually. I condemn also the fact that a major part of the money that will come from the increased price of petrol will not go towards country roads.

The honourable member for Burrinjuck lost sight of the fact that rural consumers in New South Wales will benefit to the extent of \$40 million under the federal Government's equalization scheme. I presume he chose to overlook this matter because that benefit was taken from people in rural areas by a former Labor Prime Minister. The honourable member, who is a great Whitlam supporter, easily forgets those things that detract from the Labor Party. He overlooked also that at the same time as the federal Government increased the price of petrol it cut the sales tax on cars and station waggons from 27 per cent to 15 per cent. He sought to condemn the federal Government by suggesting that the reduction in sales tax would encourage people to buy more cars and thus have to pay more for their petrol with the latest increase.

There must be a redirection of energy use. In its endeavour to bring about a change of emphasis in fuels, the federal Government by increasing so dramatically the price of petrol has gone too far too fast. Fossil fuel supplies in Australia are getting lower and greater emphasis must be placed on the use of natural gas and coal. Nothing has been done to encourage the making of fuel from coal by way of liquefaction plants since I, when Minister for Mines and Minister for Energy, let out a tender for investigation into the Oaklands coal deposits. No encouragement was being given in this field. Unless something is done quickly Australia could find itself in difficulties over its energy supply. As I say, the federal Government increased the price of petrol for the purpose of redirecting the use of fuels and encouraging companies to invest money in off-shore drilling for oil around our coastline.

When the famous Connor–Whitlam combination was in office in Canberra all drilling rigs except one were driven from Australia. Gradually the present federal Government has encouraged them back by having these drilling companies recognize that they will obtain a price for their fuel that will make their efforts worth while. Mr Connor put the dead hand upon the price system to the extent that there was a great danger that the well operated by BHP–Esso would close down because it could not obtain a price increase for its product. The present federal Government has tried to encourage greater energy efficiency, technology and to attract more money, knowledge and experience to the drilling fields of Australia.

I support the amendment moved by the honourable member for Lane Cove. The Opposition would like additional funds, particularly for rural local roads, of which New South Wales was robbed by the Whitlam Government. The Opposition has spelt that out specifically in the amendment because it hopes that the honourable member for Burrinjuck and other country members will have the courage to vote in the interests of their own people. If the honourable member for Burrinjuck fails to support a motion that calls for more money for rural local roads he must be accused of the greatest hypocrisy in failing to be honest and acting in the interests of his own constituents. I urge all honourable members to support the amendment because it seeks great assistance for rural roads.

Mr LEITCH (Armidale) [5.2]: I shall not delay the House—

Mr BRERETON (Heffron) [5.2]: I move:

That the question be now put.

The House divided.

Ayes, 48

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

Noes, 41

Mr Arblaster	Mr Duncan	Mr Morris
Mr Barraclough	Mr Fischer	Mr Mutton
Mr Boyd	Mr Fisher	Mr Osborne
Mr Brewer	Mr Freudenstein	Mr Pickard
Mr Brown	Mr Griffith	Mr Punch
Mr Bruxner	Mr Hatton	Mr Rozzoli
Mr Cameron	Mr Healey	Mr Singleton
Mr Caterson	Mr Jackett	Mr Viney
Mr J. A. Clough	Mr Leitch	Mr N. D. Walker
Mr Coleman	Mr McDonald	Mr West
Mr Cowan	Mr Mackie	Mr Wotton
Mr Darby	Mr Maddison	<i>Tellers,</i>
Mr Dowd	Mr Mason	Mr Murray
Mr Doyle	Mr Moore	Mr Schipp

Resolved in the affirmative.

Question—That the words be added—put.

The House divided.

Ayes, 42

Mr Arblaster	Mr Coleman	Mr Griffith
Mr Barraclough	Mr Cowan	Mr Hatton
Mr Boyd	Mr Darby	Mr Healey
Mr Brewer	Mr Dowd	Mr Jackett
Mr Brown	Mr Doyle	Mr Leitch
Mr Bruxner	Mr Duncan	Mr McDonald
Mr Cameron	Mr Fischer	Mr McGinty
Mr Caterson	Mr Fisher	Mr Mackie
Mr J. A. Clough	Mr Freudenstein	Mr Maddison

Mr Mason	Mr Punch	Mr Wotton
Mr Moore	Mr Rozzoli	
Mr Morris	Mr Singleton	
Mr Mutton	Mr Viney	<i>Tellers,</i>
Mr Osborne	Mr N. D. Walker	Mr Murray
Mr Pickard	Mr West	Mr Schipp

Noes, 48

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

Question so resolved in the negative.

Amendment negatived.

Mr SHEAHAN (Burrinjuck) [5.13], in reply: It has been interesting to hear the Opposition's attitude to the motion and also the funny little trick perpetrated in its amendment. I do not want to take up the time of the House recapitulating the arguments I outlined when speaking to the motion. Obviously, members of the Opposition were unable to answer them because they were unanswerable.

The honourable member for Lane Cove, the shadow minister for transport and shadow minister for highways, attempted to get the federal Government off the hook by using a number of devices, not the least of which was his proposed amendment. He endeavoured also, unlike the honourable member for Young, to recast the motion, to have it say that the State Government is condemning not the increase in petrol price but only the failure of the federal Government to share the fuel tax by allocating part of it to the States. Had the honourable member listened carefully to my arguments he would have heard me clearly state that everybody accepts that eventually the Australian people will have to face up to world petrol price parity but that, instead of a 50 per cent increase in petrol price in five years, the Commonwealth imposed a 22 per cent increase in one hit. The honourable member for Lane Cove moved the amendment so that he could claim he was, in his view, improving the motion to a level where they could apologize to the federal Government for supporting the motion. Members of the Opposition will have to face the music on this particular issue.

Mr Dowd: On a point of order. Mr Speaker, the honourable member, who is supposed to be replying to matters raised in the debate, is fabricating statements which were not made during that debate. He said that I proposed an apology to the federal Government. As I did not mention the word apology, he cannot be replying

to what was said. I ask you, Mr Speaker, to direct him to confine himself to replying to the debate, and that he must not fabricate and try to introduce material that he knows is inaccurate.

Mr SPEAKER: The honourable member for **Burrinjuck** is very well aware of the rules covering replies, and I am sure will adhere to them.

Mr SHEAHAN: I was saying that members of the Opposition have to face the music. A few weeks ago Opposition spokesmen were asserting that they supported the federal Government's budget strategy, but now they have to state whether they support this motion. The honourable member for Lane Cove endeavoured for ten or fifteen minutes to parse and analyse it, but the honourable member for Young was quite clear in his support of both aspects of the motion. He opposed both the rapid increase in petrol prices and the failure of the federal Government to increase road funding from that extra revenue. The honourable member for Young was quite specific.

The honourable member for Coogee referred to the dill on the hill; he could have referred to the honourable member for Lane Cove as the pie in the sky. The Government has a programme of freeway construction, but the one to which it is committed in the western area of Sydney would cost \$500 million, which is \$35 million more than the total amount of money from all sources spent on roads in New South Wales this year. He has in mind an undertaking that would cost more than the total roads budget, of which the federal Government contributes only about one-third. That is what he would spend in three or four years on one project. To fulfil the promises in his speech would require a 500 per cent increase in transport charges in fifteen years. His party is committed to abolish the road maintenance tax and the tollways, costing a further \$30 million. The Country Party wants to have a little bit each way, by advocating the abolition of the road maintenance tax but the introduction of a tyre tax, which would be paid by all transport operators and every motorist in New South Wales. In my electorate, for instance, the timber industry would have to pay this tax on large timber jinker tyres which are scrubbed out every three months. What an extraordinary proposition. This would apply also to electorates on the South Coast and the North Coast.

Of course, the honourable member for Lane Cove said that, in his capacity as shadow minister, he went to the National Country Party Minister for Transport, the Hon. P. J. Nixon, and argued for an increased in funds. The fate of Mr Nixon's own political party, the so-called Country Party, is at stake in New South Wales at the forthcoming election. Although the honourable member for Lane Cove has indicated how forceful he was with Mr Nixon, he has had no success. The freeway policies enunciated today by the honourable member for Lane Cove would cost far more than this State could possibly afford in twenty years, let alone in the short period he has mentioned for fulfilling these promises.

The honourable member for Young had a rather strange thing to say during this debate when he said that I condemned the federal Government for reducing the sales tax on motor cars. What I said was that a price increase would more than offset the tax benefit to the community. He went on to say that, through the increase in petrol tax, the federal Government could direct the community away from the use of petroleum fuel and encourage drilling. What an extraordinary statement especially when, at the same time, he was advocating the conservation of fuel. Of course, when he was the Minister for Mines, neither he nor the federal Government spent a cent on research for alternative energy sources. It was left to this Government to step up involvement in research of this kind.

During the debate a certain candidate for the Burrinjuck electorate was referred to. I should like to point out to the House that at the moment that candidate is on the wrong end of a writ for defamation. His misfortune is accentuated by the fact that he has the same solicitor as the Leader of the Country Party. Of course, we are all aware that this solicitor put a submission to the Royal commission and that submission was not even evidentiary—

Mr J. A. Clough: On a point of order. What the honourable member for Burrinjuck is saying has nothing to do with the matter before the House. He is doing what we have become accustomed to from members on that side of the House. He is maligning someone who cannot defend himself. What the honourable member is saying has nothing to do with the motion. I ask you, Mr Speaker, since what he has said is objectionable to me as a member on this side of the House, to direct him to withdraw it. What he has said has nothing to do with the subject under discussion.

Mr SPEAKER: No point of order is involved.

Mr SHEAHAN: The honourable member for Young attempted to deal with rural local roads. The Country Party is in favour of a freeway programme. The honourable member for Northcott has said that he, too, supports the freeway programme proposed by the former Government. That freeway programme looked like the Rotary badge. Everything headed towards the central business district of Sydney. The former Government, instead of learning the obvious lessons apparent from what has happened in other great cities of the world, would continue with a programme of directing all highways and freeways to the central business district of the city of Sydney.

The honourable member for Young said that the special loan appropriation would be repaid by country people as well as by city people though it would benefit only city residents. That is not true. The honourable member would be aware that of that \$40 million, one-third if not more would be spent outside the county of Cumberland. No doubt it would be spent outside the Sydney--Newcastle--Wollongong axis of the State. The honourable member suggested that that money would be applied unfairly, but we did not hear anything about the unfairness or the harshness of the increases imposed by the federal Government. Rather than condemning the Government and suggesting that the moneys would be spent in the wrong places, the Opposition should congratulate it for approving that special allocation.

The Opposition has misrepresented the facts. No less than 80 per cent of road maintenance tax, 80 per cent of weight tax and 50 per cent of the tax levy goes towards construction and maintenance of rural local roads. The Country Party would abolish the road maintenance tax but impose a tyre tax. One wonders how much of the proposed tyre tax would be allocated to rural roads. Members of the Country Party continually complain about the allocation of priorities to different types and classifications of roads. Priorities are set by the federal Government, not by the State Government. The Opposition is firmly committed to a freeway programme. The federal Minister for Transport, the Hon. P. J. Nixon, in the space of three years has reduced the allocation to the urban rural road programme from \$50 million to \$28 million.

Honourable members opposite are aware that allocations are decided and priorities set in respect to different classifications of road by the federal Government under the federal roads grants legislation. The honourable member for Young, particularly, knows that to be the case. This Government has continued the practice of assigning 80 per cent of road maintenance tax, 80 per cent of weight tax and 50 per cent of tax levy to the local roads programme. The contributions to this debate by the honourable member for Lane Cove and the honourable member for Young

were a sham. We have heard their effort to get out of facing the music on this shabby manoeuvre of the federal Government, against the interests of the people of New South Wales, in particular the motorists. They and their colleagues will now have an opportunity to vote for or against the motion and reveal where they really stand on this issue.

Motion agreed to.

## POLICE REGULATION (ALLEGATIONS OF MISCONDUCT) BILL

### Second Reading

Mr WRAN (Bass Hill), Premier [5.28]: I move:

That this bill be now read a second time.

As I said at the introductory stage, over a considerable period the Government has given consideration to the method by which citizens' complaints against police can not only be most effectively investigated, but also by which they can be manifestly seen to be given full and objective attention. Every consideration has been given to the views of the Commissioner of Police, the Police Association of New South Wales, the Public Service Association representing commissioned police officers and the Council for Civil Liberties.

For many years it has been the policy of the Police Association that there be a police disciplinary inquiry tribunal. Many of the basic principles of that policy are to be found in this bill. In October 1976 the executive of the association advised me that the essential features of this policy were that investigations should be carried out by police, minor matters should be resolved as informally as possible, more serious matters—after investigation brings a decision to charge a member—should be heard before a tribunal consisting of a legal chairman, a senior police officer and one other member, the tribunal should decide guilt or innocence on balance of probabilities, punishment should be left to commissioner and that the right of appeal to Crown Employees Appeal Board should be retained. It can be seen that all the essential features, save only the constitution of the tribunal, have been included in this measure.

The chairman of the Australian Law Reform Commission, Mr Justice Kirby, has recommended the establishment of similar procedures in respect of Commonwealth police. This bill incorporates most of the principles of the commission's proposals, together with principles expressed by other persons and bodies such as the Council for Civil Liberties and the Police Association. As I said at the introductory stage, the bill will underpin the police force, enhance its reputation and provide a fair and proper procedure for dealing with complaints made against members of the force. It is intended to be fair to the public and to the police. Nobody could disagree with this approach.

I turn now to a consideration of the detail of the bill. Part 1 contains the usual preliminary provisions—short title, commencement, arrangement and interpretation. I draw the attention of honourable members—particularly the Leader of the Opposition—to the definition of conduct which can be the subject of a complaint under this Act. For the purposes of this bill, conduct means any action or inaction of a member of the police force that occurs after the date of commencement of the Act and which may not be made the subject of a complaint under section 12 of the Ombudsman Act.

The Police Association, which has been in close contact with me and my department during the formulation of the proposals contained in the bill, was, of course, well aware of the fact that complaints about past conduct would not be

entertained, and that the bill would be prospective in operation. Despite this fact, and the fact that the secretary of the Police Association has already publicly refuted the suggestion, the Leader of the Opposition continues to assert—and did so again as recently as yesterday—that there is a vast army of "cranks, ratbags and anti-police nuts" saving up countless complaints with a view to using them as a platform so that they can harass and persecute the police. Surely the simple definition of conduct in this bill will put this furphy to rest. In other words, the bill has a prospective operation and can in no sense encourage the sort of mischievous actions that the Leader of the Opposition referred to.

Part X of the bill deals with the manner in which a person may make a complaint relating to the conduct of a member of the police force. The basic requirement is that a complaint be in writing and be lodged with the Ombudsman, a clerk of petty sessions on behalf of the Ombudsman, or a member of the police force. Every reasonable facility is thus made available to a prospective complainant, who may lodge his complaint either personally or by post, or through a member of Parliament. Provision is made to allow the Ombudsman to determine whether complaints concern essentially matters of administration or actions of a member of the force as a constable, and accordingly to deal with them under the bill, or pursuant to the existing provisions of the Ombudsman Act. Emphasis is laid on the necessity for quick transmission of complaints to the Ombudsman and of the details of complaints to the internal affairs branch. This procedure will be of greatest benefit in those cases where the complaint suggests the possibility of continuing or future misconduct, but it also ensures that the element of independent review is introduced at the earliest possible stage.

Part III of the bill enables a member of the police force or the Ombudsman to deal with certain complaints by conciliation, but if conciliation is unsuccessful the complaint is then dealt with in accordance with other provisions of the proposed Act. Honourable members will understand that many complaints about police are of a minor nature and can be readily settled by an appropriate explanation or apology on the part of one or both parties. The bill recognizes the desirability of quick, informal resolution of such cases. In respect of complaints that are made orally and not in writing, as envisaged under the bill, those oral complaints would be dealt with in precisely the same way as now, in accordance with the police regulations.

Part IV deals with investigations and authorizes the Commissioner of Police to cause a complaint to be investigated immediately. In other cases a complaint will be investigated if the Ombudsman so requires. Unless there are specific reasons that would disqualify it from doing so, the internal affairs branch will conduct all such investigations unless the commissioner and the Ombudsman have agreed that this will not be necessary.

