

Legislative Assembly

Wednesday, 11 November, 1981

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

Mr Speaker offered the Prayer.

OATH OR AFFIRMATION OF ALLEGIANCE

Mr Speaker reported the receipt from His Excellency the Governor of a Commission authorizing him as Speaker to administer the oath or affirmation of allegiance to Her Majesty the Queen required by law to be taken or made by members of the Assembly.

Mr Speaker reported also the receipt from His Excellency the Governor of a Commission authorizing Thomas James Cahill, Chairman of Committees of the Legislative Assembly, in the absence of the Speaker, to administer the oath or affirmation of allegiance to Her Majesty the Queen required by law to be taken or made by members of the Assembly.

PETITIONS

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

Homosexual Laws

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

That we support your efforts to strengthen our family and community life. We therefore wish to register our firm opposition to any changes in our State laws which would legalize and/or encourage the following activities:

- (1) Adoption of children by homosexual or lesbian partners. Such adoptions would be a denial of the basic human right of the child to have the love of a male father and female mother.
- (2) Acts of sodomy in private or public. (Note: Sodomy is the unnatural anti-Jewish, anti-Christian act of anal copulation between male persons often described in the media as homosexual acts and in the law as buggery.) Legalization or decriminalization of these so-called victimless crimes would imply community approval and acceptance of these unnatural acts, and may encourage public solicitation of adults and particularly children in leisure and recreation areas as well as schools and other educational institutions.

We therefore request that the following steps be taken:

- (1) The complete rejection of Mr G. Petersen's moves to legalize sodomy (buggery) after the 1981 New South Wales State election.
- (2) The establishment of a special department within the New South Wales Health Commission to:
 - (a) develop humane methods of helping persons to overcome or deal with homosexual tendencies through counselling, psychological and medical assistance; and
 - (b) conduct a vigorous campaign to combat the serious venereal disease epidemic, particularly amongst practising male homosexuals. (For example, 73 per cent of all current venereal disease syphilis cases are homosexually transmitted.)
- (3) The prohibition of any films, materials, books, or homosexual kits in State schools which undermine the family and marriage by falsely presenting homosexual behaviour as a harmless valid alternative lifestyle.

Your Petitioners therefore humbly pray that your honourable House will take no measures that would legalize sodomy and so undermine marriage, child care or the family, which is the basic unit of our society.

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

Petitions, lodged by Mr J. A. Clough and Mr Day, received.

Community Services for Intellectually Handicapped

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

That there are serious deficiencies in the provision of community-based residential services for people of all ages and with all types and degrees of intellectual handicap.

Your Petitioners therefore humbly pray that your honourable House will commit itself to resolving this crucial need in accordance with the Petition addressed to the Premier of New South Wales, the Hon. N. K. Wran, Q.C., M.P., dated 5th November, 1981.

Petition, lodged by Mr Rozzoli, received.

Homosexual Discrimination

The Petition of the undersigned residents of New South Wales sheweth:

- (1) That homosexual people do not enjoy equality before the law in New South Wales;
- (2) That enforcement and interpretation of the law discriminates against homosexual people in this State;
- (3) That there is a need for positive Government action to promote and ensure equality for homosexual people with the rest of society in this State;
- (4) That, in particular, homosexual and lesbian teachers suffer widespread discrimination and continual fear in their employment.

Your Petitioners therefore request that your honourable House:

- (1) Repeal those sections of the law which discriminate against homosexual behaviour;
- (2) End police harassment of homosexual men and women;
- (3) Extend protection of the Anti-Discrimination Act to homosexuality;
- (4) Ban discrimination against homosexual women and men by including educational institutions in the jurisdiction of the Anti-Discrimination Act.

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

Petitions, lodged by Mr Degen and Mr Petersen, received.

Homosexual Acts

The Petition of certain citizens respectfully sheweth:

Concern that necessary standards of public morality are seriously jeopardized by the proposal to legalize homosexual acts between consenting adults. We believe this proposal to be alien to the basically Christian way of life, which the majority of Australians support. Homosexuality has existed in pagan societies but was rejected by the early Christian Church and apostolic fathers as totally unacceptable conduct.

Your Petitioners therefore humbly pray that your honourable House:

- (1) Reject the proposal because it is not in the best interest of our society.
- (2) Refuse leave for the introduction of the Crimes (Sexual Offences) Amendment Bill, 1981, because the proposal lacks majority public approval.

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

Petition, lodged by Mr Hunter, received.

University College at Broken Hill

The Petition of the citizens of Broken Hill respectfully sheweth:

That the W. S. and L. B. Robinson College of the University of New South Wales must continue to service the tertiary educational needs of the people of Broken Hill and train people for the mining industry in Australia.

Your Petitioners therefore humbly pray that your honourable House shall require the Council of the University of New South Wales to maintain and expand the educational courses offered by the W. S. and L. B. Robinson College and take all such other action as is necessary to ensure the acceptance of new enrolments in 1982 and thereafter.

Petition, lodged by Mr Beckroge, received.

Moral Standards

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

That we, the undersigned, having great concern because of the spread of moral pollution in our State call upon the Government to introduce immediate legislation:

- (1) To give positive support to the Lord Mayor of Sydney and other local government authorities in their attempts to clean up moral pollution in our communities.
- (2) To give local government authorities the power to reject applications from individuals or companies for moral pollution centres which are against the public interest such as so-called sex shops, live sex shows, blue movie cinemas, massage parlours (brothels), escort services (prostitution), et cetera.
- (3) To tighten up the standards used by the New South Wales Indecent Publications Classification Board so as to include the total prohibition of any pornographic publication or film containing child pornography, bestiality, sodomy or violent sex acts against women, such as rape and pack rape, sadism and torture, et cetera.

Your Petitioners therefore humbly pray that your honourable House will protect our society, especially women and children from moral pollution and its harmful effects.

Petition, lodged by Mr Day, received.

Drive-In Theatres

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

That legislation to exclude under-18-year-olds from R rated movies be introduced in the interests of maintaining special protection for children and adolescents, and this protection should be extended to drive-in theatres by providing an opaque fence about the perimeter.

Our New South Wales Parliament has a special responsibility to uphold this principle of special protection for children and adolescents especially as the South Australian Parliament has already legislated to afford this protection at drive-in theatres.

Your Petitioners therefore humbly pray that the New South Wales Parliament undertake to legislate to either:

- (1) exclude R rated movies from drive-in theatres or
- (2) make it obligatory for drive-in theatres to erect a high opaque fence about their properties so that R rated movies cannot be viewed from outside the theatre and offend children and parents.

Petition, lodged by Mr J. A. Clough, received.

Child Pornography

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

That we, the undersigned, having great concern at the way in which children are now being used in the production of pornography call upon the Government to introduce immediate legislation:

- (1) to prevent the sexual exploitation of children by way of photography for commercial purposes;
- (2) to penalize parents-guardians who knowingly allow their children to be used in the production of such pornographic or obscene material depicting children;
- (3) to make specifically illegal the publication, distribution and sale of such pornographic child-abuse material in any form whatsoever such as magazines, novels, papers or films;
- (4) to take immediate police action to confiscate and destroy all child pornography in Australia and urgent appropriate legal action against all those involved or profiting from this sordid exploitation of children.

Your Petitioners therefore humbly pray that your honourable House will protect all children and immediately prohibit pornographic child-abuse materials, publications or films.

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

Petition, lodged by Mr J. A. Clough, received.

QUESTIONS WITHOUT NOTICE

Mr W. A. R. ALLEN, DEPUTY COMMISSIONER OF POLICE

Mr DOWD: My question, which is without notice, is directed to the Premier and Minister for Mineral Resources. When the Government appointed Deputy Commissioner Allen in August this year, did the Commissioner of Police give reasons to the Premier and Minister for Mineral Resources or his police minister against the appointment? What were those reasons? Was one of the reasons the fact that Sydney crime figure Mr Abe Saffron's regular visits to Assistant Commissioner Allen at police headquarters had been the subject of complaints from senior police officers?

Mr WRAN: At the time of Mr Allen's appointment the Commissioner of Police said nothing to me at all, either before his appointment, after he had been advised of his proposed appointment by the Minister for Police at that time, the honourable member for Kogarah, or after the decision of the Cabinet and before the appointment was confirmed by the Executive Council. At no time in relation to his appointment did the commissioner mention any of the matters referred to this afternoon by the Leader of the Opposition.

With regard to another matter raised in this House, I took the trouble to speak to my colleague, the honourable member for Kogarah, the former Minister for Police. I confirm that what I said in relation to myself applies also to him. The honourable member for Kogarah telephoned the Commissioner of Police, Mr Lees, in Hobart about

the proposed appointment. Although Mr Lees suggested the name of another person in preference to Mr Allen, nothing was advanced by Mr Lees, according to my colleague—whose version I accept—that relates to the matters referred to by the Leader of the Opposition.

CHILD CARE SERVICES

Mr PAGE: I address a question to the Minister for Youth and Community Services. Is he aware of a proposal by the federal Government to switch responsibility for most of Australia's child care programmes from voluntary organizations to private enterprise? Have any non-profit child care projects in this State been advised that their applications have been rejected and, if so, how many? What effect will the commercializing of the care of children in Australia have on their well-being and on the career opportunities of those who have undertaken tertiary courses in child care?

Mr K. J. STEWART: I shall deal first with the middle portion of the question of the honourable member for Waverley. I am informed that during this year about 450 applications were made by non-profitmaking child care organizations; for various reasons all those applications were refused by the federal Government. As Minister for Youth and Community Services in New South Wales, I am not officially aware of the intention of the Commonwealth Government to commercialize child care services in Australia. At a meeting of federal health officers a suggestion was made that a grant of \$300,000 be given to set up a pilot scheme to explore the formula for the establishment of a wide range of commercial child care centres in Australia. I am informed that this recommendation came from what is known as the Spender report. Mr Spender, I think, is the federal member for North Sydney. He was chairman of the Liberal Party—Country Party committee on child care services.

The Commonwealth Government's 1969–70 policies of granting subsidies to private entrepreneurial nursing home proprietors to provide care of the aged facilities have resulted in the commercialization of nursing home care in Australia. One would have thought that because of the dismal failure of the Commonwealth Government's policies, it would not now be moving towards commercialization of child care services. If child care services were to be commercialized on any scale in Australia, the New South Wales Government considers that this could lead, first, to the introduction of a means test and child care fees up to \$60 a week. Also, it could result in the closure of some child care centres that are operated by voluntary agencies on a non-profit basis. If this happened, the commercial child care centres would lose parental involvement, which has greatly contributed to the success of these services in New South Wales and throughout Australia. These services are being run by community groups, voluntary agencies and parent groups. The New South Wales Government has not been officially informed by the federal Government of its proposals. I assure the honourable member for Waverley, who has a great concern for community services, that the New South Wales Government will resist with all its effort the commercialization of child care services. The New South Wales Government will demand that the federal Government continues to provide subsidies, to encourage religious, voluntary and community bodies to conduct those services.

Mr W. A. R. ALLEN, DEPUTY COMMISSIONER OF POLICE

Mr PUNCH: My question without notice is directed to the Minister for Police and Minister for Services. Will the Minister state the other matters that the Premier and Minister for Mineral Resources said last Thursday were under

investigation concerning Deputy Commissioner Allen? Is Mr Allen's reported visit to Macao also being investigated with his trip to Las Vegas? Has the Minister ascertained whether Mr Allen ordered No. 21 division not to operate against casino and starting price operators in the Newcastle area? Did the Minister's inquiries take into consideration a document known as the Newcastle document which circulated through Parliament some time ago and later was submitted before the Woodward Royal commission? Will the Minister say when he intends to present to the House the full report of Commissioner Lees?

Mr Dowd: The Minister for Police and Minister for Services should have taken the portfolio of Health.

Mr Wran: Who paid the Leader of the Country Party's expenses in Greece?

Mr Punch: I did. Who paid for your trip to Noumea?

[*Interruption*]

Mr SPEAKER: Order!

Mr Wran: Who paid the Leader of the Country Party's expenses for his trip in Greece?

Mr Punch: Put up or shut up.

Mr Wran: I will accept that invitation in due course.

[*Interruption*]

Mr SPEAKER: Order!

Mr ANDERSON: In response to the numerous questions asked by the Leader of the Country Party might I say, first, that I shall deal with the report when I receive it. It is possible that the Newcastle document may form part of the content of the commissioner's report to me. The question which the Leader of the Country Party asked was first raised by the Leader of the Opposition on 5th November. On that occasion the question was:

Early in 1980 was a direction given to Inspector Merv Beck, as he then was, of 21 Division, that that squad was not to operate against casino and starting price operators in the Newcastle area?

To that the commissioner responded by saying:

Superintendent M. L. Beck states his knowledge of this matter is that on 7 December, 1979 he was instructed by the then Chief Superintendent, W. A. R. Allen that now that Newcastle was being changed in respect to gaming and betting duties he was to leave the policing of those duties to the staff at Newcastle.

Mr Allen (now Deputy Commissioner) has stated that he had many conversations with Superintendent Beck in regard to the suppression of illegal betting and gaming in the Newcastle area, but never at any stage did he direct him not to operate against casino and starting price betting operators in the Newcastle area. He recalls discussing with him the re-staffing of the Gaming Squad at Newcastle under the charge of Sergeant Holmes, and indicates that he told him to keep in touch with Sergeant Holmes and assist him in all ways possible including the provision of men from No. 21 Mobile Division.

Again I refer to the 3-part question asked by the Leader of the Opposition on 5th November. On that occasion he asked:

When this matter was raised publicly, by me, was an investigation carried out into whether such a direction was given?

The answer by the Commissioner was:

There is no record or knowledge in this Department of any such publicity or request for an investigation.

The last part of the question asked by the Leader of the Opposition was:

Was the person who gave the direction Superintendent W. A. R. Allen?

To which the reply of the commissioner was:

See reply to first question.

It is important to note that I am also advised that the special gaming squad established at Newcastle comprised Sergeant Holmes and apparently three other police, Sergeant Holmes having been transferred there at the direction of the Chief Superintendent. I have also been advised by the Commissioner as follows:

The gaming section of No. 21 Mobile Division was required to suppress illegal gaming and betting not only in the metropolitan area, but also throughout the State, with the proviso that this duty would be performed within the Newcastle and Wollongong Districts by the Special Squads in existence at those centres, unless, of course, there was some special reason why they should visit those areas. (There was at that time a special gaming squad, consisting of 1 Sergeant 3rd Class and 2 Constables located at Wollongong.)

I am also informed that it was felt that:

. . . it is reasonable to accept that, unless there were some special circumstances, Newcastle and Wollongong should have been receiving ample supervision in regard to the suppression of illegal gaming and betting, and No. 21 Mobile Division had plenty to do looking after the metropolitan area and the rest of the State.

With regard to the question about the report, Commissioner Lees advised me on 9th November of the progress of his inquiries in regard to those matters. He said:

As discussed with you, of necessity, as with any investigation, certain inquiries must be made in order that a clear, fair and objective examination can properly be made of allegations raised.

He went on to say:

Due to distance involved and other exigencies, it is not yet possible to finalize all aspects of the investigation to permit of a satisfactory examination of the issues involved. The Minister may be assured that every effort is being made to expedite all matters.

He said further:

I can assure you I am in fact leaving all other matters aside to attend to this investigation, but again stress that criticism could well flow should avenues of inquiry, as they arise, be not properly examined. I am awaiting further documentation and interviews must be conducted with other persons referred to during investigations.

The commissioner has said also, in another communication:

I should point out, however, that any advance ventilation of any of the issues could in one way or the other prove extremely prejudicial.

As honourable members can appreciate from the extent of the commissioner's advice to me, he is undertaking these inquiries with as much expedition as he can muster. I assure the House that when the commissioner has finalized his investigations, he will transmit his report to me as soon as possible. I am aware that he proposes to have discussions with the Crown Solicitor on matters dealing with his investigation. That is a common practice in the police department.

Mr Arblaster: You are delaying——

Mr ANDERSON: The honourable member for Mosman says "delaying".

[Interruption]

Mr SPEAKER: Order!

Mr Wran: Are you saying that the Commissioner of Police is delaying?

Mr Arblaster: I say you are.

Mr SPEAKER: I call the Premier and the honourable member for Mosman to order. The Minister for Police is addressing the House.

[Interruption]

Mr SPEAKER: Order! The honourable member for Mosman should not point his finger at the Chair. If he does it again, he will find himself outside the Chamber.

Mr ANDERSON: Any suggestion that the Government——

[Interruption]

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

Mr ANDERSON: Any suggestion that the Government is slowing down this inquiry is a deliberate falsehood. I reject any suggestion that I am doing that or that the Government is doing it. What is worse, the honourable member for Mosman is attacking the credibility and integrity of a man who has served this State for almost forty-five years. To suggest that Commissioner Lees would be involved in deliberately holding up an investigation is disgraceful. If the honourable member for Mosman is suggesting that the man assisting him with this investigation—chief superintendent Masters, the officer in charge of the internal affairs branch and a man with forty years' service to the people of this State—would be involved in such a thing is equally disgraceful. I remind the House, and in particular the honourable member for Mosman, that I instituted the inquiries. I did not have to wait for a letter to come from anywhere before I took action. At the appropriate time I shall closely examine how some of these things arose. It is not my intention, as the Minister for Police and as a responsible member of this House, to hinder in any way any inquiry, particularly inquiries coming within my portfolio. I reject entirely the suggestion that the honourable member for Mosman is making with respect to the commissioner, the chief superintendent, the Government and—more particularly—myself.

Mr Arblaster: I did not. I made——

Mr SPEAKER: Order!

Mr ANDERSON: I am becoming sick and tired at the bandying by the Opposition of allegations around this House. There was a classic example of it the other day.

Mr Cameron: You are just rattling.

Mr SPEAKER: I call the honourable member for Northcott to order.

Mr ANDERSON: There is no chance that the honourable member for Northcott will rattle; he has nothing up there to rattle. He is good at making allegations. We have heard two allegations about Juddah Wise being at the racecourse, along with 23 406 other people. No one has said that Juddah Wise was a drinking mate of the Minister for Defence, the Hon. D. J. Killen.

Mr Dowd: He has not invited me for a drink.

Mr ANDERSON: Do you deny that is true? You do not like it when you get it back. What about the former Prime Minister who is a friend of Juddah Wise?

Mr Wran: Which one?

Mr ANDERSON: Sir William McMahan.

[*Interruption*]

Mr ANDERSON: It is equally obvious that none of them has read page 3 of today's *Sun*. I am heartily fed up with it. I recall that shortly after I was appointed to this portfolio statements of this sort were made.

[*Interruption*]

Mr SPEAKER: Order! The Minister for Police and Minister for Services will conclude his answer much quicker if members of the Opposition will stop interjecting.

Mr ANDERSON: On at least three occasions I have told the House that a formal inquiry is under way. I do not propose to deal specifically with the allegations the subject of that formal inquiry, for I do not wish to hinder it or to prejudice the rights of anyone involved in it. I assure the House that as soon as I receive the report and recommendations of the Commissioner of Police I shall take appropriate action.

DENTAL HEALTH

Mr KEANE: I ask the Minister for Health whether an analysis of the occurrence of dental caries carried out in all States by the Commonwealth Department of Health reveals that New South Wales boys and girls in the 6 to 13-year age group have the best dental health in Australia. Is the fluoridation of water supplies one of the prime reasons why 12-year-old children in this State have fewer decayed, missing, or filled permanent teeth than the children of that age 25 years ago? As fluoridated water is a proven effective weapon against dental decay and saves parents millions of dollars a year in dental fees, will the Minister take the necessary action to ensure that all citizens of New South Wales receive the benefits of fluoridated water?

Mr BRERETON: I thank the honourable member for Woronora for the opportunity to inform the House of the gratifying news revealed by a recent study by the Commonwealth Department of Health. That study showed that New South Wales children in the 6 to 13-year age group exhibited the best oral health of Australian

children. That is extremely encouraging news both to the Government and parents in New South Wales. It is due in no small measure to the Government's continuing support for the fluoridation of water and the school dental service. Perhaps the most graphic illustration of the success achieved in fighting dental caries is the fact that in 12-year-old children in New South Wales the number of dental caries in permanent teeth has fallen to only 26 per cent of the level of 25 years ago. These figures are even more encouraging when it is realized that the World Health Organization's global target for dental decay levels in 12-year-old children for the year 2000 has been substantially exceeded already by New South Wales children. The achievement of these wonderful results is attributable in no small measure to the fluoridation programme, which experts have estimated has saved New South Wales parents at least \$31 million in dental fees in the past 12 months.

A small number of local authorities has refused to allow children residing in their areas the benefits of fluoride in their water supply. I have before me recommendations from the Health Commission that the water supply in those areas be fluoridated at the direction of the commission. I intend to give early consideration to the proposals. I assure the House that I intend to enable every child in New South Wales to have the advantages of a fluoridated water supply and the benefits of good dental health that will inevitably result.

METHADONE TREATMENT PROGRAMME

Mr MOCHALSKI: Is the Minister for Health aware of serious deficiencies in the methadone treatment programme of the Department of Health? Is it a fact that the majority of chemists have refused to co-operate in acting as distribution points? Are many registered prescribers not fulfilling their functions? What action will the Minister take to assist persons who are addicted to drugs and who, because of the circumstances I have outlined, are not receiving assistance? Is he aware that about 3 000 drug addicts might benefit from methadone treatment, yet only 500 or so are receiving the treatment, which is being curtailed?

Mr BRERETON: I thank the honourable member for his question. As he said, methadone maintenance treatment of opiate dependency is controversial. The general view is that the balance of evidence supports its use in such programmes. However, there has been concern for some time within the Health Commission about the use of methadone in the treatment of drug dependence in New South Wales. The commission commenced a review of the programmes in April 1981. The review led to a recommendation to the Health Commission for the adoption of a revised methadone programme which the commission adopted and commenced to implement from 3rd September, 1981. The Health Commission is of the view that this revised programme will overcome the deficiencies and concerns expressed about the previous programme. It is true that a number of chemists have refused to be distribution points for methadone. The concern expressed by these chemists is that they may become targets for burglaries when it is known that methadone is kept on their premises.

As the House will be aware, methadone maintenance and withdrawal programmes in the treatment of opiate dependence has been a vexed question both within the medical profession and amongst others involved in drug counselling programmes. The Health Commission assures me that the new programmes it has devised should help to overcome the concern expressed in the community about the efficacy of this type of treatment programme. The honourable member suggests that some 3 000 individuals might be able to benefit from a methadone treatment programme.

The information available to the Health Commission suggests that the number involved is considerably lower than that quoted and certainly only 699 people are receiving treatment under the present programme. However, in the light of the concern expressed by the honourable member, I have asked the Health Commission to monitor the situation closely through the new programme and to keep me advised of any unsatisfied needs that may continue to exist for appropriate drug withdrawal treatment.

HIGHER SCHOOL CERTIFICATE EXAMINATION MARKERS

Mr J. A. CLOUGH: I direct a question without notice to the Minister for Education. Is there discontent among those who will be marking the papers of candidates in the higher school certificate examination? Is that dissatisfaction because of the inadequate pay and unsatisfactory working conditions? Do the higher school certificate examination markers propose taking industrial action to obtain improved pay and working conditions? Would such action delay the issue of the results?

Mr Walker: On a point of order. I submit that as the question is prolix it should be disallowed.

Mr SPEAKER: Order! The honourable member for Eastwood appeared to be nearing the end of his question. I shall allow him to complete it.

Mr J. A. CLOUGH: Will the Minister advise me and the House what he will do to avoid this impending dispute and the consequential disadvantage to higher school certificate examination students?

Mr MULOCK: Some weeks ago, before the commencement of the higher school certificate examinations, a spokesman for the Teachers Federation was reported as saying that examination paper markers would take industrial action. Since I saw that press report I have had no further information on the matter. Perhaps the honourable member for Eastwood has only just caught up with the report. As for the suggestion that the pay scales for markers are inadequate, I understand that a substantial number of persons over and above the number required apply for positions as markers. No doubt they have in mind the matter of pay. Working conditions are not ideal. The central marking area is reputedly larger than anything in the southern hemisphere, comparable only with the marking facilities in England. In the past weather conditions have caused inconvenience to markers. The Department of Education has attempted to improve the working conditions.

I am aware of impending industrial action, and I do not know whether the comments of the honourable member for Eastwood are likely to give rise to it. If they do, the collation of the examination results will be threatened because of the time constraints already imposed. I hope there is no more industrial action. Candidates for the higher school certificate have had enough to worry about, not knowing whether the examinations would be held as scheduled. When one dispute was settled, another arose, involving fifteen members of the examinations branch. They imposed bans, and that caused uncertainty about the results being available on 8th January. The bans were lifted about two weeks ago. I am pleased that the Public Service Association decided to recommend the lifting of the bans, which I hope will not be reimposed. If they are, the Government will act at once to ensure that the results are available on 8th January.

CRIMES (SEXUAL OFFENCES) AMENDMENT BILL

Urgency

Mr PETERSEN (Illawarra) [2.47]: I move:

That it is a matter of urgent necessity that this House should forthwith consider Notice of Motion No. 2 of General Business on the Notice Paper for Today.

The matter is urgent because the existing law on homosexuality is out of touch with community mores. It is incredible that in New South Wales, despite many years of reformist Labor governments, and many years of conservative governments, which have rejoiced in the name of Liberal, our legal code today is more reactionary on homosexuality than the code introduced into France by Napoleon more than 170 years ago. More important, in 1976 South Australia decriminalized homosexuality and in 1980 Victoria did likewise, under Labor and Liberal governments respectively. The matter is urgent because among all the governments of the world, both capitalist and communist, the New South Wales legislation on homosexuality can be equated with that applying under such regimes as the Union of Soviet Socialist Republics, Iran and Queensland. The Government has stated its abhorrence of discrimination because of race, sex or physical disability and has introduced anti-discrimination legislation. The good record of the Government on these forms of discrimination is a pointer to the need for action to be taken immediately to end one of the unjust forms of discrimination that exists in our society in New South Wales, namely, discrimination on the basis of sexual practice.

Mr J. A. Clough: On a point of order. I submit that the honourable member for Illawarra has strayed from the matter of urgency and is endeavouring to debate before the House a substantive motion. I submit that the honourable member should be requested to establish a case of urgency.

Mr SPEAKER: Order! Though the honourable member for Illawarra, who has spoken for less than a minute, has not yet come to urgency, I am sure that he will do so.

Mr PETERSEN: I became particularly aware of the need to end this discrimination when the Government, on whose benches I sit in this House, introduced progressive legislation to deal with the criminal offence of rape. The gist of that legislation was to reject the whole concept of rape as being that of violation of a man's property, and instead to give unequivocal support to the concept that rape was essentially violation of a human being, and that what was important was not the morality of the act but the degree of violence involved in that act.

The urgent necessity for change became clear when the result of this progressive legislation was that the Crimes Act provided for a penalty of seven years' gaol for the lowest category of homosexual rape and fourteen years' gaol for homosexual relations between consenting adults. Every day that such an anomaly continues only adds pressure to the immediate demand that something be done to remove this anomaly. The longer this Parliament refuses to do anything about this stupidity the more urgent the matter becomes. Yet we have a problem; the policy of the Labor Party and of all other parties in the Parliament, is that homosexual law reform is a matter of individual conscience.

Mr J. A. Clough: On a further point of order. The motion moved by the honourable member for Illawarra is set out on the notice paper under the heading, General Business. The honourable member is endeavouring to establish urgency. He has not yet come to urgency. He has not yet established why question time should be eroded or why his motion should take precedence over a preceding motion on the business paper.

Mr SPEAKER: Order! There is no point of order.

Mr PETERSEN: I have argued against this policy at Australian Labor Party conferences but I lost that argument. I should much prefer that the party to which I belong bring in this legislation as a government measure. Unfortunately it cannot do so, and therefore it is up to me as a backbench member to raise it now, and it is urgent that I do so. Undoubtedly it will be argued that the existing law is not being applied and that consequently the matter is not urgent. My argument is that the law is so out of touch with twentieth century reality that its amendment and repeal is a matter of extreme urgency. The fact remains that this medieval law is being enforced.

Section 79 of the Crimes Act provides for fourteen years' gaol for the abominable crime of buggery and is so draconic that prosecution under its provisions is usually sought when there are other factors involved, such as the use of drugs, violence, death, or another criminal offence. About thirty men are in gaol in New South Wales for homosexual offences. The existence of section 79 is a clear indication that the executive government supports discrimination against homosexual men, and it is urgent that we end that discrimination. One has the iniquitous situation that men are being apprehended under the Intoxicated Persons Act or prosecuted under the Offences in Public Places Act when, in fact, they are not drunk but they have engaged in public demonstrations of affection which could be completely acceptable if they were between a male and a female.

Mr Arblaster: On a point of order. On two occasions you, Mr Speaker, have ruled that the honourable member for Illawarra has not come to urgency. The honourable member referred to Napoleon; he has been long dead. The notice paper contains such important matters as the Seeds Bill. The honourable member for Illawarra has not advanced any reasons why his notice of motion should be considered in preference to debating the other important and urgent matters on the notice paper, or should interrupt question time.

Mr SPEAKER: Order! The House will decide whether the matter is urgent. I have listened intently to the honourable member for Illawarra who is seeking to debate as an urgent matter the unfairness of a law that applies to those who are discriminated against and should be given immediate relief. I have listened intently to the honourable member's submission's on urgency. I ask that all honourable members do likewise.

Mr PETERSEN: Last April I tried to move an amendment to the bill amending existing legislation on rape. On that occasion I referred to the all too-prevalent practice of poofster bashing, or unprovoked assaults against and robbery of persons simply because they are homosexuals. As homosexuality is illegal *per se*, homosexuals are in no position to go to the police and complain to them about assaults, especially if the offence occurs in circumstances connected with homosexual relationships. That means that existing laws are an open invitation to bashers to attack gay people, with little fear of legal reprisals.

If anyone doubts the urgency of my proposal, I ask him to consider the cold hard fact that recently two homosexual men in this city were murdered. To their credit, the New South Wales police have invited the gay community to co-operate

with them to discover who committed those atrocities. In doing so the police have given de facto recognition to the existence of gay persons in our community and to the intolerable nature of the existing law. I submit that it is urgent that this de facto toleration be replaced by legal toleration. Decriminalization of mutual homosexual behaviour between male persons over the age of consent is long overdue. It is vital that the Parliament should recognize that immediately.

Mr WRAN (Bass Hill), Premier and Minister for Mineral Resources [2.57]: The honourable member for Illawarra seeks urgency on this matter because of the discrimination inherent in the existing law and the anomalous situation resulting from the enactment of recent law. In the circumstances, the item on the notice paper should be dealt with expeditiously, and urgency should be granted.

Question of urgency put.

The House divided.

Ayes, 66

Mr Akister	Mr Ferguson	Mr Neilly
Mr Anderson	Mr Gabb	Mr Paciullo
Mr Aquilina	Mr Gordon	Mr Page
Mr Bannon	Mr Haigh	Mr Petersen
Mr Beckroge	Mr Hatton	Mr Quinn
Mr Bedford	Mr Hills	Mr Ramsay
Mr Booth	Mr Hunter	Mr Robb
Mr Bowman	Mr Jackson	Mr Rogan
Mr Brading	Mr Johnson	Mr Ryan
Mr Brereton	Mr Jones	Mr Sheahan
Mr Cahill	Mr Keane	Mr A. G. Stewart
Mr Cavalier	Mr Knight	Mr K. J. Stewart
Mr Christie	Mr Knott	Mr Walker
Mr Cleary	Mr Knowles	Mr Walsh
Mr R. J. Clough	Mr McCarthy	Mr Webster
Mr Cox	Mr McGowan	Mr Whelan
Mr Crabtree	Mr McIlwaine	Mr Wilde
Mr Day	Mr Mack	Mr Wran
Mr Debus	Mr Maher	
Mr Degen	Mr Mair	
Mr Durick	Mr Miller	<i>Tellers,</i>
Mr Egan	Mr H. F. Moore	Mr Mochalski
Mr Face	Mr Mulock	Mr Wade

Noes, 26

Mr Arblaster	Mr Duncan	Mr Punch
Mr Armstrong	Mr Fisher	Mr Rozzoli
Mr Boyd	Mrs Foot	Mr Schipp
Mr J. H. Brown	Mr Greiner	Mr Singleton
Mr Cameron	Dr Metherell	Mr West
Mr Caterson	Mr Murray	Mr Wotton
Mr J. A. Clough	Mr Park	<i>Tellers,</i>
Mr Collins	Mr Peacocke	Mr Fischer
Mr Dowd	Mr Pickard	Mr T. J. Moore

Question so resolved in the affirmative.

Motion of urgency agreed to.

Suspension of Standing Orders

Mr PETERSEN (Illawarra) [3.5]: I move:

That so much of the standing orders be suspended as would preclude the consideration forthwith of Notice of Motion No. 2 of General Business on the Notice Paper for Today.

Mr T. J. MOORE (Gordon) [3.6]: The question before the Chair is whether standing orders should be suspended to permit General Business Notice of Motion No. 2, in the name of the honourable member for Illawarra, to be discussed forthwith. Mr Speaker, if that motion is agreed to, it will mean that the budget debate will be curtailed and that the Consumer Credit Bill and cognate bills will not be dealt with expeditiously.

Mr Walker: On a point of order. Mr Speaker, the House has agreed that this matter is urgent. The honourable member for Gordon is now putting arguments as to why it is not urgent. For that reason I submit that he is out of order.

Mr T. J. Moore: On the point of order. The House must decide two questions. It has agreed already that the matter is urgent. The question now before the Chair is whether so much of the standing orders should be suspended as would preclude consideration forthwith of the motion. I am now putting the reasons why standing orders should not be suspended.

Mr SPEAKER: Order! It has been decided already that the matter should be dealt with today. The question with which the House is dealing is whether so much of the standing orders should be suspended as would preclude consideration forthwith of the motion. The honourable member for Gordon is putting forward reasons why the matter should not be dealt with forthwith. I propose to allow him to continue.

Mr T. J. MOORE: Thank you, Mr Speaker. The time that would be taken to debate the bill could profitably be devoted to a consideration of the Community Welfare Bill and cognate bills. Having regard to the way the Government's programme is proceeding, the time it would take to deal with the bill the honourable member for Illawarra proposes to introduce would prevent the Community Welfare Bill being debated and put into legislative effect this year—the International Year of Disabled Persons. Surely that measure and other monumental legislation should be passed without delay so that they can benefit the disadvantaged and handicapped who depend upon the provisions of welfare legislation for their many requirements. As to my other point, I remind the House that when this matter was last brought forward the honourable member for Illawarra was refused leave to introduce the bill. The amendments he sought were ruled out of order. On that occasion he said that he would be expelled from the Labor Party if he pursued the matter. If the Labor Party was of the view before the recent election that the matter was not urgent enough to take up the time of the House, there is no reason now why standing orders should be suspended to enable the bill to be dealt with. There are a number of divergent views on the substance of the draft bill that the honourable member for Illawarra has circulated among members. Without referring to the many defects in that draft bill, I submit that there are no valid reasons why standing orders should be suspended at this time.

Question—That standing orders be suspended—put.

The House divided.

Ayes, 64

Mr Akister	Mr Face	Mr Neilly
Mr Anderson	Mr Ferguson	Mr Paciullo
Mr Aquilina	Mr Gabb	Mr Page
Mr Bannon	Mr Gordon	Mr Petersen
Mr Beckroge	Mr Haigh	Mr Quinn
Mr Bedford	Mr Hatton	Mr Ramsay
Mr Booth	Mr Hills	Mr Robb
Mr Bowman	Mr Hunter	Mr Rogan
Mr Brading	Mr Jackson	Mr Ryan
Mr Brereton	Mr Johnson	Mr Sheahan
Mr Cahill	Mr Jones	Mr A. G. Stewart
Mr Cavalier	Mr Knight	Mr K. J. Stewart
Mr Christie	Mr Knott	Mr Walker
Mr Cleary	Mr Knowles	Mr Walsh
Mr R. J. Clough	Mr McCarthy	Mr Webster
Mr Cox	Mr McGowan	Mr Whelan
Mr Crabtree	Mr McIlwaine	Mr Wilde
Mr Day	Mr Mack	Mr Wran
Mr Debus	Mr Mair	
Mr Degen	Mr Miller	<i>Tellers,</i>
Mr Durick	Mr H. F. Moore	Mr Mochalski
Mr Egan	Mr Mulock	Mr Wade

Noes, 26

Mr Arblaster	Mr Duncan	Mr Punch
Mr Armstrong	Mr Fisher	Mr Rozzoli
Mr Boyd	Mrs Foot	Mr Schipp
Mr J. H. Brown	Mr Greiner	Mr Singleton
Mr Cameron	Dr Metherell	Mr West
Mr Catterson	Mr Murray	Mr Wotton
Mr J. A. Clough	Mr Park	<i>Tellers,</i>
Mr Collins	Mr Peacocke	Mr Fischer
Mr Dowd	Mr Pickard	Mr T. J. Moore

Question so resolved in the affirmative.

Motion agreed to.

Introduction

Motion (by Mr Petersen) agreed to:

That leave be given to bring in a bill for an Act to amend the Crimes Act, 1900, with respect to homosexual offences and other purposes.

Bill presented and read a first time.

Second Reading

Mr PETERSEN (Illawarra) [3.13]: I move:

That this bill be now read a second time.

The laws which this bill will repeal are archaic, anachronistic and anomalous. They are oppressive to a sizeable and, in other respects, law-abiding group within the community. These laws have serious consequences for many of these homosexual men, both directly

through prosecutions and indirectly through the consequences of these laws upon them when they pursue legal remedies against people who commit serious crimes against them. This bill is neither revolutionary nor even radical, and I emphasize that. It will by no means fully solve the problems which homosexual men face in our society. It is simply a minor step in that process.

This bill is cautious, as cautious as similar legislation which is before the Parliament of the Everingham Country Party—Liberal Party Government in the Northern Territory. This bill is conservative; equally or perhaps more conservative than the legislation passed by the Victorian Liberal Government last year. It is incredible that New South Wales, which, in so many ways, has led Australia in reform, has to go behind those two governments. I strongly urge this Parliament to let New South Wales catch up with South Australia and Victoria. The reform is long overdue. It embodies a principle that is fundamental and not negotiable, the principle of equality. That is important. I urge the Parliament to support the bill. We in this place have condoned the persecution of homosexuals for far too long. Now we can start eradicating that persecution. Passing this bill is the least we can do. I urge it upon the Parliament.