The Government's programme of expanding the police force has enabled the commissioner to reorganize and enlarge this vital unit so that it will be capable of handling the great majority of complaints. The concentration of this aspect of police administration in this unit will lead to increased efficiency in the operative divisions which previously were required to handle the bulk of these matters. The \$182 million allocated for police in this year's Budget—an increase of 11 per cent over last year—allows for the appointment of an additional 200 police. The force will have increased by 542 since July 1976 with these new appointments. It can be seen, therefore, that the introduction of the new complaints procedure will in no way hamper the overall efficiency of the force. In fact, the reverse is the case. However, if in practice it is shown that the increases to the police personnel are not adequate to cope with the additional duties that will necessarily arise as a result of this legislation, obviously the Government would do its best to ensure that additional personnel are provided for that purpose.

*Mr Wran]*

Particular attention is invited to clause 18 of the bill. The Ombudsman is empowered to reject complaints which are frivolous, vexatious, trivial or not in good faith; which are too remote in time; in which the complainant has an alternative means of redress; or in which the complainant has no interest or insufficient interest in the conduct complained of. It is a fact that many, if not the majority, of complaints about alleged police misconduct fall within one or other of these categories. With the vast experience he has already gained in looking at other areas of government administration, I am confident that the Ombudsman will quickly and efficiently weed out such complaints. Those who make malicious and unfounded complaints will be liable to the strictures already provided by the general law. In other words, it is the Government's view that a police officer should not be placed in any disadvantageous position in respect of the general law. If his reputation is brought into question, those who bring it into question must suffer the ordinary consequences if their claims prove malicious or unfounded.

Clause 22 specifically reserves the duty imposed on a policeman to institute appropriate proceedings against any person when sufficient evidence exists to warrant such a course. It is also provided in part IV of the bill that where the Ombudsman is not satisfied that he has sufficient information regarding a complaint, or that a complaint has been fully investigated, he may require the police to provide the additional information required or to conduct further investigations.

Part V provides for the Ombudsman, on receipt of a report from the commissioner, to inform the complainant, the commissioner and the members of the police force whose conduct was the subject of the complaint if the complaint has not been sustained. If the Ombudsman is satisfied, for any of the reasons set out in clause 28, that the complaint has been sustained, he must prepare a report in which he may recommend what action should be taken. Where the Ombudsman is not satisfied that sufficient steps have been taken in consequence of a report, he may make a report to the Minister for presentation to Parliament.

Part VI provides for the formal establishment of the Internal Affairs Branch and specifies its duties. The branch will be headed by a commissioned officer who will be responsible to the commissioner. The investigative staff of the branch will be specially selected for a tour of duty not exceeding three years. This term may be extended only with the approval of the Minister, and then only for a period not exceeding five years in total.

Part VII constitutes the Police Tribunal of New South Wales, with a president who is a judge of the Supreme Court, a member of the Industrial Commission, or a chairman of the Crown Employees Appeal Board. The members of the tribunal shall be judges of the District Court. One member shall have jurisdiction to hear and determine a departmental charge preferred against a member of the police force, either pursuant to conduct the subject of a complaint under the proposed Act, or where the member of the force is otherwise subject to a charge and elects to have that charge heard and determined by the tribunal. The parties to the proceedings at first instance shall be the commissioner and the charged police officer. The complainant will not be a party to the proceedings, and in this regard my statement yesterday that the complainant will be able to seek leave to appear was incorrect.

Besides its primary role of determining charges, the tribunal has two other most important functions. The first of these is to hear appeals from members of the force against whom charges have been proved before the tribunal at first instance, and for this purpose it shall be constituted by the president and two members sitting together. The grounds for appeal, both on law and fact, are set out in clause 43. The

other function is that vested in the president of the tribunal to conduct inquiries into matters referred to it by the Minister relating to discipline in the force. For this purpose the president shall have the fullest possible powers of a Royal commission.

Part VIII contains general provisions designed to facilitate the operation of the new procedures. Some of these deserve special mention. Clause 50 provides that the receipt of a complaint under this Act in no way absolves a member of the police force from his normal liability to otherwise perform his duty. Clause 59 provides that documents brought into existence for the purpose of investigating complaints under this Act shall not be admissible in evidence in any other proceedings. Quite frankly, it was anticipated that some persons may seek to use the complaints procedure as a fishing expedition to gain evidence for use in other legal proceedings. It is the sort of spectacle that we have seen with the select committee of the Legislative Council which neither in its conduct while sitting nor in its distribution of in *camera* transcript to the press this afternoon, has reflected any credit on the Parliament or its members.

Mr Leitch: What have you done in your bill?

Mr WRAN: It is good to see the honourable member for Armidale taking such a great interest. For the past three months I do not think he has asked a question, participated in debate or otherwise made any contribution here. His constituents are no doubt well aware of his gross dereliction of duty to them and this Parliament. It is unbecoming conduct for a member of a constituency such as Armidale, which has many problems, to come into the House in this way and endeavour to disrupt its proceedings.

Mr Leitch: On a matter of privilege. It is quite disgusting that the Premier should descend to those depths. Honourable members well know that I am present every day. It is wrong for the Premier to do this ridiculous thing.

Mr SPEAKER: Order! The honourable member for Armidale is certainly not speaking on a matter of privilege.

Mr WRAN: In order to disabuse the honourable member's mind, let me say that I was not suggesting that he was not here every day but that he never did anything when he was here. As I was saying when I was so rudely interrupted by the honourable member for Armidale, clause 59 provides that documents brought into existence for the purpose of investigating complaints under this Act shall not be admissible in evidence in any other proceedings. Quite frankly, it was anticipated that some persons may seek to use the complaints procedure as a fishing expedition to gain evidence for use in other legal proceedings. This would, if allowed, place any police officer obliged to provide information in connection with a disciplinary investigation in an invidious situation—analogueous to the removal of the right to remain silent on matters that might tend to criminate him. Hence there is the existence of this protective provision in clause 59. It is a public interest provision.

Clause 60 provides for adequate publicity to be given to the new complaints procedure. I point out, however, that there is no intention to single out the police in this regard, and it is proposed that information relating to this Act will be included amongst information to be distributed by the Ombudsman relating to his other functions under the Ombudsman Act. The proposals I have outlined are intended to introduce a system that will enable citizens of this State to ensure that their complaints are adequately and properly dealt with, and at the same time guarantee to the police the same treatment at law as may be expected by any other citizen. The public is entitled to have justice done, and to have it manifestly appear to be done. Members of the police force are entitled to no less. The combination of independent review, top-quality investigation, and open hearing of charges laid, will undoubtedly help to achieve this aim. I commend the bill.

Mr N. D. WALKER (Miranda) [5.46]: The Opposition does not oppose the bill. There were problems with it at the introductory stage, but the Premier has resolved them. I shall not take up at the point reached in debate yesterday as I am sure the Premier and I were both saying that we respect the police. The Premier looks at the matter through legal eyes and with a legal background: I look at it through police eyes and with a police background. There is no doubt that old habits die hard. At a time when crime is increasing and becoming more vicious, sentences imposed by courts are becoming lighter and we should be doing more to assist the police. Most of the provisions of the bill will protect the police, although I cannot imagine that the Commissioner of Police would be in complete agreement with it. It takes away from him power that police commissioners have enjoyed over the years. As the commissioner, who is a loyal public servant, has gone along with the bill and has not raised any objections to it, I do not intend to raise any.

Throughout the world crime is becoming more vicious and all police forces are experiencing the same problems. A system similar to that proposed by the bill is operating in America, England and Honolulu. Justices, the law and everybody concerned in providing justice have bent over backwards to help criminals and accused persons. Nothing much has been done to assist the police. When police make a quick decision and arrest a person, he may not come before the courts for twelve months. The arrested person has the benefit of the State's best legal minds and is provided with defence facilities. Because our laws are designed to ensure justice, guilty persons are sometimes acquitted of serious crimes. Particularly at this time, when the drug problem is serious, more should be done through the legal processes to assist the police.

Many of the bill's provisions will assist police who will appear before the proposed tribunal. In the time available I have looked at the provisions of the measure. I was worried about a couple of aspects but the Premier has clarified them today. One concern I had was about the Commissioner of Police conducting an inquiry and making a decision when a complainant may have been present, with his legal representative, to hear all the evidence and then issue a writ against a policeman. I am glad that that matter has been clarified. It could have interfered with the course of justice. If the commissioner knew that a complainant was present and that a policeman may be the recipient of a big writ, he might not have imposed appropriate punishment.

Clause 14 covers the case of a hot-headed person who goes to the police station to make a quick complaint about a police officer. The inspector or station sergeant may see the person and say that the police are sorry. He may say, "You were hot-headed and the police officer was hot-headed." The superior officer may bring in the police officer who promptly apologizes. I am delighted to say that this afternoon the Premier gave the undertaking that that is exactly what would happen. I could say many other things about the police force. Having travelled the world and visited some of the best police forces in the world such as Scotland Yard, the New York police and the police in Athens, I add only that none is superior to the police force of New South Wales.

Mr FACE (Charlestown) [5.51]: I wish to add a few comments about the bill and other related measures that will subsequently come before the House, the contents of which have been Labor Party policy for years. I congratulate the Premier, as ministerial head of the police force, on the introduction of these bills. It has been the policy of the Police Association of New South Wales to have set up a tribunal of this nature. Like the Government, the association, acting in the best interests of its members, realized that police who acted in good faith had nothing to fear. At present complaints are investigated by members of the police force. Doubtless, the honourable member for Miranda, having been a member of the force, as I was, would

know that at times scurrilous attacks are made on police. They are made in the most unwarranted fashion, but bring about serious repercussions and **affect** the health of the officers and their families. The officers are put to much worry about these matters many of which, though not all, are without foundation.

At the present time serious matters are dealt with by the internal affairs branch of the police force. There is always the suggestion that because the branch deals with a complaint it will be a white wash. The great majority of complaints dealt with by senior police officers are of a minor nature. On occasions I have been subjected to the type of complaint where people, because of some incident, were apprehended but were not happy about the matter. They may not have been appreciative of the way they were dealt with or they may have received some legal advice to protest. They then started on a vexatious path to make it uncomfortable for the policeman and his family. That was a totally unsatisfactory situation for all concerned. I remember an incident where a senior policeman found himself in the invidious position of having to pass judgment and make a report on men who were close to him and upon whose loyalty he depended. That was an unfortunate procedure.

The bill goes a long way towards getting to the crux of the matter. It will protect citizens and will make certain that injustices are not dealt out to police officers. Some sections of the community see the police as whipping boys, and the police have been unable to receive justice. Whereas other people were able to plead not guilty until they were proved **guilty**, the police were in the reverse position of being regarded as guilty until they were proved innocent. That was not a healthy situation.

I do not think that it is any secret that some police officers have apprehensions about the bill. Some are concerned that they have lost control, but the bulk of officers of commissioned rank in the long term will doubtless realize that the bill will remove from them the responsibility of having to pass judgment on people, especially in small country towns where **police** officers are close to the local community. The police become a close-knit group. The bill will remove mistrust of police who everywhere, especially in the country, are relied upon to do many things in the community. Dedicated police officers throughout the State give their time to community affairs. There are people in any organization, whether it is the police force, the public service or a profession, who make it hard for the rest. The type of inquiry conducted up to the present time has blown up matters out of all proportion.

I have been a member of the House for about six years. I congratulate the Government on consulting people who are likely to be **affected** by measures that are introduced. In this instance, the Commissioner of Police was consulted and the Police Association of New South Wales, representing 8 500 police officers, was also able to make known its views. The association met on numerous occasions to work out a scheme suitable to everyone. The Public Service Association of New South Wales, which represents the commissioned officers in the police force, was also consulted. The Council for Civil Liberties, which has a vested interest in this subject, was given a chance to make known the views of its members. That is what democratic government is all about. It would be useless to bring in a measure that affects many people in the community without consulting the people who will be most affected. This move has been considered by the Australian Law Reform Commission over a period. As the honourable member for **Miranda** said, in other countries there is increased pressure on police because of the sophistication of crime and the increase in white collar crime. In many instances, not much justice has been meted out to people on either side of the fence.

*Mr Face]*

I congratulate the Premier on introducing the bill. It will go a long way towards overcoming problems of the type seen in recent years in which unwarranted, unfounded and vexatious attacks have been made on police. Members of Parliament have become used to passing on complaints to the Commissioner of Police through the Premier. I have always taken the view that if a person wishes to make a complaint against the police it should be made by way of a statutory declaration. Since I have been a member of Parliament I have followed that course. The measure will go a long way towards overcoming many of the present problems relating to allegations against police. It has the whole-hearted support of the organizations in New South Wales that it affects.

*[Mr Speaker left the chair at 5.59 p.m. The House resumed at 7.30 p.m.]*

Mr CAMERON (Northcott) [7.30]: It is a source of great satisfaction to the Opposition to see the vast improvement that has taken place in the proposals that are now before the House to deal with this vexed problem of allegations of misconduct against the police. The original proposals emanating from the Government were entirely obnoxious. They contemplated a situation in which disciplinary power would have been taken away from the Commissioner of Police and would have been given to a tribunal dominated by people who were politely called prominent citizens. It might not have been too incredible to imagine that we might have seen sitting on the panel a Miss Wendy Bacon or, perhaps Jack Munday, or perhaps some other admittedly very prominent citizens of that kind. That proposal fortunately, has now disappeared, largely because of the thoroughly good and conscientious work done by a number of people to whom I intend to refer. A later proposal emanating from this Government would have allowed the tribunal to punish a policeman for carrying out the law if the law was, in the tribunal's view, an unjust law.

The legislation now before the House is basically thoughtful, well-researched. I join with the honourable member for Miranda—a man with a great deal of practical experience in police work—who led for the Opposition in supporting the bill. One person to whom I intend to pay a strong tribute is the Leader of the Opposition, who has been extremely consistent and persistent in his thoughtful approach to this delicate issue. I can well remember the Leader of the Opposition asking in this House his first question on this matter on 7th October, 1976. Then, on 3rd March, 1977, in a thoughtful contribution to a grievance debate, he further developed the matter. Again on 24th January, 1978, he asked a further question dealing with the matter. He has been in close consultation with police throughout. Indeed, the *Police News*, volume 57 of July, 1977, demonstrates the interest shown by the police in development of this issue by the Leader of the Opposition.

Mr Justice Kirby and the federal law reform commission as a whole merit great commendation, because there is no doubt that they provided the basic thinking from which this measure has emerged. As one who was very closely associated with Mr Justice Kirby when we were both at the bar—though our views on political matters were by no means parallel—I pay my tribute to the very innovative and thoughtful approach that he has adopted to law reform issues generally. In particular, I am interested in the federal law reform commission report No. 9, which constitutes a supplementary report dealing with complaints against the police. It points out that since the commission's first report, legislation has been proposed for the largest police force in Australia—the New South Wales Police Force—modelled on the commission's recommendations.

As I skim very quickly through the federal commission's recommendations, it is tremendously clear, as the commission itself says, that its report is a foundation for the bill now before the House. Some of its recommendations have been adopted; it seems some others have not. It is interesting to look into it in a little more detail than one might normally have done. The report states:

The basic scheme put forward in the first report is retained. It involves the use of three instruments to infuse elements of independence which police themselves recognise to be important in the receipt, handling, investigation and determination of complaints against police. The instruments are:

*The Ombudsman* as 'neutral territory' for the receipt of complaints, as investigator of last resort and as public guardian to require certain public complaints to be scrutinised in a public forum.

*A special unit of the police force*, titled the Internal Discipline Section, and modelled on the **A.10** Section at Scotland Yard. Whilst reserving to the police force most investigations of complaints, experience teaches that a separate section of this kind achieves greater efficiency and independence in fearlessly investigating complaints, internal and external.

*A police tribunal*, whose President is a judge, which can sit to hear charges brought based upon breaches by police of the discipline code. Criminal charges against police will continue to be dealt with in the criminal courts. Many public complaints against police, whilst not involving criminal conduct, are nevertheless serious matters that should be publicly dealt with.