I bring forward this bill for two most important reasons. First, although equality before the law is a fundamental right of all people, for centuries it has been denied to homosexual men by the criminal law. Equality before the law is specifically guaranteed by articles 2 and 26 of the International Covenant on Civil and Political Rights. Last year the Australian Government, with the agreement of all State governments, ratified that covenant. This bill is one step by this Parliament toward fulfilling the obligations accepted under that covenant to advance human rights and civil liberties in New South Wales. I am pleased to be able to make a contribution to the advancement of these fundamental democratic rights. The second reason I bring forward this bill is that it is necessary to strike from the criminal law a number of archaic, anachronistic and anomalous provisions that have no place in the statute book.

The anti-homosexual laws in this State are an insupportable mess. Some provisions are blatantly anomalous when compared with the otherwise desirable sexual assault laws that were passed in April. Some provisions date from pre-Christian superstitions handed down through medieval ecclesiastical law; some provisions are Victorian prudery; and other sections are ill-considered sections inserted several decades ago at the request of a Sydney hotel owner. This bill seeks to establish equality before the law and to sweep from the statute book this accumulated collection of absurd laws.

It has been put to me that I should have introduced a bill which denied the concept of equality, one which would have repealed only partially the anti-homosexual laws, leaving restrictions and prohibitions on male homosexuals that do not now apply to heterosexual and lesbian people. I have rejected those arguments because the gay community through its political organizations, such as the Gay Rights Lobby, its social organizations, its commercial institutions and the gay press, have expressed united support for the principle of equality and have rejected anything less. They are right to have done so. I have rejected half-measures because the principle of equality is a fundamental right. There is no such concept as partial equality. I have rejected pressure to change this bill because partial repeal of anti-homosexual laws, or an amendment by which this Parliament will deliberately assert laws which discriminate against male homosexuals in 1981, will, in many ways, be more objectionable and more offensive than this Parliament's previous neglect to change archaic laws.

My party, the Labor Party, in its very objective rejects discrimination against homosexuals. This Parliament, in adopting the Anti-Discrimination Act in 1977, loudly declared, on all sides, its abhorrence of any discrimination, and rejected inequality. In conscience it cannot now actively and positively assert such discrimination against

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homosexual men. Whatever rationalizations and excuses may be offered, in truth anything less than equality will be blatant discrimination. I shall fight such a proposition at all opportunities. In its pursuit of equality for male homosexuals this bill follows the identical strategy of the Act that established equality in South Australia under a Labor government in 1975, and the Victorian Liberal Government's equality legislation of 1980. That strategy can be summarized in this way; first, by repealing the anti-homosexual sections of the Crimes Act and, second, by amending the laws dealing with heterosexual and lesbian acts so that they apply equally to male homosexual acts.

In seeking to do that, this bill continues the process initiated by the Crimes (Sexual Assault) Amendment Act, 1981. That Act, as well as making important improvements to the laws dealing with sexual assaults on females, extended those laws to include sexual assaults on males by males and females for the offences did not have to be committed by either sex specifically. They were gender neutral. Items (2) and (4) of the schedule to the bill extend the application of the definition of sexual intercourse to cover offences now described as carnal knowledge or by various other archaic and euphemistic terms. It was section 61A of the Crimes (Sexual Offences) Amendment Act, 1981, which provided a definition of sexual intercourse. Because of that definition's gender neutrality it included male homosexual intercourse. At present the definition applies only to acts of sexual assault. It is necessary to extend its application to cover other sexual acts, specifically sexual intercourse with persons under the age of consent. [*Quorum formed.*]

Item (3) of the schedule will ensure that the provision for alternative verdicts will apply also to males. It will allow for a male charged with sexual assault on a male under the age of consent to be convicted of a consenting offence with that minor if assault is not proved. Item (5) will extend section 66 of the Crimes Act so that it will be an offence to have sexual intercourse with a male when it is procured by fraud or in related manner. Except in relation to section 66, where the bill will extend the existing law, the sexual assault laws are unchanged as they already fully cover male on male assault. One of the consequences of the sexual assault amendments is that consenting male homosexual acts now carry twice the penalty for heterosexual rape, an anomaly which is unacceptable and indefensible. Another consequence is that non-consenting intercourse with a male is covered in different sections of the Crimes Act by different clauses with different penalties for the identical offence. This is clearly indefensible. A third and equally unacceptable result is that the penalty under the new sexual assault laws for causing grievous bodily harm to a person with intent to have sexual intercourse is twenty years, but the maximum penalty for the same offence if the victim is male remains at only five years under section 81 of the Crimes Act. I am amazed that some of the people who are so concerned with morality have not drawn attention to that matter previously.

Further on in the bill these anomalies are resolved. At the same time, it will not in any way change the protection for males under the new sexual assault laws. The protection against unwanted homosexual acts is undiminished, and in certain circumstances that protection is actually increased. The Parliament ought to note that sexual assault on and rape of males is most uncommon. Australian data, such as those published by the New South Wales Bureau of Crime Statistics and Research, confirm overseas studies which have consistently found that sexual assault on and rape of males—whether they are boys, young men or adult men—is insignificant compared with heterosexual assaults on women and girls. However, sexual assaults on males do occur—quite frequently within our prison system, where heterosexual men assault and rape other heterosexual and homosexual men. It is an extraordinary comment on the values and attitudes of our society to homosexuality that though we condemn

and criminalize consenting male homosexual acts, for years our prison authorities have turned a blind eye to rape in prisons, and for some years actively discouraged the victims of rape in prison from pressing charges against their attackers. I commend particularly the most humane and competent Commissioner that the Corrective Services Commission of this State has ever known—Dr Tony Vinson—for the active steps he took to remove this despicable administrative practice.

There is no reason to expect that sexual assaults on males will increase as a consequence of this bill: indeed, by drawing a clear legal distinction between consenting and non-consenting acts, it is likely that such relatively uncommon offences will decrease. Nonetheless this bill continues and extends the protection of all males from such attacks. Items (6), (7), (10) and (11) of the schedule will extend the present laws prohibiting sexual intercourse with females under the age of consent to cover intercourse with males under that age of consent also. They will do this by replacing—in sections 67, 68, 71 and 72 of the Crimes Act—references which are gender specific, and by replacing the term carnal knowledge with the term sexual intercourse, which includes homosexual intercourse. Items (8) and (9) of the schedule will amend the alternative verdict sections 69 and 70 of the Crimes Act similarly. Items (13), (14) and (15) make similar changes to the laws on sexual intercourse where one person is in the relation of teacher to the person under the age of consent, or parent or step-parent to the person under that age, which in this case is seventeen and thus higher than for other sections of the law.

In each of these provisions the bill follows rigorously and unswervingly its philosophy of equality. There are questions about what that age ought to be in relation to heterosexual and lesbian acts. To be frank, I find unconvincing the arguments for high ages of consent and for higher ages for sexual acts in certain circumstances. In saying this, I have the support of the *Sydney Morning Herald*, which commented in an editorial published on 27th January, 1981, on a suggestion from the Anti-Discrimination Board, that the age of consent should be lowered. The *Herald* editorial said:

. . . to those who have some knowledge of how today's young people actually behave, the proposal will merit serious examination.

It went on to say:

There is a case for saying that the New South Wales age limit of 16 is divorced from social reality and should therefore be changed.

Later the *Herald* editorial said:

There is, therefore, nothing outlandish or subversive of morality about the Anti-Discrimination Board's proposal.

The proposal was to lower the age of consent for heterosexual, lesbian and male homosexual acts. I draw the attention of the Government and the Parliament to these statements. I support them, but I am not acting on them in this bill. Any change across the board in the age of consent is a matter for the Government. This bill, in line with its overriding principle, takes a much more conservative position and seeks simply to give male homosexuals equality with the existing freedoms for heterosexual and lesbian people. One consequence of this approach is that the bill will increase significantly the penalty available for sexual acts with males under the age of ten years. At present the maximum penalty available under section 79 is fourteen years. The bill, if passed, will increase that penalty to a maximum of life imprisonment.

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I am not an advocate of draconian penalties. It is clear that they do not work to reduce offences. I take the view that a review of penalties is a matter for the Government, not for a member in a private member's bill. In this area, as in others, I do not seek to change the law. I do not seek to repeal, amend or affirm penalties. I leave them as they stand, except to extend them to continuing male homosexual offences. It has been put to me that in drafting the bill I should have created a higher age of consent for male homosexuals than the existing age of consent for heterosexual and lesbian acts; a suggestion simply that I should not have been more conservative than the *Sydney Morning Herald* but I should have been positively reactionary in comparison with that newspaper. I have rejected that suggestion. What claims to be an argument for a higher age of consent for homosexuals appears to rest on a belief that if an adolescent male has sex with another male, or even is told that such activity occurs, he is likely to become homosexual himself.

It has to be said, and said repeatedly, that there is not a shred of evidence to support such claims. I am assured that there is no academic literature—notwithstanding the vast amount written on the subject of the so-called causes of homosexuality—which even seeks to argue that a homosexual act or information about homosexuality will in any way influence a 16-year-old to become homosexual. If such evidence is available—and I emphasize evidence rather than a vague opinion of an obscure and unqualified opponent or of a pseudoreligious humbug—let it be presented to the Parliament. No other parliament which has discussed this matter has seen such evidence. I do not expect it to appear here, for no such evidence exists. But expert evidence is available to the Parliament on another question, and I draw the attention of the House to it. There are two reports, commissioned by the Netherlands and Swedish governments. Their research was conducted into whether lowering the age of consent for male homosexuals to sixteen, in the case of the Netherlands, and fifteen, in the case of Sweden, would have any adverse consequences. Both governments concluded clearly that it would not—and acted accordingly. I emphasize that both countries are capitalist democracies with a similar type of government to our own.

Unfortunately the Swedish report is not available to us in English translation, but the Speijer report, as the Netherlands report is known after the professor of psychiatry who headed that inquiry, is available. Copies of it have been lodged by the Gay Rights Lobby with the Parliamentary Library. I urge interested members to read the report. The Speijer inquiry considered the question, "Do homosexual experiences by minors above the age of sixteen years cause permanent attachment to a homosexual way of life?" The report concluded, after considering all the medical evidence before it, thus: "It is the considered opinion of the committee that, generally speaking, this question must be answered negatively".

As a result of the Speijer report the age of consent for all in the Netherlands has been 16 since 1969. It has been 15 in Sweden since the 1970's. It has been 13 in some countries for centuries. This causes problems for a number of migrants to this country. As a result of the Victorian Liberal Government's reforms last year, the legality of certain sexual acts with females aged 10 years or older now extends to acts with males as well, where there is no more than 2 years difference in age between the parties involved. For all practical purposes, the age of consent is now 16 in both South Australia and Victoria. It is amazing that the issue should be raised now when it was not raised in the debate in the South Australian and Victorian Parliaments. This bill does not follow the Victorian move. It is much more conservative. That is because the existing heterosexual and lesbian laws in this State are in this respect more conservative than the Victorian law was prior to 1980. As in other respects, I have stayed rigorously with the principle of equality.

In debating laws on the age of consent—an emotive issue for many—it must be remembered that the function of the law is not to make rhetorical flourishes or to issue pious exhortations, but to define serious offences and stipulate appropriate penalties. Under the law as it stands, both parties to a sexual act can be charged, regardless of the age of either. Do we want our sons to appear on serious criminal charges? That is the issue before the Parliament. In 1975, according to a Bureau of Crime Statistics study, an 11- and a 13-year-old were charged with indecently assaulting each other with consent. The sole evidence was their own admissions. The act was mutual masturbation. They were put through a full criminal trial and convicted. Under this bill that will still be possible, if the males are under 16. That is a sufficiently disturbing situation. It will be ridiculous if the Parliament allows prosecutions of 16- and 17-year-old males who have sex together. This bill, in its pursuit of equality, seeks to repeal those laws. The Government should then seriously consider the whole question of an age of consent, but I do not embark on that task, for as I have already said it is a task for the Government.

Item (12) of the schedule will extend the prohibition on sexual intercourse with females who, in the words of the Act, are imbeciles or idiots, to cover sexual intercourse with all such persons regardless of gender. It is not desirable that such archaic and offensive terminology remain in the Crimes Act in 1981 when it has been removed from much other legislation; for example, the law dealing with rape. It is dubious whether there should be a total prohibition on sexual intercourse with such persons, and generally the area needs to be reconsidered. That is a matter properly for the Government, and this bill does not tackle such questions. This section will do no more than retain the prohibitions that are now covered by the anti-homosexual sections of the law.

Item (16) deals with section 77 of the Crimes Act, which concerns certain defences to charges for sexual acts. Though that item will repeal the old section entirely and will insert a new section, it will follow closely the wording of the old section and make no change to the principles or substance of the existing law, except, as elsewhere in the bill, to ensure that the provisions of the section apply to males as they apply to females. There can be no doubt about the importance of this proposed amendment. It deals with a defence that though the person with whom the sexual act occurred was under the age of consent—but still at least fourteen years old—if the person prosecuted believed he was over the age of consent there shall be no conviction.

Whatever may be the merits of age of consent laws, which appear to be partly designed to protect children from unwanted sexual approaches and partly simply to stop them from having sexual activity, it is clearly unjust to prosecute someone for having sex with a person who, though he or she was under the age of consent, went out of his or her way to appear older and to be actively seeking sexual encounters. In my view this item is quite conservative—much more conservative than the Victorian legislation—and requires a quite extensive level of proof to the court before the defence can be accepted. However, it is an important provision which will allow some flexibility into the question of the age of consent. The need for flexibility is obvious. A rigid age of consent takes no account of the different rates at which people mature physically and mentally, and where a person under 16 but over 14 goes out of his way to make himself appear eligible for sexual activity there is no just reason to charge the other party to the sexual act.

Items (21), (22) and (23) of the schedule to this bill will make consequential and technical amendments to sections of the Crimes Act; namely, 418, 476 and 578. These provisions make no substantive change to the law as it stands, and are not

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controversial. Item (24) of the schedule finally is consequential on the repeal of sections 79 to 81B, and will ensure that the old common law offences, of which there is at least one, relating to sexual acts that are no longer offences, are not to be subject to a common law prosecution. Obviously, the most important matters are contained in items (17), (18), (19) and (20) of the schedule. They will repeal the anti-homosexual sections of the Crimes Act, while retaining the offences of bestiality and attempted bestiality. I find myself in a curious position on the matter of bestiality. The penalty is three times higher than in Victoria. If I were a sheep and I had the choice between bestiality and a short visit to Iran, I know what my choice would be. Again, that is a question that I do not raise in this bill.

In repealing these sections this bill seeks to make one change to the existing heterosexual laws, because it repeals the offences of consenting heterosexual buggery. It is a gross anachronism that those offences should remain on the statute books. It is clear that this part of the homosexual law has fallen into disuse. In substance the change is not important, though there is no reason to retain obsolete laws. As already noted, in seeking to repeal these sections, I am in no way making sexual assault on males any lesser offence, because such offences are fully covered by the new sexual assault laws under sections 61B to 61E (1). Nor am I in any way seeking to make legal sexual acts with persons under the age of consent, for those offences are covered by the amendments made to sections 67 to 72 where the act is intercourse, and by the new section 61E (2) inserted by the Government in April which deals with acts less than intercourse; notably, mutual masturbation. Repeal of these sections will not only right a historic injustice; it will also remove from the statute books some of the most absurd and ill-considered laws ever passed by a parliament. Here I refer to much of section 81A and to section 81B of the Crimes Act.

While dealing with offences described as 'soliciting' and 'procuring' a male person to perform a homosexual act, I point out that in reality these sections are designed and operate in a most extraordinary fashion. This can be illustrated by referring to the debate when the Government enacted these sections several decades ago. According to the Government of the day, they were introduced because the manager of a large and fashionable hotel—the old Australia Hotel, I believe—had complained that homosexual men were drinking in his hotel. As the Attorney-General put it:

They are not committing offences that could be the subject of police prosecution, but their conduct is such that the manager fears that they will contaminate others who are legitimately and lawfully using his premises.

Bluntly, these laws were designed to stop homosexual men from drinking in hotels. What could be more ridiculous? Obviously, the law is not being applied fully. The nature of this conduct which was to contaminate others was described by the Government in the Legislative Council where it was said:

In a great many cases of soliciting there is no overt act sufficient to identify itself with the offence. In seeking to attract his victim's attention the pervert makes use of gestures and signs which, if used by a person with no such evil designs, might be for any number of innocent purposes.

What sort of law is that? Its potential for abuse is obvious. The likelihood of its use for arbitrary enforcement, for misuse, for entrapment cannot be overstated. The New South Wales Bureau of Crime Statistics and Research, as a result of a study of prosecutions for homosexual offences in 1980, has concluded that these sections should go. The bureau found that section 81B has now fallen into disuse, but there is no reason to believe that it will not be resurrected. The bureau further found that the soliciting provisions of section 81A were used, but that those prosecutions can and should more

appropriately be instituted under section 5 of the Offences in Public Places Act where they are treated as a misdemeanour. There is no case for the retention of laws which make it illegal to get someone to do something, when the something—the sexual act itself—is legal. There is every argument against a law so ill-founded yet so open to abuse. As they stand, these two sections are an open invitation to police to run around gay bars waiting to be winked at.

As to the repeal of sections 79, 80, 81 and the other parts of 81A, the argument is equally convincing—indeed, it is unanswerable. It is based on equality. It is based on the right of the individual to exercise his conscience and of people to conduct their lives without interference from the law and the State, except where their behaviour causes harm to others. I have been unable to find one person who believes that these antiquated and oppressive laws should be enforced when the sexual offences which I propose to repeal occur. Whatever people think of this behaviour, no one wants the law enforced. All the twenty-two people who telephoned me last Monday week did not want homosexuals sent to gaol, but that is what the law provides. There is no place in the law for offences which we believe should never be enforced. Yet the truth is that these laws are enforced.

In a study by the New South Wales Bureau of Crime Statistics and Research of homosexual prosecutions in 1975 it was found that in one year there were 116 prosecutions of male homosexual acts which would not have been offences were only one thing different—namely the gender of one or both partners. In the following year the number was about 180. It averages about 100 a year, though it fluctuates widely according to police interest in such prosecutions and the particular interests of police officers. Some of the cases which come before the courts are sad, some outrageous; none is defensible. Few ever attract any publicity, which is unfortunate because the public and Parliament remain ignorant of the reality of these laws, though at least non-disclosure protects those people from further exposure to discrimination. These prosecutions occur most frequently because police hear of homosexual behaviour while investigating unrelated matters. One case arose through drug investigations, though the person concerned was not involved in drugs. One particularly tragic case arose through the investigation of a suicide. Several cases arose in the course of a murder investigation in Newcastle, though none of the people charged was in any way involved in the murder. One other case arose through a row with a landlord over rent. The list could go on.

However objectionable, however wasteful of police time such prosecutions are, as a Parliament we cannot blame the police force for enforcing a law which this Parliament persists in keeping on the statute book. This Parliament has to face up to its responsibility for this aspect of the reality of these laws. It has been argued—and no doubt in the debate on this bill will be argued again—that the law's function is to educate, to act as a statement of values rather than as a statement of offences to be prosecuted. I have already said this is a totally improper use of the law. Nonetheless, the claim that the law teaches values needs examination to see what truth is in that claim. Certainly the law and public opinion do not go hand in hand on this issue. Every opinion poll for the last decade has shown strong and increasing support for repeal of these laws. The most recent national opinion poll, published in the *Sydney Morning Herald* in 1978, showed a 2:1 majority for repeal, specifically for equality before the law for male homosexuals, and that majority would certainly be greater today. I have been amazed to hear people say that, if equality is given to male homosexuals, the fabric of our society will be destroyed. That equality already exists formally for female homosexuals whom the law, at least on paper, does not prosecute. Changing the law will not affect that any more than the present law has dictated public opinion.