It is clear that basic pattern is faithfully followed in this legislation. The report states further:

We have paid particular attention to the need to uphold the overall authority of the Police Commissioner and to leave with police the greatest possible responsibility for discipline that is compatible with the just disposition of complaints. Since the Commission's original Report, the Ombudsman Act 1976 has come into operation. It introduces a system of ex post review by the Commonwealth Ombudsman. He can look at the way an investigation of a public complaint was handled by police. Often he may not be able to look at the merits of the initial complaint. Review of this kind is not enough and the Commission proposes that the Ombudsman's powers be widened.

This legislation also contemplates a widening of the jurisdiction of the Ombudsman, though his function is essentially simply that of review. If we went through the report in detail, we would find a number of recommendations have been adopted and that a number have not. The federal body was emphatic that anonymous complaints should not be rejected, and that no distinction should be drawn between the way in which serious and not serious complaints against the police were handled by the police. A number of other matters of varying degrees of importance were dealt with.

I am, however, convinced that, notwithstanding the virtues I find in the bill, many of the thorns have not been eliminated. We shall still find prickles and difficulties which it will not be entirely easy to overcome. I am by no means satisfied that the new tribunal will not be a platform for the professional anti-police organizations. When the Leader of the Opposition addressed the Police Association in May of this year he warned that the legislation might provide a platform for the professional anti-police organizations, for every crank and ratbag in the land, and for all those who, in the name of civil liberties, would destroy the conditions of our liberty. It is all very well for the Premier to say that, because there is no retrospectivity in the

*Mr Cameron]*

legislation, that danger is eliminated. It is, of course, not eliminated. The future functioning of the tribunal will provide an opportunity and a platform for these professional anti-police bodies.

The Leader of the Opposition has pointed out in the past that one radical group of prisoners and ex-prisoners has been preparing files on policemen, asking its members to fill out questionnaires listing names and addresses of policemen that they have dealt with, and listing their allegations against the policemen—in particular, allegations of assaults and verballing. There is absolutely no doubt in my mind that those files will not go to waste. They will not be thrown into the garbage bin when future matters are initiated per medium of the machinery set up in this measure. All of those matters will be dredged out again, and will find their way into the course of the investigations that will be carried out in future.

Likewise, I doubt that clause 59 has provided the complete remedy against fishing expeditions to found more serious actions elsewhere. That clause deals only with the admissibility of a document. There still might be other opportunities for fishing expeditions by people of ill-intent, who could carry out a profitable operation. One fascinating aspect is to be found in clause 28, which I regard as containing a belated confession by the Premier of some of the doubtful foundations of other legislation that he has brought before the House. I refer in particular to the anti-discrimination legislation.

This clause contains a frank confession by the Premier, as Minister responsible for the introduction of this bill, that discrimination *simpliciter* is not the criterion upon which to work. The clause in two places makes it clear that it is only an action that is improperly discriminatory of which cognizance should be taken. That was the very point, as my colleague the honourable member for Hornsby will recall, that Opposition members endeavoured to make during the debate on the anti-discrimination legislation. In many respects it is necessary, right and proper that people should be discriminatory between, say, good and evil. At last we find in this proposed section that the Premier has been driven to recognize that point.

The start of **all** the procedures contemplated in the bill is in the form of complaints against members of the police force. Such complaints may be lodged with the Ombudsman, either directly or through a local courthouse or a police station. That was one of the matters in respect of which the federal law reform commission was **uphappy**. It was concerned at the concept of complaints being initiated through public servants or court officers. Clause 6 provides that a complaint is made if it is in writing and delivered to a member of the police force personally or by post, lodged at the office of the Ombudsman, addressed to the Ombudsman and lodged at a court of petty sessions or referred to the Ombudsman by the Minister. Subclause (3) really goes to the heart and core of the point I was **making** earlier and which the Leader of the Opposition made even earlier. This measure is a platform for professional anti-police bodies, in particular the criminal lobby itself.

Clearly set forth in this measure is a provision that where a person is in lawful detention or custody and informs the person by whom he is detained or in whose custody he is, or a person in superintendence over him, that he wishes to make a complaint to a member of the police force or to the Ombudsman, the person so informed shall take all steps necessary to facilitate the **making** of the complaint and send immediately to the addressee, unopened, any written matter addressed to a member of the police force or the Ombudsman. That is the mechanism whereby prisoners in gaol will be able to activate an endless chain of complaints that will have to be processed through all the labyrinth process contemplated in the bill. They are, in all respects, labyrinthine processes. The next stage is conciliation, which is dealt

with in clause 14, whereby if the Ombudsman or a member of the police force is satisfied that without an investigation he may be able to deal in a manner acceptable to the complainant with a complaint about the conduct of a member of the police force, he may proceed to deal with the complaint in that manner.

The next stage relates to the actual investigation of complaints. This involves a reconstitution of the internal affairs bureau of the police force. One might ask, what is that bureau and what is it to be? The bill in clause 34 provides that there is hereby constituted within the police force an internal affairs branch. It goes further and says that the branch shall consist of the officer-in-charge, investigative staff and other staff. In clause 17 it is provided that the commissioner may cause a complaint to be investigated if the Ombudsman determines that the complaint should be investigated and notifies the commissioner accordingly, as set out in subclause (3) of clause 18. Clause 18 (1) provides that in determining whether a complaint should be investigated the Ombudsman shall have regard to such matters as he thinks fit including whether in his opinion the complaint is vexatious, frivolous, or not in good faith, the subject matter of the complaint is trivial and a number of other considerations of that kind.

In clause 19 it is provided that where a complaint is to be investigated, the investigation shall be conducted by the investigative staff of the internal affairs branch of the police force unless a member of that branch is the officer against whom the complaint is made, and for a number of other considerations. The principal point is that the procedure will be for the investigation to be conducted by the investigative staff of the internal affairs branch. Having proceeded through the investigation stage, the legislation contemplates that thereafter there will be furnished a report to the Ombudsman in respect of the investigation. The Ombudsman will review all investigations to ensure they have been properly conducted. It would appear that clause 24 is the vehicle by means of which the report is to be sent to the Ombudsman.

The Ombudsman may be satisfied with the manner in which the investigation has been conducted or he may be quite dissatisfied with it. If he is dissatisfied, the commissioner by clause 25 is required to cause a further investigation to be conducted. If as a result of the investigations it is clear that charges should be laid such charges arising from the investigation will be initiated by the Commissioner of Police where disciplinary offences are disclosed.

That brings us to the most dramatic feature of the measure, the police tribunal itself. The trial of charges against a police officer will be in the hands of the police tribunal chaired by a Supreme Court judge and composed of District Court judges. The proceedings will take place in open court. Of course, the only purpose of this rather involved procedure is to find out whether or not the offence is proved or not proved. Matters of penalty and so forth will repose in the Commissioner of Police. Under clause 37 the president of the tribunal is to be a Supreme Court judge, or, alternatively, a member of the Industrial Commission of New South Wales, or, as a further alternative, the chairman of the Crown Employees Appeal Board—all people of judicial training and cast of mind. Clause 39 provides that each judge of the District Court of New South Wales shall be a member of the tribunal, which will have both an original and an appellate jurisdiction. When it is exercising its original jurisdiction it shall be constituted by one member sitting alone. By clause 41 (1) the tribunal has exclusive jurisdiction to hear and determine a departmental charge preferred against a member of the police force and denied by him where—

- (a) The charge **relates** to conduct the subject of a **complaint** investigated under Part IV; or
- (b) The charge relates to other conduct and the member of the Police Force charged elects to have the charge heard and determined by the Tribunal.

Mr *Cameron*]

Clause 43 (1) (a) provides:

Where the Tribunal exercising its original jurisdiction under section 41 determines that a charge preferred against a member of the Police Force has been proved, that member of the Police Force may appeal against the determination to the Review Division of the Tribunal on any one or more of the following grounds.

Four grounds are then set out. The handling of proceedings before the tribunal is dealt with in clause 44, which points out that the commissioner and the member of the police force charged are each entitled to be represented by counsel, solicitor or agent. It does not provide that the complainant who initiated the complaint is entitled to be so represented. Indeed, it seems to be clear that the complainant will not be present. Clause 44 (1) (c) provides:

the function of the Tribunal is to determine, upon the true merits and justice of the case and without being bound by strict legal precedent, whether or not the charge that gave rise to the proceedings has been proved.

The complainant is entitled to get from the tribunal a copy of its determination.

That leaves us where we were a little earlier: the imposition of penalties where policemen are found guilty of disciplinary offences will remain one of the duties of the Commissioner of Police. Notwithstanding all of those procedures, as I understand what the Premier said, an officer will still have the right to appeal against the severity of any penalty imposed upon him by the commissioner, and such appeal will lie, as now, to the Crown Employees Appeal Board.

I can foresee that there will be difficulties but, like the honourable member for Miranda who led for the Opposition, I believe that the new procedures are worthy of thoughtful trial. I again congratulate the Leader of the Opposition for his part in bringing the Government to a realization of the total unsuitability of the proposals that it originally entertained. Those proposals would have enormously embarrassed and made difficult the work of the police force in this State. The proposals in the bill will not by any means be as onerous. The energies of the Leader of the Opposition have contributed to this improvement. Primarily it is the work of the federal law reform commission to which praise really must go for the much more advanced thinking that is now evident.

Mr WRAN (Bass Hill), Premier [7.54], in reply: I thank honourable members for their contributions to the debate. I shall certainly pass on to my colleague and friend Mr Justice Kirby the compliments that have fallen from the various participants in this debate for the results of his labours in the cause of law reform and, in particular, the subject of this bill. I commend the bill to the House.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr Wran.

## POLICE REGULATION (APPEALS) AMENDMENT BILL

Second Reading

Mr WRAN (Bass Hill), Premier [7.55]: I move:

That this bill be now read a second time.

As I said at the introductory stage, the Police Regulation (Allegations of Misconduct) Bill provides for the police tribunal to have the function of determining whether or not a charge against a police officer has been proved, but the tribunal is also to have an appellate function in which it will hear appeals from members of the police force against whom charges have been proved before the tribunal at first instance. For this purpose, the tribunal shall be constituted by the President, a person having the status of a Supreme Court judge, and two members sitting together. Appeals may be based on grounds of law or fact. The Commissioner of Police is to retain the responsibility of fixing an appropriate penalty in respect of officers found guilty of disciplinary offences. An appeal is still to lie to the Crown Employees Appeal Board against the severity of any penalty imposed by the commissioner.

At the present time, when hearing such appeals, the Crown Employees Appeal Board may consider not only the question of the severity of the penalty imposed, but also the question of the guilt or innocence of the appellant. In the light of the proposed new procedure for the hearing of charges against police and of appeals by police against findings of guilt, it is clearly inappropriate that the Crown Employees Appeal Board should have the power, in respect of matters that have been dealt with by the police tribunal, to do otherwise than consider the question of the adequacy of the penalty imposed by the commissioner. The substantive provisions of this bill are designed to amend the Police Regulation (Appeals) Act, 1923, to reflect this principle. I commend the bill to the House.

Mr N. D. WALKER (Miranda) [7.57]: This bill is comparable with the Police Regulation (Allegations of Misconduct) Bill which has just been debated. The Opposition does not intend to oppose the bill, but we shall be watching the legislation very closely. Although the Premier has given an indication that the legislation will be watched, if something does occur and it is not working the way it should honourable members on this side of the House will be the first to raise their voices in loud protest.

Mr WRAN (Bass Hill), Premier [7.58], in reply: I think it is quite proper for the honourable member for Miranda to say what he did in relation to the operation of the Police Regulation (Allegations of Misconduct) Bill and these cognate bills relating to it, but there will be no need for him or any other member to raise their voices, because the Government will be monitoring the operation of this legislation. However, the Government will welcome any practical and sensible suggestions emanating from the Opposition in the next twelve months and thereafter in respect of this legislation. Certainly all honourable members are agreed that this worthwhile legislation should be closely observed in its operation so that as much of it as is capable of improvement shall be improved.

Motion agreed to.

Bill read a second time.

### Third Reading

By leave, bill read a third time, on motion by Mr Wran.

## OMBUDSMAN (AMENDMENT) BILL

### Second Reading

Mr F. J. WALKER (Georges River), Attorney-General, on behalf of Mr Wran [8.0]: I move:

That this bill be now read a second time.

The Ombudsman Act, as presently drafted, provides that for the purposes of that Act conduct of a public authority is "wrong" if it is, among other things, unreasonable, unjust, oppressive or improperly discriminatory, whether or not it is in accordance with any law or established practice. It became obvious in discussions on the police complaints questions that the use of this phraseology could lead to individual police officers being accused of improper behaviour when, in fact, they had been doing no more than acting strictly in accordance with their bounden duty under the law. And, of course, other Crown employees are already adversely affected because of the existing provision. The bill amends the Ombudsman Act to make it clear in such cases that it is the law itself which is to be regarded as unreasonable, unjust, oppressive or improperly discriminatory, and not the actions of the person acting in accordance with that law. The measure makes other minor amendments of a purely consequential nature. I commend the bill to the House.

Mr N. D. WALKER (Miranda) [8.2]: I assure the Attorney-General that if the provisions of the bill are found to be oppressive in any way, Opposition members will raise their voices and let the Government know. I should hope that my colleagues and I will then be in government. The police can rest assured that if the bill is found to be wrong in any way it will be **rectified**.

Mr CAMERON (Northcott) [8.3]: I wish only to emphasize the point I made earlier when other legislation was before the House. The fact that the bill incorporates the word "improper" in harness with the word "discrimination" proves the point the Opposition has been at pains to make **throughout**, namely, that discrimination *simpliciter* is not necessarily bad or evil and that we as citizens are properly bound in many situations to discriminate. At last the Government has come to a recognition of this point that the Opposition tried, with force, to make when the Anti-Discrimination Bill was before the House.

Motion agreed to.

Bill read a second time.

#### Third Reading

By leave, bill read a third time, on motion by Mr F. J. Walker.

### DEFAMATION (AMENDMENT) **BILL**

#### Second Reading

Mr F. J. WALKER (Georges River), Attorney-General, on behalf of Mr Wran [8.4]: I move:

That this bill be now read a second time.

This bill is consequential upon the Police Regulation (Allegations of Misconduct) Bill. **As** I said yesterday, it seeks to do no more than amend the Defamation Act to provide appropriate protection for the publication of the various reports which may be made following the introduction of the new complaints procedure. I commend the bill to the House.

Mr LEITCH (Armidale [8.5]: I have a lot of reservations about the changes that have been made to the procedures by which the police may be investigated. I am not entirely sure that the Premier told the whole truth when he said that the Police Association favoured it. I shall just leave the matter there.

Mr F. J. Walker: I hope so, or I shall take a point of order.

Mr LEITCH: The Attorney-General may take the point of order if he so wishes. I remind him that I am speaking about the Defamation (Amendment) Bill. I wonder whether there is any other place in the world where police are investigated in the way that the Government and its Premier propose. You are the Attorney-General and there is nothing to stop you taking a point of order. I notice that you are not doing so.

Mr SPEAKER: Order! The honourable member for **Armidale** will address his remarks to the Chair.

Mr LEITCH: It is fair to say that the Attorney-General said that he would take a point of order——

Mr SPEAKER: Order! The honourable member for **Armidale** will ignore interjections and address himself to the Chair, and to the matter before the Chair.

Mr LEITCH: I have a lot of reservations about the tribunal that will investigate the police. I do not think that it will work particularly well. Judges who have never been policemen would not understand——

Mr F. J. Walker: It is with great reluctance that I take a point of order on the honourable member for **Armidale**, who is a most gentle member of this House. He causes me no difficulties in my position. The fact is that the bill seeks to make a simple amendment to the Defamation Act by conferring absolute privilege in certain circumstances. It is not within the order of leave of the bill to discuss the tribunal or any matter other than the question whether absolute privilege should be conferred in those particular circumstances.

Mr Leitch: On the point of order. The first thing one notes on the explanatory note to the bill is that it is cognate with the Police Regulation (Allegations of Misconduct) Bill. Any honourable member who takes an interest in the procedure of this House would know that eventually it would run into trouble with cognate bills. I think this bill is a fairly clear example and the matter might as well be settled. Although it is not a matter for me to say, it appears to be a problem. The Attorney-General has taken the point that I am speaking on another bill dealing with complaints about the police, with which the present bill is cognate. The House has not so far faced this problem, which had to be mentioned at some time. Again it is not for me to rule on it, but it seems to me that cognate bills are likely to get us into a lot of trouble. Although they make the work of the Parliament much easier, I see great difficulties with cognate bills.