Mr Petersen]

What these laws do, however, is teach attitudes to a relatively small group. It tells those people that homosexuals are bad, criminal, and outside the law. They are told that, because of this, homosexual men can be preyed on, attacked, bashed, robbed and in extreme cases murdered with relative impunity. These laws make poofster-bashing a safe 'sport' because the victims of that serious crime are in some cases rightly fearful of going to the police; they are outside the protection of the law. Only a few years ago a judge in Sydney directed that a youth should not be convicted of murder because his victim had provoked him, had made a casual suggestion of sexual activity, and as a consequence was bashed to death with a wine flagon. The two recent and tragic murders of homosexual men in Sydney highlight this concern, but they are only extreme examples of the virtual daily occurrence of poofster-bashing in this city and State.

When we talk of the consequences, the effects of these laws on attitudes and behaviour outside the direct concern about prosecutions under its provisions, this Parliament has to acknowledge what these laws are really doing. And no one in this place, recognizing the truth about the effects of these laws, can do other than vote for the repeal of anti-homosexual laws. I would be naive if I suggested that the mere repeal of these laws will end poofster-bashing. It is merely the beginning of reform. Much more will have to be done as well. The Government will have to enact Australian Labor Party policy and include protection of homosexual rights in the anti-discrimination legislation. There is much public education to be done, but this bill will make a start on that process. It is a step we must take.

Many other arguments will be put up against the repeal of these anti-homosexual laws: old myths will be repeated, old fears trotted out. We shall be told superstitious tales about homosexuality causing earthquakes and similar natural disasters. Some will posture as medical experts and make hysterical claims. I do not intend to canvass these well-known arguments, for it is not necessary. The consequences of the repeal of these laws are well known. We do not have to rely on the fear-mongers and the ignorant. We can look to Victoria, and the consequences of its repeal in 1980. What has happened to Victorian society? We can look to South Australia, which repealed these laws in 1975. Does one believe that morality is dead in South Australia? I pose the rhetorical question—where is the evidence of the ill effects supposedly flowing from such progressive moves? The answer is that there are none, and none of the opponents of such a repeal, not even its most rabid critics, has ever produced such evidence, or will they do so. It does not exist.

It is extraordinary, and I am sure this Parliament will note, that no Parliament—and this bill will be no exception—has ever been presented with even a shred of evidence substantiating even one of the claims of adverse consequences of this repeal. If the evidence existed—and if the claims had even the most tenuous basis in fact—we would hear about them. After all, the laws that I seek to repeal have not existed in much of western Europe for up to 170 years. More than 150 years ago the Napoleonic code swept them from the statute books in France and Italy, in Spain and Portugal, in Belgium and the Netherlands, in Luxemburg and parts of Germany. Where is the evidence in these countries—or in South America, the United States of America, Japan or South Africa, which have taken the steps proposed in this bill—of the ill effects of such a repeal?

This repeal is without danger and will have no ill effects. It will stop the persecution of otherwise law-abiding people. I do not intend to waste time dignifying ignorance and bigotry with denunciation. Myths, fear and lies have no place in the making of important public policy. The problem began under Henry VIII, who brought in a bill to outlaw the abominable crime of buggery because he wanted to use it as an added excuse to suppress the monasteries.

On 25th March in my speech on the Crimes (Sexual Assault) Bill and on 26th March in the speech of the Attorney-General and Minister of Justice on the same bill, more was said in support of the proposal that I have put before this House. Those speeches, and the speech of the honourable member for Earlwood, referred to religious aspects, medical opinion, the findings of government reports into homosexuality, public opinion and party attitudes, among other matters. I shall not repeat those facts; they are in *Hansard* for every one to read. I ask honourable members to read those speeches.

I make one last point concerning the conscience vote. Unfortunately, all three parties in this House have labelled this bill as one that will be the subject of a conscience vote. The concept of a conscience vote is illogical to a member of Parliament. I have argued against it twice at Labor Party conferences. The point was made succinctly by the Hon. L. F. Bowen, Deputy Leader of the Labor Party in the federal Parliament in January of this year when he said:

How can you justify the removal of my conscience because another person exercises their conscience to say I shouldn't have one?

I ask honourable members to think about that. Accepting, as all parties do, that homosexual behaviour is a matter of individual conscience, it is obvious that the question of conscience is not for parliamentarians to decide, but is to be decided by the homosexual. It is perversion of the concept if any member of Parliament recognizing that right of freedom of conscience, exercises the free vote given to him by the parties in this Parliament, and then denies members of the New South Wales community their right to exercise their conscience. On a conscience issue a conscience vote is illogical. Recognizing the relevance of conscience in this matter, no member of Parliament has any logical option but to vote in favour of this bill and leave the question of conscience where it can only ever be—with the individual and with that person's behaviour. I commend the bill.

Debate adjourned on motion by Mr Gabb.

Mr SPEAKER: Order! The time for questions has expired.

IRELAND

Mr Fischer: This being the first opportunity available since the honourable member for Hurstville gave notice of motion in this Chamber this afternoon, I raise a point of order under Standing Order 106. It is a brief standing order and for the benefit of honourable members I shall read it:

If a Notice contains argument or unbecoming expressions, the Speaker may order that it shall not be printed, or it may be expunged from the Notice Paper, by order of the House.

Mr Speaker, unless you take action within the next hour or so, a notice of motion will be included on the business paper and will remain there in the form in which it was given in rough draft form by the honourable member for Hurstville this afternoon. The proposed motion deals with argumentative matters pertaining to events in Ireland. For political reasons it is neither wise nor desirable that such a matter be dealt with in the sovereign State Parliament of New South Wales. I know that debate on the motion itself would be out of order at this stage and that I am limited to the point

I raise under Standing Order 106, which is that the motion is argumentative and, in many ways, unbecoming. It contains such phrases as "to dis-establish the Catholic church from its present special position". It urges that directions be given to the governments of Great Britain and of the Commonwealth.

Since becoming Speaker in 1976, on one occasion you ruled that motions should not be framed in controversial language and that the expression of viewpoints likely to be controversial should be left to be brought out in debate. The motion of which the honourable member for Hurstville has given notice is badly constructed. The form of the motion as handed to me by the Clerks does not make its purpose clear. For that reason and the others to which I have referred I invite you to consider carefully the terminology of the motion and to take the opportunity, as is undoubtedly your right and your duty, especially under Standing Order 106, to expunge this notice of motion from the records of the House and, more particularly, from tomorrow's notice paper.

Mr Ryan: On the point of order. Honourable members have heard from the bush lawyer from Murray, who has read Standing Order 106 with rhetorical flourish. He referred particularly to the words argumentative and unbecoming in the standing order. His actions are similar to those of an honourable member who repeats the words, "This matter is urgent because it is urgent because it is urgent". The honourable member resorted to thumping the table in an endeavour to distract attention from the lack of evidence to support his remarks. He kept repeating the words argumentative and unbecoming. He has not produced a lot of evidence that the motion contains words, phrases or paragraphs that are argumentative or unbecoming. He is a hypocrite. He could sit quietly listening to a second reading speech on a bill designed to expunge from the Crimes Act provisions prohibiting homosexuality, buggery, heterosexual buggery and various other acts, but chooses to oppose consideration of the motion that I propose on the ground that words in it are unbecoming and argumentative. The honourable member for Murray should not discriminate.

By a spurious reference to Standing Order 106, the honourable member for Murray was seeking to say that he did not like the subject matter I raised; it was not nice to be talking about Great Britain and that its troops should be taken out of Northern Ireland; that it was not nice to say that by way of reciprocity or reconciliation the Government of Eire should remove certain parts of its Constitution that make the laws of Ireland unpalatable to the people in the north of that country. People in the north do find some laws of Ireland quite unpalatable, and with justification. They see them as smacking entirely of one religion, of reproducing the principles of one religion only, and of being drafted in a form unacceptable to them. The Parliament of New South Wales is the mother Parliament of Australia. It gave birth to the Westminster parliamentary system in Australia. In 1824, 1856 and succeeding years sovereignty was given to it by the Westminster Parliament. Thus, this Parliament has the sovereignty to raise its voice when it sees in other parts of the world something of which it does not approve. It has the sovereignty to make suggestions to other Parliaments in the same way that they may make them to this Parliament. I submit that the point of order is spurious, trivial and unsubstantiated.

Mr SPEAKER: Order! I have listened carefully to the remarks of the honourable member for Murray and the honourable member for Hurstville on the point of order. When the honourable member for Hurstville gave notice of his motion I was concerned that it may have been somewhat lengthy. I have since received a copy of the motion and I am satisfied that it is in order in so far as it is confined to one matter, namely, the independence of Northern Ireland. A motion must contain a proposition on which the House can express an opinion on any matter and press for

action. It is in order for the House to receive the motion on that ground. I invite attention to the fact that it refers to the Parliament of New South Wales. This Legislative Assembly cannot make resolutions to bind the Parliament, which consists of the Legislative Assembly and the Legislative Council. I had in mind to consider the matter overnight and to speak to the honourable member for Hurstville about it before it appeared on the business paper. I invite the attention of the honourable member for Murray to Standing Order 109, which states:

A Member may alter the terms of a Notice of Motion given by him, by handing in at latest, during the sitting of the House preceding the day appointed for such Motion, an amended Notice, which must not exceed the scope of the terms of the original Notice.

After conferring with me the honourable member for Hurstville may wish to amend his motion. Of course, the Chair would still have the right to rule the amended motion out of order. Later I shall speak to the honourable member for Hurstville about the matter.

CROWN LANDS (MISCELLANEOUS PROVISIONS) AMENDMENT BILL
(No. 2)

CLOSER SETTLEMENT (MISCELLANEOUS PROVISIONS) AMENDMENT
BILL (No. 2)

PUBLIC ROADS (DELEGATIONS) AMENDMENT BILL (No. 2)

COMMONS REGULATION (DELEGATIONS) AMENDMENT BILL
(No. 2)

PRICKLY-PEAR (DELEGATIONS) AMENDMENT BILL (No. 2)

WESTERN LANDS (DELEGATIONS) AMENDMENT BILL (No. 2)

Introduction

Motion (by Mr Gordon) agreed to:

That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to amend the Crown Lands Consolidation Act, 1913, and the Crown Lands (Amendment) Act, 1977.
- (ii) A bill for an Act to amend the Closer Settlement Act, 1904, and certain other Acts.
- (iii) A bill for an Act to amend the Public Roads Act 1902 in relation to the Minister's powers of delegation and by way of statute law revision.
- (iv) A bill for an Act to amend the Commons Regulation Act, 1898, in relation to the Minister's powers of delegation and in certain other respects.
- (v) A bill for an Act to amend section 7A of the Prickly-pear Act, 1924, in relation to the Minister's powers of delegation.
- (vi) A bill for an Act to amend section 12A of the Western Lands Act, 1901, in relation to the Minister's powers of delegation.

Bills presented and read a first time.

Second Reading

Mr GORDON (Murrumbidgee), Minister for Local Government and Minister for Lands [4.5]: I move:

That these bills be now read a second time.

These measures are generally of a machinery nature designed to improve administrative procedures under the Crown Lands Consolidation Act, 1913, and allied Acts. However, the Crown Lands (Miscellaneous Provisions) Amendment Bill contains a number of provisions that deserve particular comment. The first such provision proposes that a local land board is not bound by the rules of evidence. This proposed amendment is consequential upon the enactment of section 38 (2) of the Land and Environment Court Act, 1979, which provides, among other things, that the Land and Environment Court is not bound by the rules of evidence when dealing with appeals, references and other matters that may be heard and disposed of by the court under the Crown Lands and allied Acts. The amendment will remove an anomaly that arises where that court has jurisdiction to hear appeals and other matters from local land boards, which are bound to apply the rules of evidence in proceedings before them.

The second provision that requires special comment relates to the term of appointment of trustees of Crown reserves. Future appointments of trustees, other than a council or a corporation, of reserves, other than State recreation areas, shall be for a period not exceeding 5 years, and existing trustees shall cease to hold office 2 years after the amendment takes effect unless reappointed during those 2 years for a period not exceeding 5 years. At present, trustees of reserves, other than State recreation areas, hold office until they reach 70 years of age unless they vacate office by reason of resignation, death, et cetera. It is considered that the term of appointment of trustees of those reserves should, by statute, not exceed five years unless they are reappointed for further terms. The proposed amendment will enable more effective control of reserves.

The third such provision proposes that the penalty for an offence under a by-law relating to the care, control and management of a reserve be increased from \$100 to \$500. This penalty has not been changed since 1955 and warrants review in the light of current money values. The fourth such provision will provide further for the protection of Crown lands against adverse possession. Section 235B of the Crown Lands Consolidation Act, 1913, bars the acquisition of title by adverse possession of certain lands of the Crown, including lands reserved or dedicated for any public purpose. However, the section does not extend to other areas of Crown land that should be protected against adverse possession for conservation or other reasons in the public interest. Also, the section does not extend to lands that are vested in Her Majesty and lawfully contracted to be granted in fee simple under the Crown Lands and Allied Acts where the Crown's ability to complete the contract or exercise other rights needs to be safeguarded. The proposed amendment will protect those lands. The Crown will continue to be debarred from recovering any such land where at the date of commencement of the proposed amendment the Crown, by reason of the operation of the Limitation Act, 1969, cannot institute proceedings. This follows the approach adopted by the Legislature when the provisions of section 235B were widened in 1977.

The final provision of the bill deserving of particular comment proposes that the present penalties for unauthorized removal or other interference with materials on public lands, for example, timber, sand and stone, et cetera, be varied from \$100 for the first offence, \$200 for the second offence and \$1,000 for any subsequent offence, to \$500 for the first offence and \$1,000 for the second and any subsequent offence.

Much public land is situated in remote areas, and the detection and prevention of offences, particularly in relation to the unlawful removal of materials, is difficult and expensive. Those removals cause damage to the environment and can involve costly restoration work. Penalties have remained unchanged since 1960 and those provided for first and second offences are no longer an adequate deterrent.

I have highlighted the provisions of the Crown Lands Miscellaneous Provisions) Amendment Bill, which to my mind need explanation to honourable members. As I said earlier, there are other amendments of a machinery nature. One of these amendments is common to all the measures before the House. It amends the delegation provisions to enable the Minister to delegate without the present need to prescribe by regulation the power being delegated and the office of the delegate. The delegation provisions in the Crown Lands Act and Allied Acts provide that the Minister may delegate prescribed powers, authorities, duties and functions to the holder of any prescribed office.

These provisions need to be brought into line with modern legislation that does not require the particular power or office holder to be prescribed before ministerial delegation of powers, authorities, duties or functions. For instance, there have been more than 150 powers, authorities, duties and functions delegated under the Crown Lands Consolidation Act, 1913, to the holders of prescribed offices. All of these have involved amendment of the Crown Lands regulations with the attendant necessity to obtain executive council approval, gazettal action and tabling in Parliament. The proposed amendment of the affected Acts will give necessary flexibility in this area and assist general administration. For the assistance of honourable members, I table additional detailed information in respect of the six cognate bills. I commend the bills to the House.

Crown Lands (Miscellaneous Provisions) Amendment Bill (No. 2)

Clause 1.—Short title.

Clause 2.—Commencement provisions.

Clause 3.—States that the Crown Lands Consolidation Act, 1913, is referred to in this Bill as the Principal Act.

Clause 4.—Lists the 6 Schedules contained in this Bill.

Clause 5.—States that the Principal Act is amended in the manner set forth in Schedules 1–4.

Clause 6.—States that the Crown Lands (Amendment) Act, 1977, is amended in the manner set forth in Schedule 5.

Clause 7.—Gives effect to Schedule 6.

Clause 8.—Provides for the automatic repeal of certain provisions of the proposed Act if certain other provisions are first proclaimed.

The objects of this Bill as set out in Schedules 1 to 6 are:

- (a) to allow the Minister to declare purposes to be public purposes within the meaning of certain provisions of the Principal Act and to revoke or vary any such declarations (Schedules 1 (2), 3 (2), (3), (5));
- (b) to provide that a local land board is not bound by the rules of evidence (Schedule 1 (3));

Mr Gordon]

- (c) to remove the requirement to prescribe—
 - (i) the holders of the offices to whom the Minister may delegate his powers, authorities, duties and functions under the Principal Act; and
 - (ii) the powers, authorities, duties and functions of the Minister that may be delegated under that Act (Schedule 1 (4));
- (d) to enable an ex-officio trustee of a reserve (other than a State Recreation Area) to appoint, with the approval of the Minister, a nominee to attend meetings of the trust in his place (Schedule 2 (1) (a));
- (e) to provide that—
 - (i) the term of appointment of trustees of reserves under the Principal Act (other than State Recreation Areas) shall not exceed 5 years;
 - (ii) existing trustees of such reserves shall cease to hold office 2 years after the commencement of the amending provision unless re-appointed (of a term not exceeding 5 years) (Schedule 2 (1) (b));
- (f) to allow the trustees of a reserve (other than a State Recreation Area), with the approval of the Minister, to donate trust moneys to groups, organisations or bodies for any purpose which is, in the opinion of the Minister, of benefit to the reserve or the community generally (Schedule 2 (2));
- (g) to ensure that an ex-officio trustee of a reserve is not debarred from attending meetings of the trust and voting on matters concerning the organisation or body which he represents as an ex-officio trustee (Schedule 2 (3));
- (h) to increase from \$100 to \$500 the maximum penalty which may be prescribed in a by-law relating to a reserve (Schedule 2 (5));
- (i) to vary certain provisions in the Principal Act specifying the particular manner in which certain applications, etc., are to be lodged (Schedules 3 (4), 4 (4), 4 (10));
- (j) to repeal a provision allowing addition of Crown land to a freehold conditional purchase (Schedule 4 (1));
- (k) to make the provisions for an addition of Crown land to a lease or licence under section 164 of the Principal Act uniform with those in section 163 of that Act for addition to a conditional purchase or a homestead selection (Schedule 4 (2) (a)–(c));
- (l) to exclude from the operation of section 164 (2) of the Principal Act (which provides that the capital value determined by the local land board of land being added to various leases shall be the price at which the part of the lease comprised in that added land may be converted into a conditional purchase or be purchased)—
 - (i) a suburban holding the annual rent of which is not subject to redetermination and which is not a block notified by the Minister under section 124 as made available for the purpose of erecting a dwelling thereon; and
 - (ii) a residential lease, a lease under section 82A, or a lease under section 4, Returned Soldiers Settlement Act, 1916, not within an irrigation area (Schedule 4 (2) (d), (e));

- (m) to allow the Minister, where applications for conversion of certain leases into purchase tenures cannot be approved because the land is subject to a reserve from sale, to refuse the applications without first referring them to a local land board (Schedule 4 (3), (5));
- (n) to amend section 197 of the Principal Act so that an application for an exchange of lands under the section may be refused without reference to a local land board (Schedule 4 (7));
- (o) to enable a local land board to impose such conditions as it determines upon the granting of a permission to enclose a road (in addition to conditions relating to the payment of rent and the provision of gates or suitable substitutes) (Schedule 4 (8) (a)–(c));
- (p) to require the holder of a road permit to advise the officer-in-charge of the local land board office if the land with which the road is enclosed is transferred (Schedule 4 (8) (d));
- (q) to provide that the Minister, in addition to a local land board, may direct the provision of gates or suitable substitutes where a permission to enclose a road has been granted and, in that connection, to provide for the lodging of objections and the hearing of objections by a local land board (Schedule 4 (8) (e));
- (r) to make provision for the holder of a special lease who is paying rent for Crown improvements to purchase the improvements if he so desires (Schedule 4 (9));
- (s) to extend the provisions of section 235B of the Principal Act, which bar title by way of adverse possession as against the Crown in respect of certain Crown land to cover other Crown land (Schedule 4 (11));
- (t) to make it an offence for a person to cause any other person to dig up, damage or interfere with timber, stone, gravel, etc., on Crown land (Schedule 4 (14) (a));
- (u) to increase the penalties for certain offences relating to the removal, etc., of timber, stone, gravel, etc., from Crown land (Schedule 4 (14) (b));
- (v) to make provision for and with respect to the transfer of permissions to occupy land and permissive occupancies of land, including a requirement to obtain the Minister's consent to a transfer (other than a transfer by way of mortgage or discharge of mortgage) (Schedule 4 (16));
- (w) to enact certain savings and validation provisions (Schedule 6); and
- (x) to make other amendments to the Crown Lands Consolidation Act, 1913, and to the Crown Lands (Amendment) Act, 1977, of a minor, consequential or ancillary nature.