Mr SPEAKER: Order! I draw the attention of the honourable member for **Armidale** to the question before the Chair, which is that the Defamation (Amendment) Bill be read a second time. I ask the honourable member to return to the contents of the Minister's speech for the second reading of the bill. The honourable member could deal to some extent with the main Act. However, I am sure he would appreciate that this is a simple bill and that there would be little he could say about the matter in view of the Minister's brief remarks on it. I ask the honourable member for **Armidale** to come back to the matter before the Chair.

Mr LEITCH: In accordance with your ruling, Mr Speaker, I shall do that. Obviously, I cannot make any comment on various points. This bill and the other cognate bill have been rushed through the Parliament with little consideration. Although I am not at all happy, in view of your ruling, Mr Speaker, there is little further I can say.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr F. J. Walker.

GENERAL LOAN ACCOUNT APPROPRIATION BILL

Second Reading

Debate resumed (from 5th September, *vide* page 1000) on motion by Mr Renshaw:

That this bill be now read a second time.

Mr WHELAN (Ashfield) [8.10]: I join with previous speakers both on the Government side and on the Opposition side in commending the Treasurer for the excellent Loan Speech that he delivered on Tuesday, 29th August. As the Treasurer intimated would take place in that speech, the Budget Speech gave details of the recurrent expenditure and some indication of the loan account proposals of the Government for the forthcoming financial year. One of the real difficulties confronting the Treasurer at the time he introduced the loan account, which is responsible for the capital works of the Government for the forthcoming year, was the small increase in funds, in real terms, over last year's expenditure. That was brought about not so much by lack of receipts internally but because of severe financial restrictions imposed by the federal Government.

This afternoon an urgency motion was moved by the honourable member for Burrinjuck to condemn the federal Government for not passing on for the benefit of the State the extra excise on petrol of 16 cents a gallon that the federal Government is to receive. That was simply for road purposes, but other financial gains by the federal Government have not been passed on to the States and will not be passed on, notwithstanding the much-promised policy of federalism. The federal Government controls, in large part, much of the State's capital funds and its ability to raise funds.

On many occasions I have said in the House that if the federal Government is sincere in its belief that the federalism policy will work and that the States can be, and will be, self-sufficient, the banking powers that were taken from the States after the 1940's should be returned to the States. By banking powers I do not mean the powers of a trading bank, because the States have those already. The State savings banks, unlike the State savings banks of Victoria, South Australia, Queensland and other States, which have the ability to collect money and invest on behalf of the State, unfortunately are restricted and do not have that power. The Rural Bank of New South Wales does not have savings bank powers. If New South Wales had that power it could undertake a large capital works programme in the field of welfare housing, which was savagely cut in the federal Budget grants to hospitals. The same thing applies to pre-school kindergartens. I refer here not so much to welfare housing as to the prospect of giving to young married couples the capacity to borrow at terminating building society interest rates or equivalent interest rates from a State bank.

It may be that that is what the line taken in New South Wales should be. We should be asking the federal Treasurer to restore to the States the ability to raise loans overseas, which has been much discussed recently, and to remove any federal constitutional objections to State savings banks being recommenced in New South Wales. The savings bank deposits of the private enterprise banks in New South Wales

total about \$4,000 million. Any economist would like to get his hands on that money for investment—even for the interest it generates, quite apart from the capital investment. *[Quorum formed.]* On this side of the House there are honourable members who have been involved professionally in the banking world and know the difficulties that accrue to the State through it not having savings bank powers. The honourable member for Parramatta would be the first to complain to the federal Treasurer that it is about time State savings bank powers were returned to the Rural Bank of New South Wales for the purposes of overcoming capital investment problems in the State.

Part of the severe treatment suffered by the State from the federal Budget was that for the first time in twenty-five years no increase was made in the State's general loan allocation. Savage cuts were made in welfare housing grants, hospital building grants, community health grants, and funding of pre-schools, and the school dental scheme is down 33 per cent. Funds for semi-government instrumentalities have been cut. I shall be more specific about how these savage cuts have affected the electorate of Ashfield in the areas of welfare housing, hospitals and community health. I have had representations and deputations from the four councils in the electorate that I represent complaining about the attitude of the federal Government and its stringency in financial matters.

The wind-down of the capital works programme, particularly relating to main roads, has been mammoth. It is not untrue to say that many visitors to Sydney have been confronted with large traffic snarls in the Ashfield electorate. At Frederick Street and Liverpool Road and at the junction of Liverpool Road and Parramatta Road—an historic junction—the Government in the past financial year spent money. We have a new turn-around in order to convenience motorists not only from the electorate but also those who traverse the area and use highway No. 1. It has been said on many occasions that the Hume Highway leads to Canberra: it may be that the federal Government should think about that when it comes to the next elections.

One of the real benefits of the proposal put forward by the Treasurer during his Loan Speech was that the allocation to main roads in New South Wales will be increased by \$64 million, or 16 per cent over last year's expenditure. I have seen the benefits flow to my electorate during the past twelve months because of the dedication and innate knowledge of the Minister for Transport and Minister for Highways. I am certain that the people in the electorate and in nearby electorates want to receive financial subsidies for the purposes of rectifying one of the greatest traffic snarls in the history of the State. The real issue relating to main roads confronting the people of the electorate is the amplification of Frederick Street through to Milton Street where it intersects with the Hume Highway.

At the present time most of the traffic heading in an easterly direction towards the city is forced to go through the township. That not only causes inconvenience to shopkeepers but also creates pollution through smells, noise and fumes emanating from vehicles. It is left to the local councils of Burwood, Ashfield, Marrickville and Canterbury to fund necessary repairs to the roads. I received an assurance recently from the Minister for Transport and Minister for Highways that during the next twelve months \$600,000 will be expended to amplify Frederick Street, Ashfield, and to extend it to Milton Street where it intersects with the Parramatta Road, in order to avoid long delays for people travelling to the city and to provide local people with relief from an environmental point of view.

That is a very important issue. It is important to any inner-city electorate. Heavy vehicular traffic goes through the municipality using local residential streets. These are vehicles worth \$20,000 or \$30,000 and up to 20 tonnes capacity. They are using streets that were built many years ago in the horse-and-buggy days, and

*Mr Whelan]*

they were never meant for heavy vehicular traffic. Great relief will come when this main road extension is done. It will provide an environmental relief, in that people in the neighbourhood will be able to sleep because of the absence of noise. It will mean also that the minor streets, the purely residential streets in the area, will be devoid of any further heavy traffic, both in respect of overnight parking and travelling on the roads themselves.

Mr Jackett: How about putting up no parking and no standing signs in your electorate? Tell the House about that.

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

Mr WHELAN: The honourable member for Burwood has interjected. I want to congratulate him because since I have been here over the past two and a half years this is the first time I have heard him make a statement of more than a few paragraphs.

Mr Jackett: That is not true. You are a liar.

Mr SPEAKER: Order! I ask the honourable member to withdraw the remark, "You are a liar". It is unparliamentary and the honourable member is required to withdraw it.

Mr Jackett: I withdraw it.

Mr WHELAN: I am delighted with the honourable member's gracious attitude.

Mr Jackett: Answer the question.

Mr WHELAN: Notwithstanding the benefits of the Frederick Street extension, which will cost \$600,000, I might add that it is the first time the State Government has expended any worthwhile money in my electorate for years.

Mr Jackett: Rubbish!

Mr WHELAN: How would you know? Under the education expenditure programme during the past year and the current year the worst school in Australia—Summer Hill school—was the beneficiary of a grant by the Minister for Education and the Wran State Government. Over the past fifteen years that school had not received any money at all except for a measly \$1,000 for maintenance. Work on the school has now started and by October it will be a newly-completed \$1.5 million school for the use of 1 500 people. It is not only an ordinary school for children; it is also an evening college. The honourable member for Burwood might not be conscious of the needs of his electorate, but I am most conscious of the needs of the migrant community and the people who use Summer Hill school, and who have had to send their children to what was acknowledged as the worst school in Australia.

No one can justify any criticism of this Government for its expenditure on education. If honourable members opposite want to know how much the Government has spent on education, I will tell them. It has spent \$750,000 in Dulwich Hill; the previous coalition Government spent nothing. It is spending \$1.5 million in Summer Hill; the previous Government spent nothing. The sum of \$150,000 has been spent in Croydon Park. There has been \$14,000 granted to the Farrar School for the Deaf. Mr David Hunter, the previous local member for Ashfield, who was respected by everybody and who carried the affliction of blindness from birth, had a strong affinity with the deaf and blind, yet the previous Government gave him nothing to give to the people who were suffering the same affliction.

This was because that Government did not respect the people of Ashfield. For the Ashfield public school, the Minister for Education has sanctioned the purchase of more land at a cost of \$1 million. Some 1 600 pupils at this school have a playground

and 2½ hectares of land, but the State Government has purchased an additional 1½ hectares. The honourable member for Burwood has the audacity to suggest in this House that nothing has been spent in the electorate of Ashfield. I have been here only two and a half years: he will be here only another two and a half weeks. He should look after his electorate, and I shall look after mine.

Mr Jackett: Don't you kid yourself. You might be out first.

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

Mr WHELAN: I want to refer again to capital expenditure and the undoubted obligation owed by society to blind people. I think it is about time we started to look seriously at funding libraries for partially sighted and blind people. Part of the reason I was able to understand the problem was that in 1975 and 1976 I became increasingly conscious of the amount of money spent by other States upon blind institutions. The figures I have are that in Tasmania, that little State where they say three is a crowd, \$130 000 was allocated for this purpose. In South Australia it was \$300,000, and in Victoria \$500,000. What did the great benefactors opposite who ruled over New South Wales for eleven years give to the blind people of this State? A measly \$12,500. Yet they have the hide to say there has been no capital expenditure, particularly in the field of education, in which area my electorate has been suffering from years of neglect.

Fortunately I have had marvellous co-operation from the Minister and his departmental officers. I am very conscious of the fact that in the next two or three years we will be able to rectify some of the problems and enjoy some of the benefits that other electorates might have received, such as the electorates of The Hills and Eastwood, which get new bridges, new schools and so on. In the Ashfield electorate we are now looking forward to having a multi-cultural centre, an auditorium and a gymnasium for the local school. [*Quorum formed.*]

I congratulate the honourable member for Burwood on his fifth-best speech, which he just delivered when calling for a quorum. I shall refer to some aspects of social welfare. Ashfield Infants Home, under the guidance of the Minister for Youth and Community Services, has gone from strength to strength. It was rendered almost bankrupt under the previous Government which neglected it for many years. In 1976 the Minister in the new Labor Government arranged an allocation of \$100,000 for that home. Since then, with the interest shown in it by the Government and the Minister, it has progressively developed, as might be expected.

On 7th August last the Minister for Education accompanied me to the Ashbury public school for the opening of a new administration and library block in a unique Binishell. Parents of pupils at the school turned out in great force to thank the Minister for his efforts in arranging for some decent education facilities after a long period of neglect. Previously the school's library had been located in a storeroom. Summer Hill public school does not even have a storeroom, and when it rains even in the classroom one needs an umbrella.

The intelligentsia opposite, when in office, built a \$2 million casualty department at Western Suburbs Hospital. Unfortunately, it was announced a few weeks before an election and, in the hurried planning, an X-ray unit was completely overlooked. Motorists injured in car accidents would be brought to the hospital and the doctor might say to them that, though it appeared that they had a broken leg, they could not be X-rayed because the incompetent coalition Government had forgotten to build an X-ray unit. In the capital loans programme announced recently \$436,000 had been allocated to rectify that omission by the Liberal-Country party coalition Government. An X-ray unit will be installed at Western Suburbs Hospital.

The board of directors of that hospital deserve the highest compliment. They were completely disillusioned by the lack of action of the former Government but they have been heartened by the interest taken in their establishment by this Labor Government, and particularly by the Minister for Health whose electorate adjoins the hospital. The confidence that people in this part of the western suburbs have in the Wran Government is evidenced by the proposed joint project between local Rotary clubs at Burwood and the Government for the construction of a hydrotherapy pool at Burwood as an annexe to the Western Suburbs Hospital casualty department.

The Hume Highway and Liverpool Road pass through the Ashfield electorate. Regrettably, the area has one of the worst records for traffic accidents in the whole of the State. Each year more than 17 000 X-rays are taken at the Western Suburbs Hospital. Despite this the experts opposite, displaying their mammoth intelligence, did not plan a new X-ray unit for a new casualty department. The Opposition created severe problems and consequently their popularity has diminished. I understand their chagrin; they sit as quietly as crows on a bench, in the knowledge that the Government is regarded as successful by people in all electorates. The opinion polls reveal that.

When a voluntary organization such as a Rotary club approach the member in an adjoining electorate and ask him to make representations on their behalf to establish benefits for geriatric people in their area, something must be wrong with the representation they have received from their own member. The previous Government had grandiose schemes to build Taj Mahals, but they were ineffective and useless. I hope that within the next couple of weeks the Minister for Health will announce the stage-by-stage construction of a unit to care for senior citizens not only from the Ashfield area but from Burwood, Strathfield, Concord, Canterbury and Summer Hill. Many elderly people who live in this part of Sydney are in need of care and treatment. Their needs will be attended to by this Government.

The Minister for Transport and Minister for Highways has taken a personal interest in the Ashfield electorate. He has been there and looked at work proceeding on the railway. People who use the railways are aware that Ashfield station, like so many other suburban railway stations, was allowed to deteriorate to an alarming extent. The Minister has initiated at Ashfield a pilot project to rectify many problems associated with railway stations. He is aware that railway stations are not inviting and do not entice people to use public transport. He has allocated \$500,000 to repair and restore Ashfield railway station. No less than \$220,000 of that money will be spent on essential maintenance and repair works. As has been said in this House on numerous occasions, the former Government took the meat out of the pie and left the crust. It spent nothing on general repair and maintenance of the railways. The Opposition when in office practised short-term economics.

Mr J. A. Clough: That is rubbish.

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

Mr WHELAN: Without proper and adequate maintenance heavy capital reconstruction programmes are necessary.

Mr J. A. Clough: It is quite wrong of the honourable member to suggest that the previous Government spent nothing on maintaining the railways.

Mr WHELAN: Words fail me. I look at members on the Opposition benches and see many of them as retired public servants or persons out of a job after the next elections.

**Mr N. D. WALKER (Miranda)** [8.40]: I thank members on the Government benches for the response they have given me each time I have risen to speak tonight. I should like to raise a couple of matters, both of which relate to real politics. I shall not waste time attacking the Government. I have some real hard politics to discuss relating to my electorate and matters of the utmost importance to the people of Miranda. Of the highest concern to my constituents and people throughout the shire of Sutherland is the regular bottleneck that occurs at Tom Ugly's Bridge which connects Sylvania with Blakehurst. As you would know, Mr Speaker, more traffic uses Tom Ugly's Bridge now than prior to the opening of the Captain Cook Bridge at **Taren Point**. Tom Ugly's Bridge has three traffic lanes which each day carry more traffic than any three lanes on the Sydney Harbour Bridge.

Since **1976** there have been **278** accidents on the approaches to Tom Ugly's Bridge. Nothing has been done about the chaotic congestion that occurs. Recently when the Premier and the **Labor** candidate for Cronulla were in the area, they were called the two highway robbers. The Premier was christened Captain Starlight, and the **Labor** candidate was christened Dick **Turpin**. The local newspaper, the *St George and Sutherland Shire Leader*, published a photograph of the Premier with his halo and standing alongside the endorsed **Labor** candidate. They are the people who sold the land that was set aside for the southern freeway to **carry** traffic off the Captain Cook Bridge. In the newspaper article the Premier and the candidate for Cronulla are quoted as saying, "We have given priority for the southern freeway". The article on the front page is headed, "Highway robbery. Freeway route site leased off". Not only has it been leased but substantial buildings have already been constructed on it.

**Mr Jackson:** That was done by the Liberal Sutherland council.

**Mr N. D. WALKER:** I am trying to help the Minister get to work. It disgusts me that the Premier would be party to something like this. He knows this land has been leased off and he knows these buildings have been constructed, yet he says the main priority will be the southern freeway. I would not for a moment say that is a lie, but I do say that it is neglect on the part of the Premier. That is something one would not expect of a Premier.

The shire is in uproar over this matter. At times it takes half to three-quarters of an hour to get over Tom Ugly's Bridge, resulting in an enormous loss of man hours. As the Government has suggested that it will dispense with the pathology department at Sutherland Hospital, urgent blood tests and other pathology tests will be seriously delayed by traffic congestion when the samples are on their way to the St George Hospital.

The area south of the Georges River is one of the most historic, pleasant and popular in Australia. It includes the Royal National Park, which has the best committee of any national park in New South Wales. Both the Minister for Youth and Community Services and myself are members of it, and the only time we agree is when we meet there to deliberate. The president of the Sutherland shire council realizes the tremendous problems arising from the inadequacy of the bridges in the shire. The only alternative to the present unsatisfactory situation is an additional bridge at Tom Ugly's Point. The present bridge was built as a result of the actions of one of the best members who ever graced this House, the Hon. C. O. J. Monro. When the government of the day would not provide the funds, he went to England and borrowed the money. It was a toll bridge and the money was repaid in six years.

**Mr Jackson:** It took a **Labor** government to lift the toll.

Mr N. D. WALKER: Unlike the Sydney Harbour Bridge, this one was paid off. As I said, the only solution for the serious problems encountered in this area is another bridge adjacent to Tom Ugly's Bridge. Land has been reserved for this purpose, and if a modern concrete bridge is constructed alongside the present bridge, the six-lane highway on both sides of the river will be served by three northbound lanes on one bridge, and three southbound lanes on the other.

This is one of the most rapidly expanding areas in Australia. The Menai district is to be developed and the Heathcote and Engadine areas are still expanding. Land can be purchased there at reasonable prices, but families moving into the area are isolated because the Premier failed the people of Sutherland shire when he leased the land set aside for a freeway by the previous Government. Indeed, plans were prepared for this freeway, which was to pass the Miranda shopping centre, by-pass the Sutherland Hospital so that patients would not be disturbed, and end near Gynea, thus obviating the problems of which I have spoken. The president of the Sutherland shire council agrees with the ideas I have expressed. This Government says it will not have freeways, but that is the only way to overcome the serious problems encountered by people in the area.

On a previous occasion in this House I was curtailed when speaking about a dangerous intersection in a rapidly expanding area, the suburb of Kareela. Recently a large new shopping complex has been opened in the vicinity of the intersection, which has now become the most dangerous in the electorate. A new school has been built, many of the people living in the area have young families, and anyone trying to cross the street takes his life in his hands.

Insufficient parking has been provided at the new shopping centre. The shop-owners contend that as it costs them about \$4,000 for each parking space they cannot let their employees park there. They park on the streets, which adds to the danger. The Sutherland shire council thought that this area was so dangerous that it was willing to spend \$68,000 for the preparation of road works and laying of conduits for the installation of lights. The main work has been done. Last week I mentioned this matter to the Minister for Transport and Minister for Highways. Even since that time I have received a flood of complaints. On one day last week, four accidents occurred at this intersection. If that does not prove the danger I do not know what does. I do not want a fatal accident to occur, which may claim a child victim. I implore the Minister to do something about this dangerous intersection, which is at the top of a hill. The council claims that it is dangerous. Unless something is done urgently someone will have to bear the responsibility for a fatal accident.

My electorate has been fortunate so far as education is concerned. Because of the representations I have made, it has good schools. All the schoolrooms have lighting and the main high schools have assembly halls. My only comment to the honourable member for Ashfield is that it is the squeaky gate that gets the most oil. The Minister for Education has been most helpful and on behalf of the people of my electorate I say to him, thank you. Another matter to which I wish to refer briefly is the Sutherland Hospital, on which millions of dollars are being spent. When the satellite hospitals at Menai and Loftus are completed the Sutherland Hospital will be the third largest in the State. But it has not a pathology department. This disadvantage is exacerbated by the fact that traffic conditions do not permit quick access to pathology services across the bridges. Further, the hospital serves a rapidly expanding area. I have an appointment tonight with the Minister for Health to discuss the matter. I hope that he will give me information that will put an end to the worries of the people of my electorate on this most important matter. As I am aware that the present sittings of the Parliament may be concluding in the near

future, although there are other matters I should like to put before the House, I wish to give an opportunity to one of my colleagues to place some most important matters before the House.

Mr ROGAN (East Hills) [8.55]: I congratulate the Treasurer on bringing down a constructive, imaginative and innovative loans programme. I listened to the honourable member for Miranda speak about the road programme in his electorate. Indeed, the major part of his speech was devoted to that subject. I do not know whether the honourable member is aware that \$465 million has been allocated in the Loan Estimates to the roads programme, an increase of \$64 million or 16 per cent on last year's allocation. This afternoon the Government sought to debate as a matter of urgency the decision made by the federal Government to inflict on the motorists of New South Wales an increase of 16c a gallon, or 3.5c a litre, in the price of petrol. That will bring to the Commonwealth some \$670 million, of which \$250 million will come from New South Wales. This sum could have been made available for the State's roads programme. However, the honourable member for Miranda chose to vote against that urgency motion. I am sure that roads in his electorate would have been more than adequately catered for under that programme.

I am pleased to be supporting the Loan Estimates. The Treasurer informed the House that capital expenditure by the New South Wales Government and its authorities will rise by 83 per cent to more than \$2,000 million. This increase has been achieved despite the severe cuts in federal funding. Honourable members will be aware that the federal Government controls three of the State's principal sources of capital funds, namely, the State's general loan funds, federal funding of specific projects and programmes, and borrowings of the State's semigovernment authorities. This year the total funds available to the State from these federally controlled sources amount to \$1,301 million, which is only \$2 million more than last year. When one allows for inflation, there is a cut in real terms of some \$100 million. I note from the Treasurer's Speech that for the first time in twenty-five years the federal Government has not increased the State's general loan allocation, which is the primary source of the State's capital works funding.

The federal Government has cut drastically funds for specific purposes. Further, it has cut by \$24 million funds for welfare housing. I shall speak more about that matter. Hospital building grants have been abolished, community health and pre-school funding cut by more than half and the school dental scheme share reduced by 33 per cent. The increases allowed by the federal Government in borrowings by the State's semigovernment authorities have been insufficient to cover their costs. In spite of the severe restraint, the Treasurer has brought forward a loans programme that will continue the positive programme upon which the Wran Government was elected and will continue to be elected. As promised at the last election, the Government has put New South Wales in better shape. The State has been restored to the position it held prior to the eleven disastrous years of Liberal-Country party Government which caused the great State of New South Wales to become the sick man of Australia.

When the Wran Government took office more than two years ago, it was a cliché that New South Wales was the sick man of Australia. That was the theme of a number of newspaper articles published in Sydney and in other capital cities. Unflattering comparisons were drawn between New South Wales and even Great Britain, which at that time was being written off as the sick man of Europe. New South Wales was compared unfavourably with Victoria, which had markedly lower unemployment, better growth, a better climate for investment and lower inflation. Indeed, every key indicator was worse in New South Wales than in any other State.

New South Wales is no longer written off as the sick man of Australia. In the year to March 1978 economic activity in New South Wales rose by 0.7 per cent compared with a fall of 1.5 per cent for the whole of Australia.

New South Wales has made a significant contribution to the national fight against inflation. In the twelve-month period to June 1978 the rate of inflation in New South Wales was 7.5 per cent. That compared favourably with the national rate of 7.9 per cent. New South Wales was the only mainland State to record an increase in employment. In the twelve months to June last the increase in the number of unemployed in New South Wales was 2 per cent compared with a total increase of 30 per cent in the other States. The Government of New South Wales recognizes that to have a healthy private sector it must also have a positive spending programme in the public sector. I shall draw some comparisons between the New South Wales Government's view and that of the Liberal-Country party Government in the federal sphere. Why is it the Liberal-Country party Government in Canberra is so obsessed with wanting to cut back spending in the public sector? I question the paranoia that surrounds that basic philosophy. I refer to an illuminating article that appeared in the *National Times* of May 9th, 1977, by the economics writer, P. P. McGuinness, who wrote:

There is a great deal of nonsense talked these days about the size of the government sector of the economy and the supposed beneficial or harmful effects that this has on the efficiency and inflation of the nation.

Mr McGuinness also wrote:

The size of the public sector, a rather more general way of referring to government at all levels as well as semi-government and government-owned agencies and enterprises, is very difficult to measure in any sensible manner since it is so diverse . . . When dire warnings are issued as to the growth of the public sector, this is usually the public service and some other semi-government agency which the critics have in mind. This applies particularly to the talk about the budget deficit. No one includes the growing business of the Commonwealth Bank or TAA in the argument, for that is the product of normal commercial competition.

Although the article points out that international comparisons on the size of the public sector are extremely difficult to equate, since the scope varies greatly from country to country, estimates point to some interesting features of the Australian economy. For a start, public employment did not grow rapidly in the post-war period. It went from 9 per cent at the beginning of the period and the work force in the public sector rose to 20 per cent in 1974. It rose sharply from 1906 to 1916 and was stable at just over 13 per cent for seven years. It rose sharply through 1924 to 1926. It was stable again at about 14.5 per cent to the end of the 1920's, and after 1929 the share declined reaching a trough of about 12 per cent in 1933. It rose again to reach 19.5 per cent in 1950, leaving aside the wartime peak. From 1951 to 1974 the share fluctuated slightly and remained close to 20 per cent of the total civilian work force. Public service employment was expanding but no faster than private sector employment. Government in the twentieth century appears to have grown less rapidly in Australia than was the case in the United States of America or Britain.

When one talks of the public sector, one is dealing with the things I have mentioned, namely, transport, education, health and welfare. Interwoven in this illogical argument about public sector growth is the red herring that strong unions and demands for higher wages cause consumer prices to rocket. The theory was recently skittled by the *Wall Street Journal*, the bible of big business. In its investigation it was found that union demands were not the cause of America's raging inflation. Indeed, the

biggest price increases were coming from the areas where the unions were weak and labour costs were not a major consideration. Few businesses were more strongly unionized than the American automobile industry, yet the Government's consumer price index puts new car prices at about the same level as they were a decade ago. The journal said that the stereotype of big unions commanding big pay increases and causing ultimately big price boosts, just did not coincide with the facts. The biggest price increases in the past decade, said the *Wall Street Journal* in respect to the American experience, were in daily hospital services, picture theatre admissions, maids, car insurance rates, postal charges, medical fees, men's haircuts and property insurance rates. Only about 10 per cent of the people in these fields were union members.

I shall now deal with the specific items referred to in the Treasurer's speech. In particular, I shall refer to the allocation for main roads. For 1978-79 total funds available to the Department of Main Roads will be \$465 million, an increase of \$64 million or 16 per cent over last year's expenditure. This year the Government has included in the allocation a special addition of \$40 million State loan funds to allow a further increase in the rate of road and freeway construction. The total funds available for roads this year will be more than 50 per cent over the expenditure in the financial year 1975-76. Considering the constraints placed on government expenditure, that is a magnificent achievement. The increases in expenditure on roads over that time will have been achieved with little help from the federal Government. In the years from 1974 to 1976 the State's contribution will have increased by more than 70 per cent while the increase federally is only 26 per cent.

The Government believes that the additional \$250 million that the federal Government will receive each year from motorists in New South Wales as a result of the increased crude oil levy adds further strength to the case for greater federal funding for roads. Four years ago the federal Government financed 45 per cent of the State's road expenditure, but now it provides only 36 per cent of the funds. Despite the inadequate contribution from the federal Government, this year's programme is a major step towards providing an efficient and safe road system throughout the State. More than 1200 construction and maintenance works will be undertaken by the Department of Main Roads throughout New South Wales this year.

I am pleased that the Government, on the advice of the Minister for Transport and Minister for Highways, has recognized the strong case I put for the allocation of money for roadworks needed to relieve traffic congestion on the Henry Lawson Drive and Canterbury Road. I wish to refer specifically to advice I have received from the Minister that in my electorate, as part of the \$40 million loan programme, works I have referred to previously in the House, namely work needed on Canterbury Road between Chapel Road and Moxon Street, Punchbowl, the extension of Fairford Road to meet up with Stacey Street, Bankstown, and County Road leading off Alford Point Bridge will be included. I am delighted to have received advice from the Minister in respect of a proposal to widen Canterbury Road between Chapel Road and Fairford Road to six lanes, at an estimated cost of \$1.5 million.

The programme is a firm one. It will commence this financial year with preliminary acquisition action. In 1979-80 there will be acquisitions and utility adjustments. These minor works will cost \$500,000. In 1980-81 an allocation of \$1 million is for construction. In respect of the extension of Fairford Road to Stacey Street, the connecting link will relieve a lot of the bottlenecks in that section. It was referred to in the URTAC report. I congratulate the former Government on having commissioned that progressive report, which emphasized the real need for money to be spent. The report identified a section of Canterbury Road as one of the most congested roads in Sydney, with more than 33 000 vehicle movements a day.

*Mr Rogan]*

I am pleased that the Minister for Transport and Minister for Highways has announced that Fairford Road will be extended to Stacey Street at an estimated cost of \$5 million. The programme for this financial year is acquisition and minor work that will cost \$500,000. In 1979–80 the major work will commence at a cost of \$2 million; and in 1980–81 the major work will continue at a cost of \$2.5 million. I am pleased to note in respect of County Road from Alford's Point Bridge, which is now a main road south to the Princes Highway, the proposal is to extend the northern approaches to the bridge between Alma Road and Clancy Street, Padstow, at an estimated cost of \$2 million. The work in hand here will cost \$1 million this year. Next year work will continue with the allocation of another \$1 million. I express my gratitude to the Government after years of pleading for this work to be done. As a result of action by this Government, work will now commence.

Mr Durick: It is good to see something being done on the southern side of the harbour.

Mr ROGAN: Yes. It is not only in respect of my own electorate. There is other work, such as the construction of the new bridge over the Georges River at Liverpool, the south-western freeway and a new bridge over the Woronora River on the Sutherland–Menai Road, and the construction of the County Road by-passing Banks-town between Rookwood and Canterbury Road. All these projects will be of vast benefit to the constituents of my electorate of East Hills because, as we all know, when one travels to and from work one does not just travel within one's own suburb; one goes far beyond that.

I am pleased to see in the Treasurer's Loan Speech the announcement about the unprecedented programme of upgrading public transport. It is a continuation of the programme that the Government initiated when it came to office in 1976. I note there is an amount of \$207 million to be allocated to the Public Transport Commission for new equipment, track upgrading and improvement of facilities. This is \$17 million or 9 per cent more than last year. With this capital expenditure the Government is well on target to reach its objective of spending \$1,000 million on its five-year public transport upgrading programme.

Mr Fisher: Shame!

Mr ROGAN: I assure the honourable member for Upper Hunter that it is most difficult to put up a counterargument to the positive programme that this Government has initiated. Of particular interest is the fact that 96 double-deck suburban train carriages will be added to the existing supply, bringing the total number of new carriages introduced since July 1976 to 216. This will be of vast benefit to my constituents in the East Hills electorate.

I am also pleased to note that this year's expenditure will continue the introduction of modern signalling equipment in the Sydney area. This again will be of great benefit to my constituents. I am disappointed there has been no duplication of the East Hills line, but I am gratified with the Minister's recent assurance bearing in mind the funds available and the cut-back by the federal Government. He has advised me that this project was included in the transport proposals and the Public Transport Commission is proceeding with a preliminary design work. He said that he looks upon this project as an important one that should be carried out. The Minister said that the Government recognizes the need to construct this important rail link.

Let me go a little into the history of the duplication of the East Hills line. I point out that the idea was accepted for funding by the federal Labor Government in 1974 as part of a wider railway project for improvements and construction in the

Sydney—Tempe, Tempe—East Hills and East Hills—Glenfield sections. The total cost was estimated at over \$21 million. Two-thirds of grant approvals in the 1974 federal Budget were \$0.7 million in 1974—75, \$5 million in 1975—76, \$7 million in 1976—77, and \$2.23 million in 1977—78, with the State to contribute the remaining \$7 million, or one-third of the cost, to complete the work.