Closer Settlement (Miscellaneous Provisions) Amendment Bill (No. 2)

Clause 1. Short title.

Clause 2. Commencement provisions.

Clause 3. Lists the 6 Schedules contained in this Bill.

Clause 4. States that the Closer Settlement Act, 1904, is amended in the manner set forth in Schedule 1.

Mr Gordon]

Clause 5. States that the Closer Settlement (Amendment) Act, 1914, is amended in the manner set forth in Schedule 2.

Clause 6. States that the Closer Settlement (Amendment) Act, 1918, is amended in the manner set forth in Schedule 3.

Clause 7. States that the Closer Settlement (Amendment) Act, 1937, is amended in the manner set forth in Schedule 4.

Clause 8. States that the Closer Settlement Amendment (Conversion) Act, 1943, is amended in the manner set forth in Schedule 5.

Clause 9. States that the Closer Settlement (Amendment) Act, 1977, is amended as set forth in Schedule 6.

Clause 10. Savings provisions.

Clause 11. Provides for the automatic repeal of certain provisions of the proposed Act if certain other provisions are first proclaimed.

The objects of this Bill as set out in Schedule 1 to 6 are:

- (a) to allow the Minister to declare purposes to be public purposes within the meaning of certain provisions of the Closer Settlement Acts and to revoke or vary any such declarations (Schedules 1 (1) and 2);
- (b) to make provision for and with respect to the transfer of permits to occupy land, including a requirement to obtain the Minister's consent to a transfer (other than a transfer by way of mortgage or discharge of mortgage) (Schedule 1 (2));
- (c) to enable a local land board to impose such conditions as it determines upon the granting of a permission to enclose a road (in addition to conditions relating to the payment of rent and the provision of gates or suitable substitutes) (Schedule 1 (3) (a), (b));
- (d) to require the holder of a road permit to advise the officer in charge of the local land board office if the land within which the road is enclosed is transferred (Schedule 1 (3) (c));
- (e) to provide that the Minister, in addition to a local land board, may direct the provision of gates or suitable substitutes where a permission to enclose a road has been granted and, in that connection, to provide for the lodging of objections and the hearing of objections by a local land board (Schedule 1 (3) (d));
- (f) to remove the requirement to prescribe—
 - (i) the holders of the offices to whom the Minister may delegate his powers, authorities, duties and functions under the Closer Settlement Acts; and
 - (ii) the powers, authorities, duties and functions of the Minister that may be delegated under those Acts (Schedule 3);
- (g) to provide that the prescription of a minimum annual rent does not affect the calculation of the price payable on conversion of certain leases into settlement purchases where the price is expressed to be 40 times the annual rent (Schedule 5); and
- (h) to make other amendments of the Closer Settlement Acts and the Closer Settlement (Amendment) Act, 1977, of a minor, consequential or ancillary nature.

Public Roads (Delegations) Amendment Bill (No. 2)

Clause 1. Short title.

Clause 2. States that the Public Roads Act 1902 is referred to in this Bill as the Principal Act.

Clause 3. States that the Principal Act is amended in the manner set forth in Schedule 1.

Clause 4. Savings provisions.

The objects of this Bill as set out in Schedule 1 are:

- (a) to amend section 6A of the Public Roads Act 1902 so as to remove the requirement to prescribe—
 - (i) the holders of the offices to whom the Minister may delegate his powers, authorities, duties and functions under that Act; and
 - (ii) the powers, authorities, duties and functions of the Minister that may be delegated under that Act (Schedule 1 (2));
- (b) to alter the short title to that Act from the “Public Roads Act 1902” to the “Public Roads Act, 1902” (Schedule 1 (1)); and
- (c) to make other amendments to section 6A of that Act of a minor, consequential or ancillary nature.

Commons Regulation (Delegations) Amendment Bill (No. 2)

Clause 1. Short title.

Clause 2. States that the Commons Regulation Act, 1898, is referred to in this Bill as the Principal Act.

Clause 3. States that the Principal Act is amended in the manner set forth in Schedule 1.

Clause 4. Savings provisions.

The objects of this Bill as set out in Schedule 1 are—

- (a) to amend the Commons Regulation Act, 1898, so as to remove the requirement to prescribe—
 - (i) the holders of the offices to whom the Minister may delegate his powers, authorities, duties and functions under that Act; and
 - (ii) the powers, authorities, duties and functions of the Minister that may be delegated under that Act; and
- (b) to make other amendments to that Act of a minor, consequential or ancillary nature.

Prickly-pear (Delegations) Amendment Bill (No. 2)

Clause 1. Short title.

Clause 2. States that the Prickly-pear Act, 1924, is referred to in this Bill as the Principal Act.

Clause 3. States that the Principal Act is amended in the manner set forth in Schedule 1.

Clause 4. Savings provision.

The objects of this Bill as set out in Schedule 1 are—

- (a) to amend section 7A of the Prickly-pear Act, 1924, so as to remove the requirement to prescribe—
 - (i) the holders of the offices to whom the Minister may delegate his powers, authorities, duties and functions under that Act; and
 - (ii) the powers, authorities, duties and functions of the Minister that may be delegated under that Act; and
- (b) to make other amendments to that section of a minor, consequential or ancillary nature.

Western Lands (Delegations) Amendment Bill (No. 2)

Clause 1. Short title.

Clause 2. States that the Western Lands Act, 1901, is referred to in this Bill as the Principal Act.

Clause 3. States that the Principal Act is amended in the manner set forth in Schedule 1.

Clause 4. Savings provision.

The objects of this Bill as set out in Schedule 1 are—

- (a) to amend section 12A of the Western Lands Act, 1901, so as to remove the requirement to prescribe—
 - (i) the holders of the offices to whom the Minister may delegate his powers, authorities, duties and functions under that Act; and
 - (ii) the powers, authorities, duties and functions of the Minister that may be delegated under that Act; and
- (b) to make other amendments to that section of a minor, consequential or ancillary nature.

Debate adjourned on motion by Mr Schipp.

APPROPRIATION BILL (No. 2)

GENERAL LOAN ACCOUNT APPROPRIATION BILL (No. 2)

Second Reading

Debate resumed (from 10th November, *vide* page 424) on motion by Mr Booth:

That these bills be now read a second time.

Mr BECKROGE (Broken Hill) [4.13]: I support the Budget brought down on 26th August by the Premier and Treasurer. I do so with a sense of pride and humility, as I stand on the floor of the House representing the people of the electorate of Broken Hill. The electorate covers the largest area of any in the State. It is equal in size to

the combined area of the States of Victoria and Tasmania. To demonstrate the extent of the electorate I inform the House that recently I received a letter from the Bourke shire council intimating that the Bourke district covers an area as big as the State of Denmark. I am pleased to say that under the administration of the Wran Government all is well in the State of Denmark. If it were not for my abiding support for the principle of one vote one value, I would say that such a situation was impossible to sustain.

As the extensiveness of the electorate is the embodiment of the principle of one vote one value, I am encouraged to work hard to bring representation to all. In saying that, I should make it clear that every member of Parliament also represents those who did not support him or her at the elections. I shall strive my utmost to represent the people of the Broken Hill electorate on that basis. In doing so I shall be continuing the work of my predecessor, Mr Lewis Albert Johnstone, who in his sixteen years as a member of this House did not have to strive to understand the problems faced by people in their everyday lives; that came to him instinctively.

Lew Johnstone was first elected in 1965 to represent the constituency of Cobar. Upon a change of boundaries the seats of Cobar and Sturt were amalgamated and Mr Johnstone was elected as the honourable member for Broken Hill. He chalked up an electoral hat trick, for in three successive elections he was unopposed. It was only the advent of the reform of the upper House and the necessity for an election in every constituency that resulted in Lew Johnstone attracting an opponent. In 1978 his opponent was defeated resoundingly.

Lew Johnstone has retired. He is enjoying his golf and at the same time continuing his interest in public life in Broken Hill through efforts to ensure a future for tertiary education in the far west. Last year he was chairman of the committee of inquiry into post secondary education in the far western region and is still using his best endeavours in Broken Hill to formulate a future for tertiary education in that district. Lew Johnstone knows mining backwards. During his period as shadow minister when the Liberal Party–Country Party Government was in office he demonstrated the depth of his knowledge of mining development, safety and the effects on those working in the industry. Since then he has continued to serve the people of the electorate. The combination of age and the change of boundaries led him to the decision to retire. I am sure that honourable members will join with me in wishing Lew Johnstone and his wife Dot a long and happy retirement. Many of his friends will extend those wishes to them at a function in Broken Hill on Thursday week.

Before concluding my remarks about Lew Johnstone I should place on record also my appreciation for the part played by his electoral secretary, Mrs Irene Payne, who for eight years supported him to the hilt. Mrs Payne is a woman of immense loyalty and amazing competence. She has a wonderful sense of fun—something that I have learnt quickly to be an indispensable asset for one who works in this House. I am exceedingly pleased that she has agreed to stay on and work for me. I should extend my thanks and those of the party that I represent to the many supporters who manned booths, distributed pamphlets and did the many thankless chores associated with getting a member elected. Especially I thank the rank and file unionists of Broken Hill who voted so overwhelmingly for me in my pre-selection. Trade unionism in Broken Hill survives still and is a vital part of the life of that city. It might sound a little odd coming from a Labor member of Parliament, but I thank also a number of people who are my personal friends, do not share my political beliefs but nevertheless sustained me in a number of ways during my campaign.

Mr Beckroge]

I come to the Parliament with a message from the people of Broken Hill. The message is a call for the assistance of the Government to keep alive the greatest silver, lead and zinc field in the world. By 1983 Broken Hill will have been producing wealth for the State of New South Wales for a century. In that time the nation's greatest company, Broken Hill Proprietary Company Limited, was born and grew to maturity; many of the metalliferous mining industry's engineers and geologists have been educated and sent to develop mines at such places as Hammersley, Bougainville in New Guinea, Mount Isa and Cobar. A most important aspect of the Budget to which I invite the attention of honourable members is to be found at page 6 of the Premier and Treasurer's Financial Statement. It reads as follows:

On the revenue side our first review disclosed a greatly reduced rate of growth. Several factors account for this. The Commonwealth's general revenue payments will grow at a much lower rate than normal, stamp duty revenue is levelling off, royalties from silver, lead and zinc could fall sharply and the fulfilment of our undertaking to abolish death duty will reduce revenue.

An important identified factor in the reduced revenue side of the Budget is the expected levelling off of royalties from silver, lead and zinc. The biggest producer of those royalties is the Broken Hill mining industry. I approached the Speaker and sought his permission to have incorporated in *Hansard* a document. Mr Deputy-Speaker, I seek leave of the House to do so.

Leave granted. [*See Addendum.*]

Mr BECKROGE: That table shows that between 1965 and 1981 the total royalty payments made by the Zinc Corporation, New Broken Hill Consolidated Limited and North Broken Hill Limited were \$311,157,000. That figure does not include royalty payments made by Broken Hill South Limited or Minerals, Mining and Metallurgy Limited, whose royalty payments were also substantial. That shows that more than \$311 million has gone into the coffers of the State from the sweat and toil of the workers at Broken Hill to keep New South Wales going.

I appreciate the efforts being made by the Premier and Minister for Mineral Resources and his officers to try to solve royalty problems. This matter is particularly significant for Broken Hill, as the content of lead and silver in the lode is diminishing. Discussions are under way at officer level to find a formula that will give royalty relief to the mining companies in Broken Hill. Unfortunately, if the State Government comes to an arrangement by which the mining companies retain more of their gross profits, the Commonwealth will take 46 per cent of it in company tax. So it is not a simple problem. However, mining company representatives have told me that they are encouraged by those talks.

I invite the attention of honourable members to the fact that my electorate of Broken Hill takes in the major centres of Cobar, Bourke and Brewarrina as well as the city of Broken Hill. In my relatively short period of contact with the town of Bourke, I have been exceedingly impressed by the activities of the local shire council and its officers. I have always found them keen to put to the Government matters of community interest. They have worked with anyone and everyone to try to get things done in their region. In 1971 they worked on a national scale to set up the Isolated Children's Parents' Association. That organization has become a champion for people in isolated areas of Australia who wish to have representations made to governments to get a better deal for those who live in rural areas.

In July this year the people of Bourke took another initiative and set up a national water resources committee. So far it has been unable to report significant success owing to a lack of funding. I hope that future prospects are much brighter. I hope, also, that the committee is successful in obtaining funding. The consensus of the people on that committee, representing both sides of the political fence, is that the federal Government should make funds available. I hope that the federal Government will fund some activities of the committee and that the State Government will assist in some way, for water is an extremely vital issue within the electorate of Broken Hill.

Recently the town of Brewarrina has been in the news. Unfortunately, it is in the news only when something goes wrong. As a journalist, I know only too well that the only news that matters is bad news. The people of Brewarrina are proud of their township, but they do have problems, and they look to the Government to assist them in finding solutions. I am pleased that the Government has advised the people of Brewarrina that it is to proceed with an extension to the local hospital, that will make life a little better for those living in the far west.

The town of Cobar is among a number of other important centres in the Broken Hill electorate. Cobar, which is a mining centre, is perhaps more akin to Broken Hill than other centres in the district. In fact, Cobar is a growth centre in the electorate of Broken Hill. Over the next couple of years its population will increase from 4 500 to about 7 000. Of course, with the increase in population of Cobar will come increased pressures to find money to provide services for those extra people. The Cobar shire council is tackling the problems vigorously, and I commend it for its efforts.

The cost of developing land should be kept to a minimum. At the moment, serviced blocks in Cobar are being offered at \$10,000 each, which seems a lot, even for fully serviced blocks. I should like the shire to try to contain the cost of developing residential land to enable home buyers to purchase serviced blocks readily. Cobar is in a fortunate position in that it has pastoral and mining industries operating simultaneously. However, the prosperity of the region has suffered when either of those industries has had a setback. At the moment, both industries are productive. There is much confidence in Cobar, which is evidenced by the fact that many more people are settling there. It is a pleasure to visit the area. It is vibrant, in comparison with many other western centres that are all but, if not, stagnant.

Another problem in my electorate is roads. I strongly urge the Minister for Consumer Affairs and Minister for Roads to give constant consideration to people who live west of Dubbo. Many roads in the Broken Hill electorate need upgrading. I impress upon the Minister to consider seriously the importance of the link between Cobar, Bourke and Brewarrina. I represent a huge electorate, and would be remiss if I did not push the barrow of Broken Hill for what we call the north-south road from Broken Hill, through Tibooburra and on to Mt Isa. My task as member for Broken Hill is made difficult, for in an area as large as Broken Hill inevitably there are conflicting interests. However, the shire councils are orchestrating representations to the Government.

A number of contributors to this debate have complained about cuts in Commonwealth funding. It is a fact of life in Australia that we live in a federation and that the Commonwealth, which gathers revenue, is or should be responsible for the overall economy of the nation. However, certain machinery and institutionalized activities of the Commonwealth prevent the proper development of the economy. I shall deal in more detail with this matter in future speeches that I hope to make

Mr Beckroge]

in this House. Someone has to address himself to the problem of federalism. It is common practice, when explaining why money is not available, to blame the federal Government and for Liberal Party or Country Party politicians to blame the State Government. That is not good enough; we must find solutions that will unite the nation and solve national problems related to such matters as roads and water resources for the benefit of all Australians.

I should like to leave with the House what I might call a shopping list that I have brought with me from Broken Hill. First, Australia needs a national water policy and, second, a new programme of decentralization. I do not expect those things to happen overnight. Decentralization decisions covering the far west region affect the Orana region. The far west region has a population of 33 000, and the Orana region a population of 107 000. Not all of the Orana region is in the electorate of Broken Hill, but a third of it is included in the far west region. I suggest that part of Murray region, known as decentralization division 5, should be amalgamated with region four taking in the shires of Balranald and Wentworth. They should join with the shire of Central Darling, an unincorporated area, and the city of Broken Hill, to form a new region. The far west suffers significantly from not having in its area enough Government personnel to warrant the appointment of local high-ranking officers, with the result that major decentralization decisions are made in Dubbo. If there were a higher level of decision-making in Broken Hill, the electorate might solve some of its problems. It is on that basis that I should like to see a rearrangement of the Department of Decentralisation.

The Workmen's Compensation (Broken Hill) Act is of vital concern to the mining industry in my area. Some important proposals have been made and agreed to by interested parties. It has been agreed that the Act should be amended so that mineworkers can receive workers' compensation benefits if they contract chronic bronchitis, emphysema or bronchial asthma as a result of working in the mining industry in Broken Hill. It is envisaged that a lump sum payment be made to workers affected in that way. Such lump sum payment would be similar to the benefit paid under section 16 of the Workers' Compensation Act. Moreover, it would be additional to benefits received under any other legislation. A great deal of work has gone into drafting the proposed legislation. It was hoped that it would be dealt with during the present parliamentary session, but it appears that will not now be possible. Many persons in Broken Hill who have worked in the mining industry for many years suffer from the effects of dust inhalation. Those persons should receive just compensation for their condition.

I should like the Government to act as early as possible on the report of the Broken Hill review committee. That report provides the framework to direct the future of Broken Hill after the mines have ceased to operate. The report discloses that the mining companies estimate the economic life of the mines to be twenty to twenty-five years, subject to relief from royalties and other concessions. I join with the residents of Broken Hill in urging the Government to act on the recommendations in that report. The Commonwealth Government has been asked to come to the party with regard to freight rate concessions on the ores carried from Broken Hill to Port Pirie. Unfortunately agreement has not been reached in that area.

I urge the Government to take action on the allowance to pensioners of rebates on the payment of motor vehicle registration charges. If the condition of invalid pensioners is such that they are unable to travel by rail, they should be given a concession in respect of motor vehicle registration charges. A number of invalid pensioners, who are unable to travel by train, use their own motor vehicles which are driven by their wives. One of my constituents from Bourke has pointed out that such concessions would not involve the Government in much additional expenditure.

An administrative adjustment could be made so that the money saved by invalid pensioners not travelling by train could be set off against any motor vehicle registration concessions. The *Indian Pacific* stops at Broken Hill. I should like to see better travel arrangements for passengers on that train. At present bookings cannot be made more than four days in advance. That time should be extended. Four passenger trains travel through Broken Hill each week. Often those trains do not carry a full passenger load. If advance bookings could be made earlier than at present, it would assist rail travellers. Persons returning from overseas and wishing to travel immediately to Broken Hill cannot fulfil the advance booking requirement unless they have arranged for someone to book on their behalf.