The spending performance under the former New South Wales coalition Government left a lot to be desired. To 30th June, 1976, only \$28,000 had been spent on initial planning and design of the project. Generally, underspending on the whole programme was so substantial that in 1975 the Commonwealth was asked by the then State Minister to concur in the diversion of federal grants from major construction works, including the Sydney—Tempe—East Hills—Glenfield construction project, to more easily achievable projects such as rolling stock acquisition and signalling improvements. The present federal Minister in February 1976 agreed to the request in principle. With the agreement terminating in June 1978, and with a requirement that all approved funds had to be spent by then, the incoming New South Wales Labor Government had little alternative in mid-1976 to proceeding with the arrangement.

The failure of the former State Government to take advantage of the funds made available by the federal Labor Government represents an opportunity lost. The practicalities of the situation, especially the financial constraints, now limit what can be done in the short term. In the *light* of all those assurances by the Minister, I am particularly grateful for the work being done and I will continue, on behalf of my electorate, to ensure that this programme is undertaken. In that regard I have put a constructive suggestion to the Minister about trains now terminating at Riverwood because of the single-track line leading from Riverwood to East Hills. The new timetables, which will now be brought in every six to twelve months, will delete the unsavoury and unsatisfactory practice of trains terminating at Riverwood and East Hills commuters on occasions being required to alight from the train and to wait a further time to travel to the East Hills area.

I am also pleased to see in the Loan Estimates that Bankstown Hospital is to receive an intensive care unit. It will be a most welcome acquisition to that hospital. This continues the positive programme of the Government in making additions to that hospital for the benefit of the people in that area. I now refer to the section of the Treasurer's speech on education, and particularly to the fact that \$190 million is to be spent on capital works at schools and technical colleges in 1978—79. This is \$17.5 million or 10 per cent higher than last year. Of particular interest to me are the major additions and alterations to be undertaken at nineteen primary schools and six high schools. I am delighted to have the sum of nearly \$500,000 spent at Sir Joseph Banks High School in my area; and the announcement by the Treasurer that at Padstow we will have a new technical college. It was only last February that in this House I asked the Minister for Education whether student enrolments at Banks-town technical college, the nearest technical college to this area, exceeded desirable numbers.

I asked the Minister for Education whether the Government had plans for a new technical college at Padstow and in his reply he said that Bankstown technical college and other colleges were grossly overcrowded and for that reason the Government was engaged in planning to extend considerably technical college facilities throughout the State. He said Bankstown technical college served a population of 250 000 people and that in just a few years enrolments had grown from 5 000 to more than 8 000. The Minister said that that had created difficulties in providing accommodation and had caused tremendous parking problems in the Bankstown district. He said further that because a need for additional facilities for technical education in that **part** of

**Mr Rogan]**

Sydney had been so clearly demonstrated the department had proceeded with planning for the development of a technical college at Padstow on a site bounded by Lester, Raine and Cahors roads. He said the college would offer courses in automotive engineering, fashion, home science, horticulture and secretarial studies. I hope that the tender for this work will be let out soon.

The Treasurer in his Loan Speech referred to \$104 million allocated for welfare housing for 1978–79. That is \$24 million less than for last year. The federal Government's economic drive against the disadvantaged sections of our community is graphically illustrated by its cutback in welfare housing. In real terms the Commonwealth has cut its contribution to welfare housing by 25 per cent. Recently in a debate in the Senate the Leader of the Opposition, Senator Wriedt, said that urgent action was needed to reverse the decline in the housing industry. He said that if only one industry spelled the failure of two and a half years of Fraserism and the associated economic policies, it was the housing industry.

In 1976–77 the industry built 3 900 fewer dwellings than the desirable level set by the housing industry indicative planning council. In 1977–78 it appeared that house completions would fall short of the indicative planning council level by at least 16 000. Unless some prompt and substantial action is taken the shortfall in 1978–79 will be even larger. This, of course, has had its impact in New South Wales where the Housing Commission and co-operative societies face an actual reduction of \$24 million in 1978–79.

Recently the Minister of Justice and Minister for Housing stated that in 1978–79 the maximum amount that the New South Wales Housing Commission will receive is \$75 million, and co-operative building societies \$32.3 million, a total of \$107.3 million. This compares with \$89.6 million for the Housing Commission and \$38.4 million for co-operative societies in the last financial year, a total of \$128 million. That figure represents a cutback in real terms of 25 per cent. The Minister said that this cutback created an intolerable situation at the end of a three-year period during which Commonwealth funding had risen by only 3.7 per cent.

As I have said previously in this House, I wish the Prime Minister would spend some time sitting in his electorate office listening to the details of desperate cases of hardship such as those presented to honourable members who interview people seeking Housing Commission accommodation. If he were to do that I wonder whether he would continue to adopt his cold, hard, ruthless, and inhuman policy of denying people one of the basic commodities required in life—adequate shelter.

Recently in this House I referred to some cases I had in my files. I spoke specifically of a deserted wife with two children. This lady had had sole care of her children for the past eleven years. She received a weekly pension of only \$71. After paying rent and buying food and other necessities she quite understandably was living well below the poverty line. One wonders how these gallant women manage to support their children and pay rent of \$45 to \$60 a week on a pension of only about \$80 a week.

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

Mr FISHER (Upper Hunter) [9.25]: I am pleased to have the opportunity to contribute to this debate on the Loan Estimates. Initially I should like to refer to some comments made by the honourable member for East Hills. Typically the honourable member made whingeing and whining complaints about lack of money from the federal Government. The Treasurer's Loan Speech contained many complaints about lack of funds from the federal Government. The speech was obviously

an admission of failure by the State **Labor** Government to do anything on its own or to take any initiative which might make a contribution to the welfare and development of New South Wales.

A little more than two years ago the Premier came to government by mere chance of 118 votes out of a total of 3 million. He and his supporters had promised to do much to upgrade the railway system of this State. After two and a half years of **Labor** administration it is time that the people of New South Wales were made aware of what the Premier and his Government has not achieved. The Loan Speech is an example of the miserable approach of this Government. It demonstrates that the Premier and the Government are phonies. **Labor** came to office on a promise that it would do something to provide an efficient transport system for New South Wales. What has it done? Today no one can travel by train: not a train is running in the State today. That is an indication of the effectiveness of **Labor's** policies. I challenge the honourable member for Gosford to try to get home to Gosford tonight by train. He could not do so. I ask him, has the 6.15 p.m. ever run on time? I do not believe it has. I have highlighted some of the pathetic statements in the Treasurer's Loan Speech. Despite promises of the Premier to upgrade the railways the increase in expenditure on the State railways this year is only 9 per cent, a mere \$17 million. That is all the extra money Government is able to spend on the railway system of the State.

I wish to reply particularly to some comments of the honourable member for East Hills who so pathetically tried to uphold the record of the **Labor** Government. He endeavoured to substantiate the 9 per cent increase to which I have referred and told us what had been achieved. I represent the largest coalmining electorate in the State. In the past few years tremendous development has taken place in coalmining in the upper Hunter area. In most cases the development has been made possible by private enterprise which has risked large amounts of capital. This development has depended upon the efficiency and effectiveness of the rail transport system. I am proud to say that the only spur railway constructed in this State in the past ten years, from Mount Thorley to Whittingham, was initiated by the coalition Government of which I was a member. That spur line has commenced to carry coal only in the past few weeks. This new major spur line cost about \$10 million. The State Government provided \$6.5 million and private enterprise found the remaining \$3.5 million. Once again private enterprise showed that it was willing to risk capital to facilitate the development of a resource.

Recently there was much fanfare for the official opening of the coal spur line. The Minister was to attend and a special train was to be provided. However, the railways were on strike and the opening could not proceed. It is important that this House and members of the **Labor** Party, who were supposed to have a rapport with the unions and are able to ensure that there would be no industrial unrest, should know the reasons for that strike. The Premier had a sweetheart agreement with the union and granted a consent award. It is all very well for the honourable member for Gosford to laugh. He is trying to uphold what this pathetic Government has done to the railway system.

Mr **McGowan**: A tremendous job.

Mr **FISHER**: The constituents of the honourable member for Gosford would not be prepared to say it is a tremendous job. Tonight they are out in the cold, trying to get home because not a train is running. This arose from a sweetheart deal, organized privately and surreptitiously by the Premier, to grant an over-award payment to railway workers. Naturally members of the Australian Railways Union outside New South Wales wanted some of the sweets, and they sought a similar award to the one granted privately and surreptitiously by the Premier.

Mr McGowan: That was in Victoria.

Mr FISHER: The Victorians were disadvantaged by the consent award granted by the Premier of New South Wales. That is why there has been such a disruption in railway services since the Government came to office. Essentially I am dealing with the provision of an efficient rail service for the haulage of coal. Some 13 million tonnes of coal has to be railed from the Upper Hunter region to the port handling facilities at Newcastle. Had the previous Government not organized adequate, efficient coal loading facilities, coal could not be exported from Newcastle. The second coal loader was built by private enterprise and is one of the most important factors in New South Wales for exporting coal at the present rate.

The development of the mines to which I have referred is proceeding rapidly. **Much** of the coal has to be carted by road because the Government is unable to provide **sufficient** coal waggons to meet the demands of the mining companies. That is principally because the Government has scrubbed the second coal loader at Botany Bay and has had to divert coal from the western and southern fields, charge the mining companies an additional \$1 a tonne, plus port handling charges, in order to cope with exports from the western and southern fields. This has led to overloading of the rail system because much of the coal that should be railed from the Upper Hunter region has to be transported by road to Newcastle and Port Waratah. That is an illustration of the ineptitude of the Government. An increase of 9 per cent in capital expenditure on rail facilities will be insufficient to develop the major import earning resource of this State—coal. The majority of that coal comes from the Upper Hunter electorate. If rail facilities are not provided it cannot be transported from the electorate.

The loan estimates provided for 118 new coal waggons. In Queensland similar amounts of coal are exported. It is carted 200 miles from the Myanbah and Dysart area to Mackay and Gladstone. Each train is composed of six locomotives and 148 waggons. In these estimates the Government has allowed for 118 new waggons, which are insufficient to make up one Queensland train. That is the pathetic message contained in the Loan Estimates. The Government does not have the vision to see what is needed to develop the coal export potential of New South Wales. It has tried to restrain expenditure. I acknowledge that, for purely political reasons, fares in the Sydney metropolitan area were reduced by 20 per cent. The Government has kept fares down in order to win votes in the metropolitan area, with no thought given to the revenue earning potential of the State in coalmining ventures in the north, the west, Burragorang, and in the south of this State. If transport facilities cannot be provided to **carry** coal from collieries to the coast this State will regress further than it has.

I wish to mention briefly the prospects of developing the Sandy Hollow—Maryvale line. It has become most evident that private enterprise development in the Utah area is required. Although private enterprise is willing to develop coal resources in that area, it needs some encouragement and assistance from the Government.

Mr McGowan: Why did not the former Government do that?

Mr FISHER: There were insufficient coal export orders at that time. A company is willing to contribute some \$30 million of its own funds to complete the line. For some twelve months the Government has been satisfied merely to have an inquiry into whether that additional rail link should be provided. If we look ahead to the development of coal resources, the Government must be prepared to risk some capital towards completing that rail link. I wish to mention also the prospect, which has been announced by the Minister, of a coal-to-oil conversion project in the coalfields west

of Muswellbrook in the Denman to Scone area, where some 640 square kilometres is available for exploration as a coal-to-oil development area. If New South Wales is to become once again the leading State of the Commonwealth, the Government must be willing to provide funds for the development of that coal-to-oil research programme. Absolutely no provision was made in the Loan Estimates.

Some time ago the Minister for Industrial Relations, Minister for Mines and Minister for Energy opened a new \$60 million mine at Warkworth. This was established by private enterprise, which provided also large amounts of money to assist with the provision of rail facilities. All that the Government has done to encourage coal to oil conversion in that area is to have the Department of Mines spend a pathetic \$3 million on exploration. Coal-to-oil conversion is one of the most important developments that the State will see in the next few years, provided that there is complete co-operation by the government in office.

Most citizens in New South Wales would be sadly disappointed that the Government has been unwilling to provide the necessary funds to encourage the coal-to-oil development programme. This programme will require many years to develop thoroughly. The Minister for Industrial Relations, Minister for Mines and Minister for Energy is reported as saying that some \$25 million is required for a research project. Research facilities are needed by 1985 to ensure that this State will lead the Commonwealth in coal-to-oil production. Unless the Government is willing to encourage private enterprise by providing the necessary infrastructure, private development will take place in other parts of Australia. The Government must establish that sufficient resources are available so that New South Wales does not drift into the doldrums.

I wish to refer to the provision of water in the Hunter region. Some twelve months ago the Government intimated that a further dam would be built in the Falbrook area to supplement the water used for irrigation of the Hunter Valley, for coal washing and for coal developments in the area. There is not one mention of that dam in the Loan Estimates. Honourable members representing in this House country electorates will deplore the low priority given by the Government to water storages. The only funds provided are \$5.7 million for the completion of the Chaffey Dam near Tamworth. I remind the House that this dam was started by the former Government. Although no amount of money is mentioned, reference is made in the Treasurer's Loan Speech to a continuation of the construction of the Windamere Dam. The remainder of the loan funds available for water storage in New South Wales is for the repair of weirs along the Namoi River and other supplementary works. That fact in itself is a condemnation of the Government and demonstrates its lack of vision. It is not willing to encourage the development of further water storages, particularly those that will be vital if the coal-to-oil conversion plant is to develop in the Hunter region and for the development of the huge coal resources that are available. Unless the Government changes its priorities to demonstrate that it is willing to encourage coal-to-oil programmes and coalmining ventures that provide employment and add to the State's prosperity, New South Wales will slip into an era of recession. One serious effect of the Government's announcement that contracts have been let for coal drilling west of Muswellbrook and from Scone to Denman, where some 640 square kilometres of land has been set aside for exploration, has been that landholders are no longer able to dispose of their land.

Acquisitions must be on just terms. The Government received a report that was tabled in the House last January relating to fair acquisition of land for development. The Government has done absolutely nothing about that report, which lay on the table since January. Not one mention was made in the Government's Speech intimating that the Government proposed to move on the matter. Though that is supplementary to my main point, it is essential that the Government has an overall look at all the

*Mr Fisher]*

things that are necessary if the State is to develop its resources thoroughly and completely. Unless the Government is willing to look at the provision of dams, water supplies, rail facilities to cart coal—and it has done none of those things—

Mr McGowan: What about the rail strike that is now over?

Mr FISHER: The honourable member for Gosford likes to refer to a strike that will prevent his constituents getting home to Gosford tonight. That goes back to the Government's lack of provision of transport facilities. I am more concerned about the transport of basic commodities such as coal, wheat and primary products. Only two trains a day go to the Upper Hunter, so people there do not pretend to be commuters to the same extent as people in the Gosford electorate, but my constituents depend on the provision of an adequate rail service to transport primary products. When one considers what has happened in other States, particularly Queensland —

Mr Hills: Not Queensland.

Mr FISHER: The Minister for Industrial Relations, Minister for Mines and Minister for Energy should know that Queensland coal trains, with six engines and two operators carry 6 000 tonnes over 200 miles. It is time that honourable members on the Government benches, who looked incredulous when I said that, learnt from those people. New South Wales does not have enough waggons to make one train. The Government stands condemned for its pathetic lack of foresight and vision in providing adequate facilities for the proper transport of basic, essential commodities such as the coal that comes from my electorate. Many of those who are involved in coalmining in my electorate look for some assistance, leadership and encouragement—

Mr McGowan: They did not get much from your Government.

Mr FISHER: I assure the honourable member for Gosford that most of the coalmines were developed when we were in office.

Mr Hills: Where?

Mr FISHER: Warkworth was one of six. What has happened to the big mines like those run by Clutha Developments Pty Limited? They all depend on adequate rail transport, which the Government has been unable to provide. Much of the coal is being carted by road. This is tearing up the highways.

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

Debate adjourned on motion by Mr McGowan.