The Government should give further consideration to the extension of electricity services to country areas. A number of shire councils are holding back in the hope of convincing the Government to grant rebates for such extensions. I urge the Government to consider this matter seriously. The cost of living in isolated areas is greater than that in the cities. Urban dwellers have the benefit of established electricity and gas services as well as good roads. I urge the Government to act quickly in respect of the new wing at the Broken Hill hospital, which was burnt out about two and a half years ago. An unequivocal promise was made that tenders would be called for that work before Christmas. Television transmission is not within the purview of the State Government. However, I hope that something is done to improve television transmission in western areas of New South Wales. It is ridiculous that people living in isolated areas should have to put up with bad television reception. Moreover, some areas are able to pick up one channel. Viewers in Bourke can receive only Australian Broadcasting Commission programmes.

A lady constituent of mine who lives out of Bourke, on the Hungerford Road, wrote that it is all very well for some persons to ask for another television transmission station in their area: she cannot get one channel. Many persons in isolated areas do not enjoy the benefits of television. However, they are entitled to any reasonable service that would improve their lifestyle. Many of those persons endure hardship in their daily lives. Miners, small businessmen, and persons on the land are producing for Australia and they are all entitled to a better way of life. They deserve the same sort of services that are available to city residents. I hope I have not been too critical of the Government for it has done many fine things for the benefit of this State—in particular, in the past five years. People in the bush are proud that the Labor Government has been returned to office. On behalf of the residents of Broken Hill I congratulate the Wran Government. I look forward to being part of a most active team that will seek to ensure that this State continues to prosper.

Addendum

ROYALTY PAYMENTS

Year in which Royalty Paid	Total of Payments made by ZC/NBHC and North BH Ltd
	\$
1965	21,927,000
1966	18,941,000
1967	11,442,000
1968	8,303,000
1969	6,660,000
1970	12,001,000
1971	10,877,000

Addendum

ROYALTY PAYMENTS—*continued.*

Year in which Royalty Paid								Total of Payments made by ZC/NBHC and North BH Ltd
								\$
1972	..	..	..	..	..	..	..	4,845,000
1973	..	..	..	..	..	..	..	4,546,000
1974	..	..	..	..	..	..	..	14,119,000
1975	..	..	..	..	..	..	..	25,261,000
1976	..	..	..	..	..	..	..	9,250,000
1977	..	..	..	..	..	..	..	20,496,000
1978	..	..	..	..	..	..	..	14,016,000
1979	..	..	..	..	..	..	..	16,130,000
1980	..	..	..	..	..	..	..	70,067,000
1981	..	..	..	..	..	..	..	42,276,000
								\$311,157,000

Note: Above figures do not include royalty payments made by Broken Hill South Limited or Minerals, Mining & Metallurgy Limited.

Mr DUNCAN: Mr Speaker—

Mr WADE (Newcastle), Deputy Government Whip [4.37]: I move:

That the question be now put.

The House divided.

Ayes, 61

Mr Akister	Mr Egan	Mr Neilly
Mr Anderson	Mr Face	Mr Paciullo
Mr Aquilina	Mr Ferguson	Mr Page
Mr Bannon	Mr Gabb	Mr Petersen
Mr Beckroge	Mr Gordon	Mr Quinn
Mr Bedford	Mr Haigh	Mr Ramsay
Mr Booth	Mr Hills	Mr Robb
Mr Bowman	Mr Hunter	Mr Rogan
Mr Brading	Mr Jackson	Mr Ryan
Mr Breton	Mr Johnson	Mr Sheahan
Mr Cahill	Mr Keane	Mr A. G. Stewart
Mr Cavalier	Mr Knight	Mr K. J. Stewart
Mr Christie	Mr Knott	Mr Walker
Mr Cleary	Mr Knowles	Mr Walsh
Mr R. J. Clough	Mr McCarthy	Mr Webster
Mr Cox	Mr McGowan	Mr Whelan
Mr Crabtree	Mr McIlwaine	Mr Wilde
Mr Day	Mr Maher	
Mr Debus	Mr Mair	<i>Tellers,</i>
Mr Degen	Mr Miller	Mr Mochalski
Mr Durick	Mr Mulock	Mr Wade

Noes, 25

Mr Arblaster	Mr Fisher	Mr Rozzoli
Mr Armstrong	Mrs Foot	Mr Schipp
Mr Boyd	Mr Greiner	Mr Singleton
Mr J. H. Brown	Mr Hatton	Mr West
Mr Cameron	Dr Metherell	Mr Wotton
Mr Caterson	Mr Murray	
Mr J. A. Clough	Mr Park	<i>Tellers,</i>
Mr Collins	Mr Pickard	Mr Fischer
Mr Duncan	Mr Punch	Mr T. J. Moore

Resolved in the affirmative.

Question—That these bills be now read a second time—put.

Motion agreed to.

Bills read a second time.

In Committee

The CHAIRMAN: The Committee will deal first with the Appropriation Bill (No. 2).

Clause 5

[The Legislature]

Dr METHERELL (Davidson) [4.49]: I should like to make a number of points concerning item 02 of clause 5 which seeks to appropriate for the Legislative Assembly the sum of \$3,632,081. One of the points I seek to make relates specifically to this Chamber, an improvement that ought to be made and the expenditure necessary to make it. This concerns every member who stands up to make a speech in this place. Put simply, more microphones are needed in the Chamber. I do not feel a special personal need for assistance from extra microphones, but I have noted that a number of other honourable members do. The sound reproduction in this Chamber is poor by any standards; it is remarkably poor by the standards of the Commonwealth Parliament. It is almost impossible for anyone sitting in the public gallery to hear what is being said on the floor of the Chamber. That is an absolutely untenable situation for any Parliament. It should not be beyond the wit of man to devise a system of sound reproduction to enable people sitting in the public gallery to hear clearly the questions that are asked, the answers that are given and the speeches that are made in this Chamber. That covers the first point I propose to deal with.

The second point relates to the right of independent members who choose, as a matter of principle, to stand in their place to speak. The honourable member for North Shore delivered his maiden speech in this Chamber last night. Any honourable member seeking to listen to that speech in his office found it impossible to hear what the honourable member for North Shore was saying. That situation is caused by the fact that no microphones are located at or close to the places where honourable members sit in the Chamber. Adequate microphones should be provided at or near the places where honourable members sit. An honourable member may choose to speak from his place in the House because of the cramped conditions at question time and occasionally during a debate in which there is a great deal of interest when it is difficult to move from his

place to the table. A member who chooses, as a matter of principle, to speak from his place should be able to do so. Moreover he should be heard in the rooms of other members who are not able to be present, and by persons in the public gallery.

The other matters I shall touch upon relate directly to my early experience—and, I assume, that of all members in this place—relating to the parliamentary establishment, to the entitlements of our office and the supplies that are supposed to be made available to members. All new members—at least those who did not automatically inherit the electorate office of their predecessor—would have experienced the confusion, which in some cases is continuing, between the Department of Public Works and the bureau of office accommodation located within the Premier's Department. This confusion concerns the finding of electorate offices and equipping them. I find it difficult to understand why the matter of the establishment of a member cannot be centralized in one bureau or department. It is difficult to understand, also, why such establishments cannot be expedited by some administrative changes so that a member knows who has the responsibility of undertaking the necessary works to locate an electorate office and to bring that office up to standard.

Closely related to the matter of the establishment of a member in his electorate office is the provision of telephones. I cannot understand how any government can justify a situation where a member of Parliament, dealing with all the matters that come within his responsibility and all duties that he has to perform, must personally worry himself about the installation of telephones in his electorate office. A member is personally responsible for the payment of telephone accounts, and within the bureaucratic procedures laid down he must apply for reimbursement of those payments. In most other Parliaments in Australia—certainly in the Commonwealth Parliament—the responsibility for installation of telephones and payment of telephone accounts falls properly upon the shoulders of the staff of the bureaucracy, which is paid to support the Parliament. It is absurd that members should have to waste their time in the frustrating business of supervising those matters. In many cases it takes weeks to arrange the installation of telephones. I urge the Government to review this matter.

I turn briefly to the matter of mailing entitlements. Surely it is time to put an end to the quaint and antiquated system of postage stamps being doled out on a monthly basis in an envelope earmarked for the member to collect at a certain office in this place. Surely the time has come for the introduction of modern franking machines, which can be used by members of Parliament. It will soon be Christmas and honourable members will be seeking 18c stamps instead of those 24c stamps. If franking machines were available to members, their secretaries could simply alter the denomination on the franking machine from 24c to 18c. That would avoid the necessity for secretaries to go through the absurd business of calculating how many Christmas cards a member will send out, and how many 18c stamps must be ordered in advance and picked up as part of the member's December entitlement under the present cumbersome and outdated system.

The next matter I raise is the photocopying machines available in this establishment. Members of this Parliament must be almost the last persons in the community who are operating with wet photocopiers instead of dry copiers. This matter has been placed before the Government on several occasions in submissions from members of the Opposition, as well as from individual members on the Government side. Appeals have been made to the Government to provide modern photocopying equipment to members of Parliament. At present we have to use absurd wet photocopiers. Any business or professional person receiving the poor quality photocopy that members send out with their correspondence must be appalled that the Parliament is still operating with such outdated facilities. I could go on at length about any number of these

procedures, which strike new members much more forcibly than they do some of the more hardened members in this place, who have either had to tolerate far worse facilities in their early days or are still amazed at the generosity of the Government in having provided some of these services in the distant past. I simply mention these matters without going into them in detail.

I mention also the complicated procedures that members have to go through to collect travel warrants if they choose to use the services of the railways for the business of the Parliament or during a period of leave. Some honourable members may seek to take leave over the Christmas holiday period. They may have already experienced the incredible bureaucratic procedures necessary to obtain travel warrants and vouchers for a member and his wife and then to translate those vouchers into tickets. Those procedures are only part of the difficulties members encounter when making bookings through government tourist offices as a result of the warrant system. Surely, when a member of Parliament is in possession of his gold pass, he should have the benefit of a simpler procedure than the amazing nineteenth century system of travel warrants that operates in this Parliament.

The system of entitlement to staff passes may have frustrated members who have sought to introduce their electorate secretaries to the Parliament and its facilities. As part of my arrangements, as a member and shadow minister, I have found it essential to have my electorate secretary in the Parliament on sitting days. Normally she is located in the electorate, but on sitting days she is in this establishment. I have now been told that as my secretary is not permanently located at Parliament House, she is not entitled to a staff pass. She is therefore not entitled to use the staff dining-room or the canteen, even though she is located here three days a week when Parliament is sitting—a monstrous situation. It would not arise in any other Parliament than this, which operates under such out-dated procedures. I appeal to the Government to rectify some of these frustrating bureaucratic impediments to the efficient operation of this Parliament.

I make a further appeal to the Government to examine the shortage of staff in the Parliamentary Library, which is dealt with in item 04 of clause 5 of the bill. The provision of research papers on specific topics is a basic service that should be provided to every member of Parliament. Such a service could be provided by the Parliamentary Library to individual members and, on certain topics of broad interest, could be circulated to all honourable members. In the past few weeks a number of vital issues have arisen on which any decent parliamentary library ought to be in a position to circulate a paper. The private member's bill introduced by the honourable member for Illawarra provides me with a good example for the point I want to make. Honourable members who wish to consider where they stand on that issue in order to exercise a conscience vote in an intelligent way, would be grateful for a paper from the Parliamentary Library setting out, for example, the situation in a number of appropriate overseas countries in relation to homosexual law reform. It might also include information on the position in the other States of Australia. The honourable member for Illawarra mentioned some other States but one must take him on trust, or distrust, as the case may be, depending on which side of the argument one favours. The Parliamentary Library is unable to provide a service of the kind I have mentioned because it does not have sufficient research staff.

Another service that I believe I have every right to seek and have been told is not available is a transcription service for tape recordings that are available on request from the Library. When a programme is broadcast on "A.M.," "P.M.," or

the John Laws' segment, with or without warning, one should be assured that that programme will be recorded as a matter of course, and other programmes on request. The tape recordings could be transcribed by staff of the Parliamentary Library and be available to honourable members in written form. It should be available not only to the honourable member who requested it; also, it should be stored, indexed and available to other honourable members on request. The Parliamentary Library would like to be able to provide that service but because of lack of staff it is able to do so only for certain programmes. It is not able to transcribe recordings except in extraordinary circumstances. That sort of service ought to be provided in any modern parliament. I appeal to the Government to increase the funding of the Parliamentary Library to enable it to rectify that deficiency.

Mr BOYD (Byron) [5.4]: I wish to speak briefly on the provision for electorate secretaries. Not long ago each honourable member was permitted, by decision of the Hon. T. Lewis, who was then Premier, to have his or her own electorate secretary. Those of us who laboured under the burden of sharing an amanuensis with two other honourable members appreciate the improvement in the secretarial assistance we received, but the position has altered appreciably since then. A massive electoral redistribution has taken place. Before the gag was applied to the second reading debate on these bills, the honourable member for Broken Hill when addressing the House spoke of the enormous size of his electorate. The speaker who preceded me in the debate in Committee, the honourable member for Davidson, spoke of his problems in bringing his secretary to Parliament House on sitting days and obtaining a security pass for her so that she might have access to the Parliamentary Dining Room. One can imagine the problems of the honourable member for Broken Hill in that respect. It would never be possible for him to bring his electorate secretary to Sydney unless he paid her expenses. There would be no possibility of his bringing her to Sydney on sitting days, let alone of her having the services that are available to other members of the staff on sitting days. Labor members have demanded that we have our secretaries in our electorate offices. They should be consistent in their approach on this issue. We are not the ones who cry; honourable members on the Government benches are squealing about the need for more service, even though they have their electorate secretaries in their electorates. The honourable member for Broken Hill cannot have his electorate secretary in Sydney and in his electorate too.

The electorate of Broken Hill is not the only large electorate in New South Wales, though it happens to be the largest and it is represented by a Labor member. I suggest that an extra secretary should be appointed to the larger electorates. There are twenty-seven of them in country electorates. There used to be thirty-three. An examination of the number of constituents in some electorates reveals that the six largest Country Party electorates represent 31 000 more people than the six smallest Labor electorates in the metropolitan area. Those in the metropolitan area are Labor held. That extra number of constituents that those Country Party members represent is equivalent to one electorate that those Labor members represent. In addition, those Labor members have the opportunity of having their secretaries at Parliament House if it suits them. Equity suggests that special consideration be given to the provision of extra secretarial staff for country members.

At the time of the electoral redistribution the Attorney-General, Minister of Justice and Minister for Aboriginal Affairs acknowledged that country members have much more territory to cover than city members and agreed that they should be provided with extra facilities. No extra assistance has been given to them yet and there has been no suggestion of any. My colleague the honourable member for Upper

Hunter has handed me a document containing an extract from a speech made on 11th April, 1979, by the Premier and Minister for Mineral Resources. It reads:

I said at the introductory stage that if these bills pass through both Houses and become law, and if in the result country electorates are enlarged, the Government will provide assistance to those elected representatives of country electorates in order that they may keep adequate contact and render proper service to their constituents.

The day of reckoning has come. I am sure the honourable member for Northern Tablelands, who represents an extremely large area, would support that view. I understand the matter has been debated in caucus and there was strong support for it, but the Premier and Minister for Mineral Resources was not in favour of it. Honourable members on the Government benches should press for equity in representation.

I come now to the Parliamentary Reporting Staff. In that staff, this Parliament has a fine body of men who, in my time in this House, have served the Parliament well. Last year the appropriation for the Parliamentary Reporting Staff was \$528,000, of which only \$501,000 was spent. On that item there was a saving of \$27,000. The sixteen members of the Parliamentary Reporting Staff provide honourable members with an excellent service and an economical one as well. I express my appreciation of the co-operation I have had from them and the excellent work they do.

There is an item "other services" under Legislative Assembly on page 28 of the Budget Papers. Expenditure on that item was \$112,000. The appropriation was \$71,000. The excess of expenditure over the appropriation was considerable and no itemized amounts are shown. These items of overexpenditure come under the surveillance of the Public Accounts Committee. This is a glaring example of a non-recurring service amounting to \$112,000 which has not been itemized in detail. If honourable members are to have some appreciation of how money is being spent, surely the Government should provide them with a little more information. There should be proper accounting, and I ask the Minister for Police and Minister for Services to offer an explanation. The Committee is entitled to one.

The Premier and Minister for Mineral Resources has requested that the number of telephone calls in electorate offices should be trimmed. Parts of my electorate are 1 000 kilometres from Sydney and it costs country electors \$5 or \$10 to telephone government departments in Sydney. My constituents do not like spending that sum on a telephone call and prefer to have free calls made from my office. Therefore, the telephone account in my office is considerable. On the one hand, the Premier asks honourable members to watch relatively small items of expenditure such as telephone calls; on the other hand his Government gives no explanation of large expenditure items in the Budget. I should like to see more information on these and similar items.

Mr McCARTHY (Northern Tablelands) [5.12]: For a change, I begin by expressing agreement with the honourable member for Byron on a number of items relating to the workings of the Legislative Assembly. At the outset I congratulate the staff of the Legislative Assembly on the splendid job they do for members. Their ready co-operation is always welcome. I compliment, too, the staff of the Parliamentary Library. This dedicated group of people render splendid assistance to honourable members, sometimes under great difficulties. I echo the comments of other contributors to the debate about the standard of the services available to honourable members. My view is that we as legislators are not being given the help we require to provide really effective representation for all our constituents. Criticisms have been levelled about the failure to provide photocopiers and other office machinery in electorate offices. I underline what has already been said in this debate about the need for

adequate staff in electorate offices. I acknowledge that in my electorate I work myself, my electorate secretary and many members of my family, who act as volunteers, virtually into the ground. I do so because I believe that all my constituents have a right to the kind of service I provide.

Mr Fisher: What is the honourable member's view on the concept of one vote one value?

Mr McCARTHY: I agree with that concept, and it should be implemented by providing additional services to honourable members in their constituencies. My electorate extends 310 kilometres from the Queensland border to Nowendoc south-east of Walcha. It takes me five hours to drive from Armidale in the centre of my electorate to the northern border and return; it takes a similar time for me to drive from Armidale to the southern extremity of my electorate and return. It is impossible for me to keep two appointments in those distant areas on the same day. Members in country electorates in this State should have the means to represent their areas fully. I suggest that perhaps six or seven times a year members should be issued with vouchers to allow them to use light aircraft to attend functions within their electorate. The pressure on honourable members in country areas would be lessened if additional staff members were employed in electorate offices. It is wrong that electorate secretaries should have to work long hours without assistance. Honourable members and their electorate secretaries should not have to work themselves into the ground.

Mr Fisher: Why not raise these matters with the Premier?

Mr McCARTHY: I have mentioned this matter to the Premier and Minister for Mineral Resources on a number of occasions. The matter has also been raised with the commissioner who is now considering these matters. It is important to provide these facilities if legislators are to give proper representation to their electors. I realize that city members have their own difficulties in representing members of ethnic groups, and it is possible that urban legislators also require additional staff members. It must be remembered that most public servants at the salary level of a member of Parliament are provided with adequate facilities to carry out their departmental responsibilities. Surely honourable members should have a similar standard of services. The State of New South Wales is falling behind other States and certainly behind the federal Government in the provision of services to enable members of Parliament to carry out their electoral tasks.

Mr FISCHER (Murray) [5.20]: It is an old tactic of the Government to permit the debate in Committee on the Appropriation Bill to ripple along until the point is reached when the appropriations of some departments cannot be subjected to scrutiny because the relevant clauses of the bill are not considered by the Committee when the time allocated for the debate is shortened. It happens year after year. I shall not contribute to that process for on this occasion I wish to raise only four points. Any honourable member who has been in the Parliament for five or ten years, not a mere five weeks, applauds the improvements that have been made in staffing and organization generally, albeit there is considerable room for improvement of the type raised by some members. Progress has occurred.

When I was first elected to Parliament in 1971 I was one of the four honourable members representing country and city electorates who shared an amanuensis. She started work at 9.45 a.m. and finished at 4.45 p.m. Those amanuenses were ethical in every respect; they were diplomats *extraordinaire*. They had to balance the needs of a member like the honourable member for Drummoyne with those of a less active

member. They had to try even to keep the peace. I have nothing but praise for the members of the staff with whom I have dealt over the years in my membership of the place, first as the member for Sturt and now as the member for Murray.

I support the remarks of honourable members who have referred to the staffing needs of individual members. Honourable members of larger electorates should be provided with additional assistance. I remind honourable members that from east to west my electorate now measures a distance equivalent to that between Nowra and Grafton. The electorate of Murray commences near Wagga Wagga and extends to Wentworth on the South Australian border. It covers a distance equal to that of the electorates of fifty members of this House. Between the adjournment of the House on Thursday afternoon and its resumption on Tuesday I am expected to cover that distance to meet constituents' needs. Assistance is needed in other ways than staff in an office.

The honourable member for Byron referred to the remarks of the Premier and Minister for Mineral Resources that special arrangements will be made to assist honourable members. We are waiting for them. Also, honourable members are awaiting the report of the Parliamentary Remuneration Tribunal. In the past two years only part of that report has been tabled here. If the Premier and Minister for Mineral Resources is to be fair and just on these matters, he should table the entire report. It is an insult to the chairman of the tribunal that only part of that report on his deliberate and extensive inquiries and studies is tabled in the Parliament.

Another matter I wish to raise has reference to both country and city electorates. It concerns the need for additional research staff. A trial could be conducted in the use of research staff by two members sharing the one assistant. The system could be tried and, if found useful, could be expanded as finances permit. Members have now to do their own research. Requests to the Parliamentary Library must be made in the required manner before research will be done for a member there. Some of the office holders of political parties in the upper House and the lower House do not have any personal staff. The Deputy Leader of the Country Party in this House is in that category. So is the Deputy Leader of the Opposition in the upper House. That disgraceful staffing deficiency should be remedied.

I refer now to the transport needs of members and the suggestion made by the honourable member for Northern Tablelands that honourable members be permitted to charter light aircraft, to travel round the large country electorates. A few weeks ago I hired a light aircraft so that I could attend functions at various points in my electorate. I found the exercise to be expensive and somewhat dangerous for I took the opportunity to have another flying lesson. My wife has the view that if I keep taking flying lessons a by-election may soon become necessary in Murray. Some honourable members would appreciate having the right to charter other forms of transport. For example, at Mildura airport in my electorate I could pick up an Avis or Budget rent-a-car to travel to functions at Wentworth, Dareton, Baronga, Gol Gol, Euston, Balranald, Moulamein—even the walls of China—and then move on to Deniliquin, where the car could be left before I joined an aircraft to Parliament House in Sydney.

I see some advantage to be gained from even the use of a modern paddle steamer that is available for hire in my electorate for some parts of it are accessible only from the Murray. I seek to provide a conscientious service for my constituents, and I should be available to electors living downstream on the Murray River. They are entitled to see their elected parliamentary representative from time to time. I hope the Government will see its way clear soon to improve the services available to members in order that they may lift their standard of representation.

Mr WILDE (Parramatta) [5.27]: I speak in defence of the staff of the Parliamentary Library, who have been subjected to some unwarranted criticism. Those staff members always carry out their various important duties efficiently. They should be given credit for the innovative services they provide for members. During the course of the last Parliament I had the opportunity, with some of my colleagues on the Government benches and some Opposition members, of visiting the Parliamentary libraries in Queensland and Canberra. Those inspections were undertaken with a view to improving the library facilities here, in particular those relating to the recording of certain television programmes. Plans for such a service are about to be implemented.

Today members were advised in a circular distributed by the Parliamentary Library that news bulletins from channels 2, 7, 9 and 10 and public affairs bulletins are being monitored by the library staff. Although those services have been available to members for some considerable time, few make much use of them. Most members seek out this service only when they believe that they feature in an item. Then they show a keen interest. An exception was when the former Leader of the Opposition featured prominently in an incident at the front of the Parliament. It received a 4-star rating from the library staff for the number of honourable members who viewed the famous tie-pulling incident.

The media monitoring section conducted by the library staff does not receive much support from honourable members. The lack of support for many of the excellent services available in the library does not augur well for their expansion. I encourage members to make greater use of the Parliamentary Library. Those honourable members who were serving in the Parliament before the library moved to its new location are well aware of the improvements to the library services. Members can view the plans of the facilities to be available to them in the future extensions of the library. As well, plans are afoot to have television programmes transmitted direct to the rooms of honourable members. I should hope that service is available soon. I commend the staff of the Parliamentary Library for their excellent work and the splendid service they provide for all honourable members.

Mr PICKARD (Hornsby) [5.31]: I support the remarks of the honourable member for Parramatta who referred, as did the honourable member for Davidson, to the need for an extension of the splendid service given by the staff of the Parliamentary Library. At the moment that staff works under some difficulties. I agree that support staff are needed for the library. It might be argued that the facilities provided by the Parliamentary Library are increasing but that honourable members are not utilizing them sufficiently. The workload that falls upon most of us does not permit of our utilizing those services as much as we wish. In the time that I have served on the Library Committees of various Parliaments of New South Wales, requests have been made and refused repeatedly for research staff of some types to be available to political parties and to members. By research staff I do not mean those who so excellently and willingly locate material and photocopy it; I am speaking of a research group. Unfortunately no office accommodation for such staff is planned for the new library area. If researchers were appointed, it might be necessary to accommodate them in the offices adjoining the rooms of honourable members, which were intended for secretaries and for research students or personal research officers, for whom approval has not been given.

The computer service is being developed. One question to be resolved is whether the photocopying machinery, the computer, and other equipment will be located in part of the additional parliamentary buildings now under construction, or whether the members of the press gallery have that space. One does not know whether strong representations are being made on behalf of the press. When members of the Library

Committee asked to be shown the software in the Premier's office on the ninth floor of the State Office Block, with all the news media facilities available there, with a view to avoiding the cost of having similar facilities, they were denied access to it. If honourable members wish the news media and the Parliamentary Library to have an opportunity to provide the best service, they ought to consider those matters further.

Mr Wilde: I should have thought the Hon. T. L. Lewis would have shown it all to the members of his own party.

Mr PICKARD: I remind the honourable member that when the former Government allocated \$200,000 for publicity, the Labor Party members, who were then in Opposition, said that the Premier's information office was reminiscent of Goebbels' propaganda machine. They greeted the proposal with shouts of seig heil! I direct my attention to the question of support and electorate staff of members. I was the convenor of a Liberal Party committee that sponsored the provision of such staff, which the party considered necessary. I can recall the battles that we had on the issue. In June 1975 a former Premier, the Hon. T. L. Lewis, decided that honourable members should have most of the improved conditions they now enjoy. Since that time there may have been a few small improvements, such as an increase in the stamp allowance, and access to a photocopying machine, but there has been no change in travel concessions.

Each year 5 000 letters pass through my office, and I have 3 000 telephone calls. I can well recall from earlier days the workload borne by a member in serving his electorate. The conditions under which he works have been improved, but the workload is still heavy. Although at one time honourable members did not have the support staff they now enjoy, they were still expected to represent large numbers of electors efficiently and effectively. The means by which they do that must be improved to keep pace with the increased workload. Unfortunately some concessions, such as those given for travel, have been reduced. I have not heard one word of disclaimer from Government supporters even though they have been affected by that reduction. Any erosion of conditions has a drastic effect as it takes a long time to win a concession or to get it back if it is lost. I ask the Premier and Minister for Mineral Resources to honour his word and improve the services that were first approved by the Hon. T. L. Lewis to meet present needs so that honourable members may provide the services that the electorates require.

Mr CAMERON (Northcott) [5.38]: I refer to item 02 of clause 5, which has attracted considerable attention, an expenditure for the Legislative Assembly of \$3,632,081. I put boldly and starkly the proposition that we as parliamentarians undervalue ourselves, that we are worth much more to the community than the Budget Papers contemplate. Parliamentarians are grossly underpaid. Their standing in the community is a reflection of the low value that they place upon themselves. The time has long passed when we should have approached review of our salaries much more vigorously. When I put that proposition I have to weigh it against the charge that self-interest overthrows everybody's own philosophies. As strongly as I can, I put the argument that the dominating precepts ought to be smaller government, bigger people and lower taxes. To argue that my own salary should be increased gives rise to some sort of apparent contradiction. I put the position sincerely. I know that it has been said that one should not worry about large sums of money, that one should look down on money without ever actually losing sight of it. Somebody said if you would know the value of money, go and try to borrow some. An Italian proverb reminds us with great wisdom that public money is like holy water—everyone helps himself to it. If parliamentarians ask for an increase in salary, inevitably people will say that the Italian proverb is right: that they are helping themselves to public money.

A cynicism in the electorate flows from a recognition that all money seems to be produced with a natural homing instinct for the Treasury. The Government is so big that it tends to attract all money to it. Nonetheless, I put the proposition as sincerely as I can. The Budget Estimates at page 27 include an item of special interest: Legislative Assembly, salaries and payments in the nature of salary. The estimate for 1981–82 is an increase from \$2,459,935 in 1980–81 to \$2,517,000. That is not real inflation. Someone once said, “Do not worry about inflation; inflation is terrific. We have all been enabled to live in a more expensive locality without even moving”. Someone else said, “The money saved for a rainy day now buys a smaller umbrella”. That is inflation, whether one is a wet or a dry.

The blunt truth is that the estimate for salaries and payments in the nature of salaries for members of the Legislative Assembly allows for a modest rise, when honourable members should be spending more on themselves. I give that blunt advice to all honourable members of this House who have been elected to the Parliament recently. In 1968 I came to the Parliament dedicated to be a crusading, full-time parliamentarian. I remained that for eleven years. I say honestly that in each year of my time as a member of this House I have slipped approximately \$5,000 further into overdraft. At the end of eleven years it became plain to me that my high idealism could not be economically sustained. I now spend an extremely big part of my salary to pay interest on the second mortgage that has accumulated during thirteen years as a member of Parliament. That is pretty rugged. Virtually every person in my profession who was my peer when I entered Parliament in 1968 is now either a judge or a Queen’s Counsel and is earning an income that dwarfs and makes ridiculous the type of remuneration that honourable members of this House vote to themselves.

I put it bluntly and boldly that able people in the community are being deterred from serving as honourable members in this place because we are too stingy in the allocation of our salaries. If we want to get better quality still into this place, we must change that attitude. I argue strongly that the true career parliamentarian is already here; he is the type of person who would come into this place in virtually any circumstances, and is the best parliamentarian. There is another range of people, the special, highly-qualified types of persons in the professions and in business who do not consider becoming members of Parliament and making the practical contributions that they could make because the salary situation is so alarming. We will go through the process of talking about the report by Mr Justice Meares and suggesting that it be given effect, but no one will say bluntly that honourable members ought to receive more. Honourable members of this House need to say that they should be paid more.

The whole character of parliamentary democracy depends upon a more honest, robust and full-blooded response. To the new members of this House I say that if they have brought with them a profession, let their last thought be of giving away that profession altogether. They should keep in touch with their profession, for in this place they need income over and above what politicians pay themselves to support them. We cannot afford to take a niggling, itty-bitty accountancy approach to the sustenance of the parliamentary institute. No one put it better than did Robert Frost in his poem on the hardship of accounting, when he said:

Never ask of money spent
Where the spender thinks it went.
Nobody was ever meant
To remember or invent
What he did with every cent.

Let us think beyond the cents; let us think about principles. I put it strongly that \$2.5 million is not excessive for salaries and payments in the nature of salaries for the sustenance of the democratic institute of New South Wales; that it contains virtually no element of inflation when compared with the amount allocated last year. We ought to be thinking much bigger. The whole State will benefit, if we do.

Mr SCHIPP (Wagga Wagga) [5.45]: I raise again the availability of material from the Parliamentary Library, and refer specifically to speeches made outside the House by Ministers. Often a member is alerted to a speech made by a Minister after reading a report of the speech in a newspaper. When he attempts to find the full content of the speech, he is told that it is not available from the Parliamentary Library. Some Ministers make speeches available, but on other occasions the library staff are unable to get copies from the office of the Minister. On occasions I have been told that a Minister's staff does not have the document that I seek.

In this session of the Parliament I shall step up the campaign that I began last year, but from which I was diverted. I shall circulate honourable members seeking their views and assistance on the production of a State speeches record. A similar document was introduced by the federal Parliament when the Hon. E. G. Whitlam was Prime Minister. Production of that document was discontinued in 1975 after the change of Government but after six months was renewed in a much improved form. The net cost of producing the federal document was \$17,000, after about 3 000 copies had been sold at cost through the Government Printing Office.

If a similar document were printed in New South Wales honourable members would be better informed. Backbench members on both sides of the House are equally in the dark on this matter. The Opposition would not be given any advantage by having the information available to it, and the parliamentary record would be of benefit also to the community in New South Wales and perhaps throughout Australia. When I contact honourable members in the near future I hope to receive sufficient positive response to be able to present a bipartisan case to the Premier and Minister for Mineral Resources.

Mr J. A. CLOUGH (Eastwood) [5.48]: I agree with what other honourable members have said about the value of the service given by staff in various departments of the Parliament. The men and women of *Hansard* do excellent work, and they do it with much skill, but their accommodation is dreadful. I understand that they will occupy their present temporary accommodation until their new quarters are completed, when I expect that their working conditions will be worthy of them and of the service they render to the Legislature.

The staff of the Parliamentary Library provide a wonderful service, despite some limitations imposed by the circumstances in which they function at present. Certainly, those limitations do not enable the Parliamentary Library to provide all of the services needed by members. I agree with the suggestion that research staff are required. As a private member I know how difficult it is to obtain information that I want, especially when I want it quickly. The staff cannot be blamed for that. The facilities and the staffing levels are inadequate for the task.

I pay tribute also to the most humble to the highest ranking members of the general staff of the Parliament. I pay tributes particularly to the attendants in the car-park and other areas, those in the diningroom, the Bills and Papers room, the stationery room and elsewhere. I thank them for their courtesy and assistance which they give willingly at all times. Often they have to put up with honourable members who want everything yesterday.

I now wish to touch upon item B3, which deals with subsistence and transport expenses of members of the Legislative Assembly. As I have served in this Parliament for about 20 years I have come to understand the system of issuing warrants for travel, and air travel in particular. There is a good deal of imbalance in the system. I recommend and call for the introduction of a type of voucher system for value rather than the existing system of issuing warrants. Though that matter has been suggested from time to time, it has not been adopted. I do not know why. I have been told that one matter that prevents its introduction is the probability of consequential income tax problems. Of course the system would have to receive the approbation of the federal Commissioner of Taxation, and though I have practised in accountancy for 35 years, I am not aware of any insurmountable problems inherent in my proposal. Provided the amount to be vouched is declared as a proper allowance, and payments in relation to those vouchers are declared on one's group certificate as a proper claim, I believe the federal Commissioner of Taxation would not object to such a system. That matter could be resolved without difficulty.

I do not wish to take up the time of the committee unnecessarily; I wish merely to join with my colleagues in expressing gratitude to the entire staff of the Parliament and to submit my claim for a change in or improvement to the system of payment of expenses for subsistence and transport, particularly as they relate to air travel.

Clause agreed to.

Clause 6

[Premier]

Mr BOYD (Byron) [5.57]: I should like to speak briefly about the inequities that generate from the system of determining estimates. Inequities in the allocation of funds can be seen by comparing the estimates of the head office of the Premier's Department and the estimates for the Opposition parties. This year the head office of the Premier's Department received about \$36 million. Somehow, Opposition parties have had to exist on a meagre budget of \$425,000. Last year's allocation of \$323,000 was even worse. That should illustrate the enormous inequity in the distribution.

The head office of the Premier's Department has a staff of 394. That is an incredible number of employees. They include five special advisers, one chief press secretary, eight senior administrative assistants, six research officers, five senior administrative officers and 160 clerks. Though the Premier and Minister for Mineral Resources complains bitterly about over-expenditure by members of Parliament, he chooses to provide sufficient funds to the Premier's Department to enable it to function on a lavish scale. Apparently he has no conscience about increasing the allocation to that department by \$20 million when many other items of the Budget are suffering from starvation of funds. Further, the Premier's Department continues to expand, apparently on the basis that anything is good enough for the ordinary members and other ministries, but his department must have top priority to enable it to have the best available.

I object to the way in which some of the staff of the Premier's Department are being used as a political wing of the Labor Party. Opposition members are aware that while they are in the House honouring their responsibilities to their electorates, persons nominated by the Labor Party as spokesmen are active in their electorates. Those persons are nominated by the Labor Party, not elected by the constituents. The Premier and Minister for Mineral Resources gets tremendous feedback from his staff of 394. Press releases are made in his name. The local member is ignored; he is not even contacted about some important matters. Sometimes the first that he hears about such a matter is in a press release from the Premier's head office distributed

by the spokesman for the Labor Party. That is an abuse of the public purse and an extension of the political wing of the Labor Party. It is about time this matter was thoroughly investigated and abuses were dealt with.

During the last elections a Minister who was campaigning in my electorate was being assisted by four departmental officers. The Government not only dips into the public purse to fund its election campaigns; it also uses departmental officers to assist with its election campaign. Surely those public servants should not be involved in political campaigns. They should adopt a responsible and even-handed approach to politics. I believe this is an appropriate place to raise this matter. I hope that other members who have had similar experiences will say something about them. Those abuses of State public services are most reprehensible. It is about time they stopped.

[The Chairman left the chair at 6 p.m. The Committee resumed at 7.30 p.m.]

Mr GREINER (Ku-ring-gai) [7.30]: I shall address my remarks to several items that refer to expenditure of the Premier's Department. The appropriation under item B5, "Head Office of the Premier's Department", deals with governmental advertising. If ever there were a classic example of what is wrong with the Budget Papers of New South Wales—how they hide any sort of realistic understanding or interpretation—this surely must be it. Any gullible, simple person like myself, who looks at this item, would contemplate that in the coming year the Government of New South Wales will spend \$2.8 million on advertising. Kindly spelt out at the back of the Budget Papers is just how much each department will spend on advertising. The vast bulk of the New South Wales Government's advertising expenditure does not appear anywhere in the Budget Papers. It does not appear under governmental advertising in item B5 of the appropriations for the Premier's Department—rather it is shown as expenditure by statutory authorities. The situation is farcical.

The actual expenditure in 1981–82 by the Minister for Housing is shown as \$13,400. Yet, everyone who has read the Sunday papers over the past few months would be aware that the Land Commission of New South Wales in a politically flagrant manner has been spending hundreds of thousands of dollars on advertising. On one Sunday more than \$200,000 was spent on advertising the Government's land policy. It is a farce for the Government to suggest in the Budget Papers that the cost of government advertising for the Minister for Housing will be only \$13,000.