#### BILLS RETURNED

The following bills were returned from the Legislative Council without amendment:

Constitution (Police Regulation) Amendment Bill  
Constitution (Public Service) Amendment Bill  
Parliamentary Papers (Supplementary Provisions) Amendment Bill  
Superannuation (Constitution) Amendment Bill  
University and University Colleges (Constitution) Amendment Bill  
University of New England (Constitution) Amendment Bill  
Macquarie University (Constitution) Amendment Bill

University of Newcastle (Constitution) Amendment Bill  
 University of New South Wales (Constitution) Amendment Bill  
 University of Wollongong (Constitution) Amendment Bill  
 Petroleum Products Subsidy (Amendment) Bill

## ADJOURNMENT

### Crime Control

Mr MULLOCK (Penrith), Minister of Justice and Minister for Housing [9.56]:  
 I move:

That this House do now adjourn.

Mr DOWD (Lane Cove) [9.56]: Honourable members will be aware that today in another place a report dealing with crime control in this State was tabled. Concern has been expressed to me about the report. Although I have not had the opportunity to do other than briefly acquaint myself with its contents, I wish to refer the House to the matter I raised on 23rd August in which I advised the House, as many honourable members know and many people outside the House know, that a report had been completed by the criminal intelligence unit of the police force dealing with the association of one George David Freeman with other persons. Included in the list of people with whom he has associated is the chief stipendiary magistrate, Mr Farquhar. It is a matter of considerable concern that although no public servant—and the Minister of Justice referred to this earlier—is to be criticized for recommending Mr Farquhar's reappointment, obviously there has been a limitation on the information available to the public servants who made the decision. It is a matter of real concern that reports be available to the head of the police and to the Minister responsible for the police. The public servants who made the decision should have had the report so that they could then advise the Minister.

It is no criticism of the Minister that the report was not available, but surely when a criminal intelligence unit was set up as a result of the Moffitt Royal commission its reports should not be allowed to gather dust when they contain information of value to the Government and the House. If there are important matters in the report the House should be advised of such matters. It is significant that only the following day the Premier, when answering an entirely different question, referred to Murray Riley—about whom I spoke—to the criminal intelligence unit and to George Freeman. The Premier was obviously well aware of the matters I had raised and would have made inquiries about the report, which was completed by the criminal intelligence unit. I mentioned Sergeant Jones, one of the persons who completed the report, but the Premier has not told the House or the people of the State whether the report is to be made available or whether any action is to be taken as a result of it.

The people and the House are entitled to know, when an efficient unit of the police force of which we can be proud, completes a report such as that, why we do not have the information, even if there is no problem or no action is to be taken. It is not good enough to have the police force set up to investigate crime and then have the Government or the Premier unwilling after two weeks to make any statement to the public concerning the investigation. I am concerned with all the rumours about the Government going to the people—for reasons that it will obviously regret—with eight months of the Parliament still to go, that the Government should be endeavouring to prevent the facts being made available for public scrutiny. It has been of great concern

to me and other honourable members that we have not had made available the information I have mentioned, though the Premier is obviously well aware of it. At least we now have Murray Stewart Riley himself available and the Minister, who is interjecting now, raised all sorts of questions and is very vociferous—

Mr Hills: And your Premier ratted on an undertaking he gave me. He deliberately lied to the Parliament.

Mr SPEAKER: Order!

Mr DOWD: Since the change of government the Minister has been very silent on this issue. The man is now available and the Premier has not indicated whether, after other proceedings concerning him have been dealt with, the other matters will continue to be investigated. The Moffitt Royal commission disclosed a very serious situation in this State. It is interesting to see that Government supporters, the Premier and the Minister of Justice who is now interjecting, were so vociferous about this man in the past but have suddenly become so quiet when he is readily available. The public and the Parliament are entitled to know whether any action is to be taken, and whether the information was made available at the time of the reappointment of Mr Farquhar. If nothing is disclosed in the papers, that is all right, but we are talking about a set-up to investigate crime. This is no secret matter and the public and the Parliament ought to be told.

Mr MULOCK (Penrith), Minister of Justice and Minister for Housing [10.1], in reply: The honourable member for Lane Cove raises matters tonight which refer to what he says is a report held by the criminal intelligence unit of the New South Wales police force. This is, in fact, a matter for the jurisdiction of the Premier who is responsible for the police, but in the course of dealing with this matter we have the assertion made by the honourable member for Lane Cove that there is such a report. He seeks to link it up with the question which he asked of me the other day relating to the Chief Stipendiary Magistrate. Once again he does it by way of smear and innuendo. He does not produce any report. He says there is a report: I do not know whether there is a report.

Mr Leitch: Is there a report?

Mr MULOCK: He says there is. I don't know.

Mr Dowd: You ought to know.

Mr MULOCK: Why? Because you tell me there is a report? In this House you smeared last week the Chief Stipendiary Magistrate, and you smeared by your pale-faced performance—yes, you were pale and white-faced when you put on your prima donna act. You smeared the Under Secretary of the Department of the Attorney-General and of Justice. You smeared the Chairman of the Public Service Board and you smeared the member of the board, Mr Bill Gent, because they were the ones statutorily responsible for the investigation. I repeat what I said to the honourable member for Lane Cove—and I say to anyone—if they have any information regarding the alleged association, which I would say now has an association in a newspaper referring to a race ticket—

Mr Dowd: Where is the photograph?

Mr MULOCK: I do not know where the photograph is. I did not look at it. The honourable member sought under the privilege of this House to do something he knew he had no right to do. I would not give the photo stomach room; and I would not give the honourable member stomach room.

Mr Punch: You are frightened.

Mr MULOCK: I am not frightened at all.

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

Mr MULOCK: This needs a balanced approach——

Mr Leitch: On a point of order. I have never before on the adjournment taken such a point of order——

Mr SPEAKER: Order! The honourable member will come quickly to his point of order.

Mr Leitch: I should like the Minister to answer the question and stop trying to evade it.

Mr SPEAKER: There is no point of order.

Mr MULOCK: As I say it is important in circumstances such as this that there be a properly balanced approach. I think it fair to say that the community expects a high code of conduct from persons in public life—certainly from some one such as a magistrate who is deeply involved in the administration of justice, as is the Chief Stipendiary Magistrate. Indeed, just as high a code is expected as one would expect of a judge. There must be integrity and honesty; and one's personal life should be above reproach. Though it may be said by some that the community is unfair to expect a higher code of conduct than that which it applies to itself, if there is to be respect for the law one must expect the magistrate to honour that code and to fashion his habits accordingly.

I believe Mr Farquhar had been unwise in placing himself in a position whereby he could be the subject of the article in question, and that the matter required investigation by those responsible to examine misconduct or impropriety on behalf of a public servant, namely the departmental head and the Public Service Board. These inquiries were undertaken, explanation was sought and accepted by those responsible and no action was recommended. Those investigations were undertaken by the under secretary of the department, the Chairman of the Public Service Board and a member of the Public Service Board. On the other hand, I do not believe in trial by innuendo, rumour or smear.

Mr Dowd: Let us have the report.

Mr MULOCK: I repeat what I said last Thursday: if anyone has anything to say about the Chief Stipendiary Magistrate, or any other magistrate, let him do it publicly. If there is any suggestion of impropriety or misconduct, then I say, put the evidence before the proper authorities. The honourable member for Lane Cove by smear and innuendo talks about a report.

Mr Dowd: Is there one?

Mr MULOCK: You are using the forms of this House regarding this allegation. If there is nothing, then shut up. Destructive, malicious criticism of this kind is criminal. It is dangerous and it can weaken confidence in our system of justice. It can lead to a breakdown of our system of law, and if that happens society as we know it collapses because without law we have no order—only disorder. We have within this State a fine tradition of justice and the great bulk—over 80 per cent—of this justice is administered through our courts of petty sessions. We have a fine bench of magistrates. let us not tear it down by innuendo and unsubstantiated attack by scandal-mongering.

Under the privilege of this House reference has been made to a report that was tabled in another place today. When the Under Secretary of the Department of the Attorney-General and of Justice appeared before that committee he was not asked one question in relation to actions taken by him against the Chief Stipendiary Magistrate. Yet the honourable member for Lane Cove comes here and suggests there was a report. Did he tell that committee there was a report?

Mr Dowd: It is not my function.

Mr **MULOCK**: Did you seek to go before it? *Of* course you did not, because you got nothing out of what happened over there today and now you come here again to try to smear. As far as I am concerned, when the honourable member for Lane Cove made reference to Murray Stewart Riley he was locked up while the committee was sitting. He has been said by you to be a criminal figure. Why did not the committee call him and why did the honourable member not go before the committee? He is a sham. I will bring the matter to the notice of the Premier and I am sure he will give it consideration. However, I repeat that the honourable member has not produced any evidence. When he or anyone else produces that evidence it will be examined by those responsible—the under secretary of the department and the Chairman of the Public Service Board, who are responsible under the Public Service Act for any actions of impropriety or misconduct by any public servant.

Motion agreed to.

House adjourned at 10.10 p.m.

---

## QUESTIONS UPON NOTICE

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

### TRAINEE TEACHERS

Mr **MOORE** asked the Minister for **Education**—

What were the terms of the cancellation clause of the previously existing bonds for trainee teachers for termination (a) by the department and (b) by the trainee?

*Answer*—

The agreement that a recipient of a Teacher Education Scholarship was required to execute existing at the time the Government's decision to abolish bonding was implemented (30th June, 1976) required a student to—

diligently pursue and complete a course of training and fulfil all course requirements during the period involved.

enter on duty as a teacher in the New South Wales Teaching Service as may be required by the Director-General of Education and complete a specified period of after-service.

The student also agreed that in the event of any of the following situations arising—

(a) breach of the abovementioned provisions;

- (b) dismissal from an institution for misconduct;
- (c) notification to the Director-General of Education that the student wished to relinquish the scholarship;
- (d) unwillingness to accept an appointment or enter on duty as a teacher;
- (e) termination of the scholarship for any reason by the Minister or Director-General of Education which either the Minister or the Director-General of Education considered sufficient involving:
  - (i) negligence on the part of the student whether in duly attending an institution or otherwise howsoever or
  - (ii) any incompetence of the students' part due in the opinion of the Minister or Director-General of Education formed as aforesaid to a cause within the students' control or
  - (iii) any misconduct on the part of the student wherever occurring or
  - (iv) a failure on the part of the student duly to observe and perform any of the terms and conditions of the arrangements with the Crown under which the student was undergoing training at an institution.

then the student would be on demand liable for payment of liquidated damages, of a sum equal to the cost to the State i.e., the total cost of all allowances and benefits paid by the Department under the terms of the Scholarship Scheme.

Also, the student agreed to pay a proportionate cost to the State should he resign or be dismissed prior to completion of the required period of after-service. Except where—

a female student married which reduced the maximum period of after-service to three (3) years;

a female student wished to be released from all liabilities because of the impending birth of a child of a marriage. In this situation the student was released from all liabilities.

It was also agreed and declared that nothing in the Deed contained should be construed as prejudicing or affecting in any way the power of any lawful authority to terminate at any time at pleasure or for any cause whatsoever the scholarship or the course of training at an institution or the employment of the student in the Teaching Service or the Public Service or from office, duty or employment as a teacher or otherwise.

(A sample copy of the agreement will be forwarded to the honourable member for Gordon.)

#### KIDNEY TRANSPLANTS

Mr MOORE asked the Minister for Health—

- (1) What progress has been made in examining the legal constraints limiting the availability of kidneys and other organs for transplant?
- (2) Has any action been taken to develop any systems such as a "contracting out" system?
- (3) Has any move been made to allow people to indicate on driving licences whether they would permit certain organs to be used for human transplantation procedures?

*Answer—*

(1) Legislation in New South Wales applicable to the availability of kidneys and other organs for transplant is the Tissue Grafting and Processing Act, 1955. While this Act has served the community very well in the intervening years, there is no doubt that some review of its provisions is now appropriate. The Australian Law Reform Commission has performed a valuable service in reviewing legislation on human tissue transplants and making recommendations on uniform legislation in this field. The Health Commission has examined those recommendations and agrees in general with them. Amendments were already being made to the Anatomy Act before the Law Reform Commission published its report, and those amendments are substantially in conformity with the recommendations of the Australian Law Reform Commission. An examination is currently being made of the Tissue Grafting and Processing Act with a view to submitting to the Government a proposal for a Bill to either amend or repeal that Act and put into effect the recommendations of the Australian Law Reform Commission.

(2) The Law Reform Commission's recommendation was that neither "contracting in" nor "contracting out" should be adopted as a principle for tissue transplant purposes in Australia at this stage. The Law Reform Commission took the view that where an adult donor had expressed before death a clear wish in relation to the use of his body, or parts of it, after death, that wish should be paramount. In other cases the consent of the nearest surviving relative should be obtained before tissue is removed from a body for transplant purposes. No action has been taken to adopt any alternative procedure such as a "contracting out" system.

(3) The possibility of allowing people to indicate on driving licences whether they would permit certain organs to be used for human transplantation procedures has been examined. However, the proposal has been considered impracticable for various reasons. The Australian Kidney Foundation provides cards which can be completed by people wishing to make organs available for transplantation purposes, and these cards can be conveniently carried by those persons who seek to indicate their wishes in such a way. The Health Commission is pleased to act as a distribution agent for the Australian Kidney Foundation in helping to make these cards readily available to the general public. To supplement this service arrangements are being made with the Department of Motor Transport for leaflets to be inserted with licence renewal forms promoting the donation of organs for transplant purposes and publicising the availability of donor cards from the Australian Kidney Foundation and the Health Commission.

#### ACQUISITION OF LAND

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

(1) What area and what value of land was **acquired** by what department or **instrumentalities** under his control for what purposes in 1976 and 1977?

(2) If no such statistics are recorded, why not?

*Answer—*

(1) The Government Stores Department acquired land having an area of 32 perches and valued at \$32,500 for the purpose of accommodating a regional workshop and office for its Technical Services Branch, and Cleaning Service Branch at Tamworth.

*The Board of Fire Commissioners—*

<i>Locations</i>	<i>Purpose</i>	<i>Total cost</i>
Alstonville	} Fire Stations .. ..	\$43,262
Glenquarrie		
Kooragang Island		
South West Rocks		
Murrumburrah		
Werris Creek	} Residential Blocks .. ..	\$69,500
Katoomba		
Katoomba		

*The Department of Corrective Services—*

<i>Locations</i>	<i>Purpose</i>	<i>Total cost</i>
Parramatta	} Residential blocks .. ..	\$312,988
North Parramatta		
Dundas		
Dundas		
Grafton		
Centennial Park		

In addition 2 000 acres of grazing land were purchased at a cost of \$320,450 for the purpose of extending the Brookfield Afforestation Camp at Mannus.

(2) Information provided in (1).

## DRUG, ALCOHOL AND PSYCHIATRIC CLINICS

Mr HEALEY asked the Minister for Health—

(1) Will he consider encouraging this year's medical graduates to work in drug and alcohol clinics and in psychiatric units in order to attract them to this aspect of practice?

(2) ~~Will~~ he provide funds to enable this to happen?

*Answer—*

(1) Yes. In addition, the double graduation this year, should result in proportionally more graduates entering these services than in the past.

(2) The present resources of the Commission should be able to accomplish this without extra funding. Funding of extra positions will be provided where there is a need.

PSYCHIATRISTS

Mr HEALEY asked the Minister for Health—

- (1) What steps is the Government taking to recruit psychiatrists and other suitable medical officers to staff New South Wales Schedule 5 hospitals and drug and alcohol clinics?
- (2) Is there an extreme shortage of medical officers critical to mental health treatment in New South Wales?

*Answer—*

- (1) A senior Mental Health Services Administrator is soon going to the United Kingdom and a number of other English speaking countries to interview and advise psychiatrists of the opportunities in New South Wales.
- (2) No. The shortage is neither extreme nor critical to standards of mental health treatment.

AMBULANCE SERVICES

Mr HEALEY asked the Minister for Health—

- (1) Has the New South Wales Ambulance Service moved to train paraedics and to operate life support ambulances for emergency care?
- (2) In view of the demands made on the ambulance service, when will the Government move for an alternative transport service for non-emergency patients?
- (3) Will he give proper consideration to this service being provided by a voluntary or community organization?

*Answer—*

- (1) Training of selected officers of the New South Wales Ambulance Service in Advanced Life Support techniques has been ongoing since August, 1976.

Officers selected undergo a very intensive training course spread over eighteen weeks. Additionally they are required to attend the teaching hospital where they were based for clinical instruction, on one day every third week and attend case review discussions.

At the end of a two-year period each officer has to resubmit himself for examination.

There are presently fifty-seven (57) Advanced Life Support officers working in the Sydney, Newcastle and Wollongong areas with a further sixteen (16) now completing the course.

The intensive care ambulances that these officers man are equipped to a standard not surpassed in any other country.

- (2) The New South Wales Ambulance Service plays a most important part within the health field of this State and, along with the Health Commission, I am most conscious of the growing demands placed on it by the calls to attend accident, medical, surgical, and treatment cases. The overall service provided

is unique to and the envy of many countries of the world and before any change to the present highly unified patient handling system is made, I, and the Health Commission will have to be satisfied that it would be in the overall interests of the sick and injured, the ambulance service and its personnel. The position has been and will be carefully watched.

(3) Voluntary organizations do, in some areas, assist with the movement of handicapped or disabled persons but when the day-to-day movement of these patients throughout the whole State, for medical reasons alone, is taken into account it is more than doubtful that a voluntary body could meet such demands on a continuing basis. I would point out that the New South Wales Ambulance Service commenced as a voluntary effort but as the demands for service grew the introduction of paid officers became more and more necessary. I take the opportunity to record my appreciation to not only the honorary ambulance officers but to all other voluntary workers in the health field, past and present.

### HOSPITAL ACCOUNTING

Mr HEALEY asked the Minister for **Health**—

- (1) Is the present accounting system used in public hospitals archaic?
- (2) Will he examine the system with a view to instituting modern accounting methods?

*Answer*—

(1) Accounting in New South Wales public hospitals is based on a cash receipts and payments system of accounts, and was introduced in October, 1975, in conformity with requirements of the Hospital Cost Sharing Agreement with the Commonwealth.

The accounting is based on a uniform chart of accounts and a reporting arrangement adopted by the Hospital and Allied Services Advisory Council and is used substantially by public hospitals throughout Australia.

The system has been designed for the prompt supply of the financial information required for control against the cash budgets agreed between the Commonwealth and State; and it has proved to be effective.

(2) The existing hospital accounting system is under continuous review both at the State, and at the national level resulting from New South Wales participation in the work of the Hospital and Allied Services Advisory Council. Modern accounting methods are used and are being further developed. More than half of the staff of all New South Wales public hospitals are paid through a computerized payroll system. The system which has recently introduced a management and statistical reporting concept is being progressively extended to other hospitals. In addition, public hospitals have been developing departmental costing and information systems, and New South Wales is currently participating in joint development of other management accounting systems with other States.

EDUCATION OF NURSES

Mr HEALEY asked the Minister for Education—

- (1) What steps has the Government taken to implement its policy on nursing education?
- (2) Have two and a half years passed without action?
- (3) When will the Government honour its promise to New South Wales nurses?

*Answer—*

(1) The 1977 Tertiary Education Commission guidelines announced the Commonwealth Government's decision not to support the introduction of new courses or the expansion of existing courses in basic nursing in tertiary institutions pending the outcome of a national inquiry into nurse education.

Despite the current embargo on the further development of courses in the tertiary sector, several developments are in progress—

- (a) Pilot schemes are being developed in two health regions (Western Metropolitan and Illawarra) which will involve the establishment of Regional Councils of Nurse Education—these will encourage the upgrading of present training courses by the co-operative involvement of tertiary institutions in the region, and the organization of the teaching of the course on a regional basis. Action is now in hand to appoint the Western Metropolitan Regional Council and its supporting staff.
- (b) The pilot diploma courses at Cumberland College of Health Sciences and Riverina College of Advanced Education are continuing.
- (c) An investigation into the needs for future development of nurse education in the Central West and Western Regions of the State has been approved and is about to commence.
- (d) Investigations are being conducted into nursing manpower needs and the implications for the numbers of student nurses entering training as part of forward planning for nurse education.
- (e) A Report by the Nurses Education Board on the provision of courses for nurse educators has been received and upgraded provisions will be made.
- (f) The Government had adopted the Higher School Certificate as the minimum level of entry for admission to nurse education from the beginning of 1980.

(2) In 1977, the Government released a summary of current policy on nurse education in New South Wales. The summary stressed that the process of the transfer of nurse education from the Health to the Educational portfolio would of necessity be a gradual one. The essence of the policy statement is that . . . "there should be a plurality of opportunities whereby preparation may be undertaken for registration as a nurse. Such preparation may be full-time or part-time (or a combination of both) and undertaken in a diversity of teaching environments (universities, colleges, hospital schools and regional schools serving groups of hospitals)".

The Government recognizes the many problems which must be resolved in the course of achieving the ultimate goal. These include the availability of sufficient funds, the replacement of student nurses in hospital wards, the training of

sufficient numbers of suitably qualified nurse educators, the development and accreditation of appropriate courses and legislative amendments concerning the statutory powers of the Nurses Education Board and the Nurses Registration Board.

In order to facilitate the smooth transition of responsibility for nurse education from the Minister for Health to the Minister for Education, the Government has appointed an Interdepartmental Committee consisting of persons drawn from the Ministry of Education, Health Commission, Nurses Education Board, Nurses Registration Board, Higher Education Board and the Department of Technical and Further Education.

(3) From the foregoing, it can be seen that positive and effective measures are being taken to ensure that the nursing profession is enabled to achieve the standards of qualification and expertise that the demands of a modern health care service require of it.

#### ANIMAL EXPERIMENTS

Mr **MOORE** asked the Minister for Health—

What arrangements are being made for his department to obtain copies of papers of the symposium conducted for the fund for the replacement of animals in medical experiments, held at the Royal Society Rooms, London, on 11 and 12 April, 1978?

Answer—

The Health Commission has made arrangements through the New South Wales Government Office in London, to obtain a copy of the proceedings of the “**Fund for the Replacement of Animals In Medical Experiments**” held at the Royal Society Rooms, London, on **11** and **12** April **1978**.

#### DISABILITIES UNLIMITED CARS

Mr **HEALEY** asked the Minister for Health—

(1) What is the future of cars provided by Disabilities Unlimited to hospitals and nursing homes in the north metropolitan area?

(2) If they are to be retained will he make a clear and unequivocal statement to satisfy people disturbed by the announced intention to discontinue the service?

Answer—

(1) Cars provided by Disabilities Unlimited to hospitals in the Northern Metropolitan Health Region will continue to be used.

(2) The cars were provided under the terms of a Pilot contract of twelve months duration and that initial contract has now expired,

Having due regard to the existing economic conditions and the stringent financial situation facing the Government of this State, it has been determined that the service provided by Disabilities Unlimited in the Northern Metropolitan Health Region should be continued at the level of operation existing at 30th June, 1978. It is not possible to increase the level of operation during this financial year.

#### CENTRAL DISTRICT AMBULANCE

Mr HEALEY asked the Minister for Health—

- (1) Will he consider the regionalization of the Central-District Ambulance?
- (2) Will he provide each area with sufficient life-support staff and an ambulance?
- (3) Will he provide a communication centre for each area?
- (4) Is he happy with the current response-time for the Central District service?

*Answer—*

(1) Serious consideration was given at the time of planning the integration of the New South Wales Ambulance Service with the Health Commission of New South Wales as to whether or not the Central District Ambulance Service should be regionalized. All indications were definitely against regionalizing and the position has not changed since date of integration.

(2) Already life support officers are based in the Sydney city area, Randwick and Parramatta and as further ambulance officers are trained in the high skills required it is planned to establish further strategically placed bases. I would point out that in addition to establishing life support groups in the Central Ambulance District, groups have also been established in the Hunter and Illawarra regions.

(3) Prior to 1963 there were eight ambulance districts operating in the Sydney area resulting in not only a wastage of manpower and resources but creating communication problems especially in times of disasters or near disasters. The effectiveness of one control or communication centre for the whole Central Ambulance District has proved its worth over and over again and therefore the answer is—no.

(4) The response time in meeting calls to accidents and disasters is very good but I share the desire of the Health Commission and the officers of the Ambulance Service to continually improve on the general overall response time, which is dependant on the availability of ambulance officers. The Commission is continuing with the planning of the former New South Wales Ambulance Board to recruit new officers to the ambulance service and as an indication of the success of this planning the uniformed staff of the New South Wales Ambulance Service has increased from 1 298 at 30th June, 1976, to 1 602 at 30th June, 1978.

In the Central Ambulance District the staff has grown from 562 to 703 over the two-year period.

### RADAR FOR TUMUT POLICE

Mr SHEAHAN asked the Premier—

When will "radar trap" equipment be allocated to the Highway Patrol attached to Tumut Police Station?

*Answer—*

The Commissioner of Police has informed me that at this stage the supply of radar units to Tumut is not contemplated.

However, the Commissioner has assured me that the matter will be kept in mind during any future allocation of radar equipment.

### ROBERT PRINGLE

Mr MOORE asked the Minister for Transport and Minister for Highways—

What specific role did Mr Robert Pringle take in the specific industrial dispute occurring on the Meadowbank bridge project regarding a demand for payment of builders labourers rates of pay?

*Answer—*

Mr Pringle acted as the spokesman for the employees on the Meadowbank project at the time in question, although he had no specific union accreditation in this regard.

Since the dispute under reference, which resulted in a stoppage of work on the project from 24th June to 26th July, 1977, the work has proceeded satisfactorily.

### SCHOOL SPORT

Mr MOORE asked the Minister for Education—

(1) What assistance, if any, is given to schools to help with transport costs when there is no sporting facility within a one-mile radius of the school?

(2) If no such assistance is given, will he have the matter investigated, particularly with respect to (a) problems being experienced by Gordon Public School and (b) the costs of transport for its pupils to sporting facilities?

*Answer—*

No financial assistance is provided for the travel of children to sport or on other school excursions.

During 1976-77 and 1977-78 financial years \$52.16 million and \$61.43 million, respectively, were incurred for the conveyance of children to and from school.

At present all infants children are able to travel to and from school free of charge on all regular passenger bus, train or ferry services irrespective of the distance involved. This concession was introduced in 1977 by the Govern-

ment as part of its policy in respect of school travel. Primary and secondary school children may also travel free of charge where they live more than 1.6 km from the school.

With an expenditure of the magnitude already indicated and having regard to the certainty that costs will increase in the future, it has not been possible financially to provide free travel for children attending Gordon Public School or other schools where it is necessary to travel to school sport.

#### CHILD PORNOGRAPHY

Mr R. J. CLOUGH asked the Minister for Services and Minister Assisting the Premier—

- (1) Has the sale of a number of child-pornography magazines been approved?
- (2) How many publications in New South Wales have been classified as child-pornography?

*Answer—*

(1) The sale of magazines which are classified under the Indecent Articles and Classified Publications Act as "Child Pornography Publication" is prohibited under the provisions of the Act.

(2) 436.

#### EARLWOOD CARING ASSOCIATION

Mr McDONALD asked the Minister for Youth and Community Services—

- (1) How many applications had been made by the Earlwood Caring Association for financial assistance prior to 30 June, 1978?
- (2) What amounts were involved?
- (3) Were the applications successful?

*Answer—*

(1) Four applications.

(2) 8-1-77 application Neighbourhood Centre funding no specific amount requested.

1-3-77 Neighbourhood Centre funding—\$6,500.

18-5-77 Information Centre—no specific amount requested.

27-12-77 Neighbourhood Centre funding—\$6,110.

(3) None were successful as they did not meet policy guidelines for project funding.

#### EARLWOOD CARING ASSOCIATION

Mr McDONALD asked the Minister for Youth and Community Services—

- (1) What moneys were promised to the Earlwood Caring Association in July, 1978?

- (2) On what dates?
- (3) For what purposes?

*Answer—*

- (1) No monies were promised to the Association in July, **1978**.
- (2) and (3) Refer (1) above.

#### RAPE AT LONG BAY GAOL

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

- (1) Can he confirm that pack rape took place at Long Bay Jail early in May?
- (2) If so, will he provide details of what action was taken?

*Answer—*

- (1) There was no reported incident of pack rape at the Long Bay Complex in May, **1978**.
- (2) Refer (1) above.

#### DUBBO TECHNICAL COLLEGE

Mr MASON asked the Minister for Education—

- (1) Does the Dubbo Technical College have the largest enrolment for carpentry and joinery of any technical college outside Sydney, Newcastle and Wollongong?
- (2) Has a tender been let for half of a planned building to house these courses which are conducted by six full-time teachers?
- (3) Is he aware that this area will be completely inadequate for the nine courses that are conducted?
- (4) Will he urgently review the building programme to enable the complete building to be provided immediately?

*Answer—*

(1) The current Carpentry and Joinery Trade enrolments at Dubbo Technical College are **76**. This is not, in fact, the largest enrolment in this course outside Sydney, Newcastle and Wollongong, but rather the fifth largest. Wagga Wagga, Gosford, **Nowra** and Tamworth all have more enrolled students.

Carpentry and Joinery is, however, only one of a number of courses run by the School of Building within the Department of Technical and Further Education at Dubbo Technical College. The other courses are **Showcard** and **Ticket-writing** with an enrolment of **29**, **Homecraft Woodwork** with **15**, **Building Foreman and Clerk of Works** with **10**, **Carpentry and Joinery Pre-Apprenticeship** with **14**, and **Carpentry and Joinery Pre-Trade for Aborigines** with **16**. The addition of these student numbers to the **76** enrolled in the Trade course brings the total number of Building Students to **160**.

(2) On 2nd August, 1978, I approved the release of funds (\$183,219) to enable the Minister for Public Works to accept a tender for the construction of a carpentry and joinery workshop in the Myall Street site at Dubbo. This building has been designed so that it can be extended.

Financial considerations do not allow for construction of the full standard building at this stage but a teacher's office and lecture room are available in an adjoining building.

Decisions taken by the Commonwealth Government in line with its economic policies have imposed severe constraints on the State's capital works programme for 1978-79. A number of high priority works required urgently at other technical colleges throughout the State have had to be deferred.

The Dubbo courses are conducted by six full-time teachers, and seven part-time teachers.

(3) As explained in answer to Question (1) above there are six Building Courses taught at Dubbo, not nine as stated by the Honourable Member for Dubbo. On occasions a building component may also be included in Dubbo's "Educational Programmes for Unemployed Youth" courses.

(4) It is a matter of regret that a larger building is not being constructed at this stage but it is just not possible to divert any further funds to enlarge the Dubbo workshop. The new building, nevertheless, represents a very definite improvement in the facilities at the College and it has been designed with future extension in mind.

#### FIRE BRIGADE INQUIRY

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

(1) Has he received an Interim Report of the special investigation into Fire Services?

(2) If so—

(a) What are the main recommendations of the Report?

(b) When will action be taken on the recommendations?

(3) Will he guarantee that the report will be tabled before the rising of the House?

*Answer—*

(1) No.

(2) Refer (1) above.

(3) The action to be taken will be determined when the Report has been received and examined.

#### THE GREYHOUND "JOEY GAZETTE"

Mr VINEY asked the Minister for Sport and Recreation and Minister for Tourism—

(1) Who are the registered part-owners of the greyhound "Joey Gazette"?

(2) Has this greyhound ever been the subject of a stewards' inquiry?

(3) **If** so, what are the details?

*Answer—*

The greyhound "Joey Gazette" is currently owned by Mr **Alan** Hunter of 18 Glen Avenue, Arcadia Vale. Mr Hunter became the owner of this greyhound on 7th February, 1974, the previous owner being **Ms Zelda O'Connell** of 22 Margaret Street, Point Clare.

"Joey Gazette" last competed in a qualifying trial at Harold Park on 1st August, 1977, when it was five years old. It is not on record with the ***Greyhound Recorder*** as having competed since.

The Greyhound Racing Control Board has advised that a search of its records indicates that "Joey Gazette" has not been the subject of a Greyhound Racing Control Board Stewards' Inquiry in connection with racing.