In the past three years there have been repetitive examples of the Minister for Transport making press and media statements about the magnificent job he is doing and the wonderful improvement achieved in the performance of the New South Wales public transport system. That is flagrant, false political advertising. Where does the cost of such advertisements appear in this appropriation? It does not. It is a farce. The Budget Papers should provide for the restructure of such items as B5. The Budget Papers should be clear and intelligible to any observer who seeks to ascertain the Government's overall expenditure on advertising. In fact, they present some meaningless figures and the vast bulk of expenditure by statutory authorities is hidden from the glare and scrutiny of members of this Parliament. That meaningless entry in item B5 does not reflect in any way the propaganda machine that the Government has built up at the expense of the taxpayers to further its own political purposes and policies.

The next item I address myself to is item C8, which refers to the Sydney Entertainment Centre Limited. Once again the situation is the same. This item refers to a contribution to the Sydney Entertainment Centre of \$140,000. That figure is down from the \$170,000 allocated for 1980–81, which does not seem to be a large sum.

It is the sort of item one might pass over in a cursory examination of the Budget Papers. However, item C8 hides the Government's contribution to the Sydney Entertainment Centre. Also, it hides the fact that the Sydney Entertainment Centre—which is guaranteed by the Government—so far has expended about \$35 million instead of the original estimate of \$20 million. The final cost of maintaining that centre will be about \$45 million. The misuse of government guarantee is a relatively simple procedure and the logical conclusion is that almost anything can be guaranteed. It would be outside the Loan Council's requirements. That could be used as a subtle or perhaps not so subtle means of getting round the Loan Council restrictions. It is absolutely absurd for the Government Budget Papers and Financial Statement to state that expenditure on the Sydney Entertainment Centre will be \$140,000 when the Government has, in the first place, given a guarantee for items which amount to \$25 million by way of loans. The developers will overspend their initial estimate by almost 100 per cent in capital costs and perhaps even beyond that. The Government is continuing open-ended subsidies towards the operating costs of the entertainment centre. That centre will accrue losses from day one onwards. A large part of the losses sustained will be capital debt charges. In other words, the capital debt charges are related to government guaranteed loans.

Again, I invite the attention of the House to the Government's presentation of this item in the Budget Papers. It is nonsense to suggest that in the current financial year the Government's contribution to, or involvement with, this ill-fated entertainment centre will be only \$140,000. The Government is giving an open-ended guarantee for millions of dollars, which will continue. The Premier and Minister for Mineral Resources had the brainwave, supported by the former Minister for Consumer Affairs, to set up an entertainment centre in the city—as far away as possible from the people who will use it.

Mr Maher: That is not so. It is right on all the public transport routes.

Mr GREINER: Despite the comment of the honourable member for Drum-moyne, it is clear that the Government, which espouses so much interest in the western suburbs of Sydney, has erred in insisting on the entertainment centre being located in the city area. The Government is doing exactly the same sort of thing for which it has criticized previous Liberal Party—Country Party governments in regard to their hospital and education policies.

Item C18 deals with the Public Servant Housing Authority estimates. I put it to the Government that a serious fundamental reconsideration is required. New South Wales is one of the three Australian States that persist in having housing for Government employees fragmented among various authorities. There is no justification for setting up a Teacher Housing Authority separate from a Public Servant Housing Authority. All those authorities ought to be combined within the functions of the Housing Commission. For some considerable time the Western Australian Government has combined authorities. In fact, that government's housing commission does all the work for these bodies—valuation of properties, rental collections, and construction where necessary.

The Public Servant Housing Authority and the Teacher Housing Authority are too small to be effective. These authorities have to go on their hands and knees to other departments to get work done. This is a small non-political area where there is significant opportunity to abolish one or more of these authorities, or at least merge them into a single government employees' housing authority. The Housing Commission should be the authority to rationalize all government housing activities in

this State. In this way the Housing Commission could make a significant contribution towards reducing overheads and increasing the efficiency of providing government housing for teachers and public servants.

Mr Bedford: The former coalition Government set up these bodies.

Mr GREINER: The Minister says that the former coalition Government established these authorities. I accept that comment. Previous Liberal Party–Country Party Governments had little to be proud of in their housing policies. However, what might have been appropriate in the late 1960's and early 1970's is not necessarily so now. I consider these policies to be totally inappropriate in 1981 and for future years. I shall now make some comments about the oversea activities of the New South Wales Government. This is where the Premier's megalomania, grandstanding to the world and desire for headlines come to the fore. An examination of item C37 discloses an appropriation for the New South Wales fair at Guanzhou. The people of New South Wales will contribute \$507,000 towards that fair. It would not be surprising if that estimate were exceeded. I challenge the Premier and Minister for Mineral Resources—and the Minister responsible for the oversea trade authority organizing that fair—to inform the people of New South Wales, before the fair is held, of the benefits that will be derived by the people of New South Wales and what business will be gained in return for the contribution of \$507,000. The trade fair activity undertaken by the State of New South Wales is nothing but a public relations stunt by the Premier and Minister for Mineral Resources, who is indulging his desire to promote himself to the position of international economic spokesman for New South Wales.

The honourable member for Drummoyne may well be sent as a salesman to the Guanzhov fair but will not increase the benefits the people of New South Wales might get. Mark my words, the Guanzhov fair, with or without the honourable member for Drummoyne as a salesman for New South Wales, will prove to be nothing but a waste of money, nothing but a boondoggle for a few public servants and to serve the personal ego of the Premier and Minister for Mineral Resources. There is no justification whatever for New South Wales, a State which we are continually told, both by the Auditor-General and the Government, is strapped for cash, to be spending half a million dollars on a trade fair in China from which few definite benefits are likely to ensue. The advantages of participation in this fair have not been spelt out either in this House or elsewhere.

In the same context I turn to the question of the Overseas Trade Authority, referred to in item C11. The Overseas Trade Authority will spend almost \$400,000 of the money of the people of New South Wales. The head of that authority happens to be a protégé of the Premier and Minister for Mineral Resources. It is part of the desire of the Premier and Minister for Mineral Resources to promote himself and create a public relations image of the Government of New South Wales, showing it to be doing something constructive even though achieving virtually nothing, just as the previous forays to China by the Premier of New South Wales have achieved virtually nothing. The Overseas Trade Authority has salaries of \$278,000 for about eleven people, and a total expenditure of almost \$400,000. I challenge the Government to explain exactly what the Overseas Trade Authority offers anyone that oversea governments, an Australian company or the people of New South Wales cannot already get from the services of the Australian Department of Overseas Trade. That department maintains a highly professional large-scale operation designed to do precisely what the Overseas Trade Authority is supposed to be doing.

I should not think many people would be more keen on State rights than I am, but if there is one thing the State Government of New South Wales does not need to have, it is the Overseas Trade Authority. Let me say quite clearly that it is the policy

of the Liberal Party that the Overseas Trade Authority should be abolished. It does not justify itself in cost or benefit. I suspect it does not even justify itself as a public relations exercise. Let us take this overseas junketing a little bit further. This year the Government will spend \$4 million on oversea representation. I know the honourable member for Davidson wants to say something about this but let me make one point clear: recently we have seen examples of positions in oversea trade locations filled by former members of this Parliament. We saw what is, in my view, the disgraceful appointment to one of these posts of the former member for Castlereagh, a person who had been in this Parliament—

Mr Maher: What about Jock Pagan and Davis Hughes?

Mr GREINER: —for barely more than a year, an extremely short-term member of this House. He was defeated at the recent election. What do we see? Within a month of the election he is appointed to a position in New York as representative of the New South Wales agricultural industry. No doubt he will have a wonderful time on Fifth Avenue explaining to the people of New York, and to the New York financial community, the agricultural advantages of their investing in New South Wales. If ever there was an example of a boondoggle of the first order; if ever there was a need—

Mr Maher: That is disgusting.

Mr GREINER: Yes, it is disgusting. The honourable member for Drummoyne says it is disgusting, and he is quite right.

Mr Maher: It is disgusting for the honourable member to run someone down when he is not here to defend himself.

Mr GREINER: Let us compare the treatment received by the former member for Castlereagh with the treatment afforded the previous member for Kirribilli and the previous member for Wakehurst. They were members of this Parliament for a considerable number of years, perhaps four, five or six times as long as the honourable member for Castlereagh. By any stretch of the imagination they performed considerably better for their constituents and the people who elected them than did the honourable member for Castlereagh. But what happened to the former member for Wakehurst and the former member for Kirribilli? They left this Parliament essentially with nothing. Where are the jobs that might have been offered to them?

Mr Maher: That is stupid.

Mr GREINER: Perhaps the honourable member for Drummoyne is stupid. The Government appointed the former member for Castlereagh, a short-term member of this House, to a job which was created merely to provide him with an opportunity of going to New York at the taxpayers' expense and with no possible justification for saying he could improve the New South Wales office in New York. The honourable member for Drummoyne rightly says it is a disgusting appointment.

Mr Maher: I did not say that.

Mr GREINER: That action points out precisely why the Liberal Party thinks the whole question of oversea representation for New South Wales needs to be thoroughly reviewed. In my opinion it should be downgraded quite considerably. To speak of things being disgusting turns my attention to appropriation item C32 in the head office expenditure of the Premier in the Budget Papers (No. 2) entitled "Special Assistance to Industries, etc."

Mr Maher: Surely the honourable member for Ku-ring-gai would not oppose that allocation of funds?

Mr GREINER: In fact I shall be delighted to oppose it and I shall say why. The C32 appropriation is known throughout the Premier's Department as the Premier's slush fund. When he is approached at a cocktail party by someone who he thinks needs help, he can say, "There is no problem, we will fix you up out of my appropriation C32, the slush fund". Let us consider what makes up the sum of almost \$3 million the Government is able to spend under that heading—a government that is strapped for cash, a poor government. We have heard a little about the Alliance Digital Corporation. We shall hear more about it in future. The Alliance Digital Corporation has lost the people of New South Wales the sum of \$440,000. That was done in less than twelve months. The Premier's Department, or the industrial investment unit, investigated the micro-computer industry and made a totally misguided assessment of the prospects of one particular company. How they picked that one company out of all those that might wish to manufacture computer products, one can only guess. But that misguided assessment was made.

No check was made to see if the \$140,000 went to the company or whether it might have gone to another company. In fact, the money did go to another company and when the second company wanted to get another \$230,000 out of the Premier and Treasurer, as he then was, he said he was proud to be associated with such a business venture and sent a cheque in February of this year. In March the directors of the company informed their only customer that the company had gone broke—not with its own money, or the directors' money, but with \$440,000 from the people of New South Wales, money that this Government says it does not have—taxpayers' money which the Government does not have for child care, for emergency housing or for the list of needs that goes on endlessly.

What else do we find in an examination of item C32? The Bathurst Brick Company is involved. Whatever may have been the merits of maintaining the Bathurst Brick Company in the first place, and there may have been some, it seems there is an open-ended situation, with the Government of New South Wales involved to the extent of \$5.5 million in guarantees and loans to that brick company. It is up to this poor, poor State Government to justify the continuing expenditure of taxpayers' funds on that company. Is this to continue as an open-ended situation? Is there no end in sight? Are there any genuine commercial prospects for the Bathurst Brick Company? Certainly, there do not appear to be on the latest information available from the Corporate Affairs Commission. But if there are prospects—and I do not claim to have inside knowledge of the company for none is provided—it seems that the Government owes it to this House to explain clearly and openly what its plans are, whether there is any end to this process, or whether we are being asked to buy another pig in a poke and continually pour taxpayers' money down a bottomless hole and without justification. I do not want to delay the House unduly on this subject but I should like to ask, why should the Somersby Industrial Board or any industrial developers in New South Wales get \$1 million?

A clothing manufacturer Stafford Ellinson received \$120,000. Another computer company—probably another speciality of the Premier and Minister for Industrial Development and Minister for Decentralisation—received \$50,000. If the Government insists on spending public money in this way, it is up to it to explain what criteria are used to determine eligibility for these loans or grants, what is the basis for the payments and what are the expected repayment terms? In other words, why are we doing it? Then the largest sum of money was advanced to the chrysotile mining

venture. Members in this House and people outside are entitled to an explanation of whether there are any long-term prospects for that venture in which the Government has invested many millions of dollars. This injection of public funds may be justified but the Premier and Minister for Mineral Resources should be prepared to explain in this House what the objective is and how, if at all, the objective is being achieved. In the case of Alliance Digital Corporation the truth is yet to come to light. It may be that there was no real justification for that payment and no sensible criteria applied to it. It is perfectly obvious that the Premier's Department is not capable of making the assessments involved. In that regard I conclude by saying I am gratified to see that the budgetary appropriation for this year is only \$1 million, compared with \$3 million for the previous year. Perhaps that is an indication that the Premier and Minister for Mineral Resources has come to his senses.

Dr Metherell: He has had his fingers burnt.

Mr GREINER: As the honourable member for Davidson said, he has had his fingers burnt, but at last he has had the good sense to realize that he and the people of New South Wales have had their fingers burnt and for that reason he has cut back the appropriation. To that extent at least he is to be congratulated. The final item to which I shall refer is the appropriation for the Auditor-General. I quote from page 372 of the Auditor-General's Report where he makes a suggestion which in the context of the appropriation for the Auditor-General's Department is worth taking up. At that page Mr O'Donnell said:

If one further change attracted support, I would suggest it take the form of making this Office financially accountable by requiring the charging of audit fees for all work, including that funded from Consolidated Revenue, so that the cost to the public funds of operating an audit service was fully disclosed and could be compared with the results achieved or other measures of effectiveness.

At least Mr O'Donnell is willing to put his money where his mouth is. He is prepared to be evaluated in the way these other items I have been discussing ought to be evaluated. The Auditor-General is willing to let the people and this Parliament know how much money is being spent to gain the results that he hopes to achieve. In that venture of his the Liberal Party is totally in support of him. We are in support also of the belated expansion of the number of audit staff in his department or office, but that expansion or increase in the number of audit staff will be justified and meaningful only if the Parliament and the Government are allowed to play their part. If the Government continues its present policy of secrecy and obfuscation, as it does in respect of most of the items of appropriation to the Premier's head office, all the best efforts of this Parliament and the Auditor-General to evaluate how well any of these items are expended will be in vain.

Mr MAHER (Drummoyne) [7.54]: I was disappointed at the comments of members of the Opposition when speaking on the Estimates for the Premier's Department. It was not my intention to contribute to the debate, but after I heard so many appalling statements made by members of the Opposition and such outright nonsense and rubbish, which I have heard in similar speeches made year after year, I thought it appropriate to contribute to the debate in order to enlighten some of the members of the Opposition. First I shall comment on the notion that only since the Labor Party came to government have Ministers gone out in their cars with their press secretaries and their staff to campaign in by-elections. I have not been a member for a long time, but I was in the House during the Goulburn by-election some years ago. The honourable member for Goulburn resigned from this Parliament to contest a federal election. He failed to win the seat. There was then a by-election which he contested.

At the time I was a new member and I was appalled when I was campaigning for Mr McDermott, the Labor candidate, to see on both sides of the main street of Goulburn, government cars which had brought Ministers and their staff to the area. While I was addressing a meeting, in company with a member who is now a Minister of the Crown, ministerial cars were being driven up and down the street endeavouring to distract attention from the meeting. I will admit that few people were listening. In fact the entire population of the main street seemed to be ministerial press secretaries, officers and advisers, and drivers of cars. I was highly incensed. It was then explained to me that Ministers have a right to do this. It was even suggested that they might be receiving travelling expenses for being in the area campaigning in the by-election.

I point out to new members of the Opposition that Ministers have a right to work in electorates. A Minister would be foolish to pass press releases to members of the Opposition to enable them to make political capital. After all, members of the Opposition are opposing government policies. The suggestion that an endorsed Labor candidate—particularly one of the quality of Tom Hogan in Byron—is incapable of making a statement on behalf of the Government, is absolute nonsense. Tom Hogan is a councillor in the area. He comes from a family which has been at Tumbulgum on the Tweed River for generations. He is a good friend of mine.

Dr Metherell: Tell us about the Labor candidate for Davidson.

Mr MAHER: I could say a great deal about the Labor candidate for Davidson, who is also a good friend of mine. The notion that a Labor candidate cannot make a statement in support of the policies and initiatives of the Labor Government is extraordinary. I am surprised that people who claim to be intelligent should suggest that the Premier and Minister for Mineral Resources should go to an electorate and say to a Liberal Party member or a Country Party member: "You are the member for the area. You are trying to defeat the Government so we shall give you our policy announcements and initiatives to publish". I support the Budget and I support the Estimates for the Premier's Department that are now being debated.

Members of the Opposition have criticized the State Government's monitoring system in the Premier's Department. I ask, who established it? It was a Liberal Party-Country Party government. At the time it was denounced by the Labor Party because the only people who had access to the monster, as we described it, were the Liberal Party-Country Party Ministers of that time. It was an appalling propaganda system. The Labor Government has made that system available through the Parliamentary Library to all members of the Parliament. Shadow ministers now have access to the media monitoring system, which uses up so much of the State revenue. Any member of this House may go to the library and look at last night's news on television and have access to the information that is available to Ministers.

I am pleased to say that when I was in Opposition, I asked a question in this House about the equipment in the library being made available to members. It was subsequently made available, much to my surprise. The notion in the minds of members of the Opposition that the media monitoring system is a weapon in the hands of the Government is absolute nonsense. The system is readily available to honourable members. It is well organized and arranged by the Parliamentary Library. It is an important adjunct to the work of members of this House and is of great assistance to them.

The comments of the honourable member for Ku-ring-gai criticizing the Sydney Entertainment Centre Limited surprised me. I thought he had given some consideration to the preparation of his contribution to this debate. I was disappointed by his flippant

criticism. It showed that he has no understanding of the work the board of directors are doing in trying to launch the entertainment centre. The Sydney Entertainment Centre will be one of the prides of this great city. I pay tribute to the work done by Mrs Kay Loder and other members of the board. They have worked extremely hard and enthusiastically. The honourable member talked about open-ended guarantees. I recall the open-ended guarantee given by the former Government in relation to the Sydney Opera House. Open-ended guarantees must be given by governments in respect of many forms of funding, including public hospitals, public schools and railways. I was appalled by the honourable member's comment, for he talked of some amounts that are committed. The Budget contains the actual expenditure by the Government. The honourable member's reference to having to meet further guarantees was hysterical.

I was most disappointed at his rather bitter and unfortunate remarks about the entertainment centre. It will be one of the glories of our wonderful city. It is close to Central railway station and to the terminus for other forms of public transport. It is near the centre of this city, in which 3 000 000 people reside. It will have 1 000 000 visitors every year. The entertainment centre will be something to be proud of and I am sure honourable members will accept an invitation to be present at its opening.

The honourable member for Ku-ring-gai criticized the Government's commitment to the New South Wales fair to be held in China. That was a knee jerk reaction of a member of an Opposition party. It was a reds-under-the-beds reaction. China has the largest population in the world. It looks to Australia and other similar countries to supply its needs. I should be astonished if the small businessmen of my electorate, who are the big employers of labour in this State, react in the way the honourable member reacted. The small businessman will exhibit their goods at the fair, and this Government will encourage them to do so. The Wran Government deserves full credit for organizing the fair.

It was not mere nit-picking for the honourable member for Ku-ring-gai to make the comments he made; it was bagging and denigrating this great State. I congratulate New South Wales for going forth aggressively and selling its products. That is how the New South Wales Government has reduced unemployment in this State. New South Wales has the best employment figures of any State. It has surpassed Victoria and Queensland, and it has made Western Australia look foolish. Those are the States that members of the Liberal Party and the Country Party speak of as the States of opportunity. In fact, they are the States of unemployment and high electricity charges. Initiatives such as that of the Premier's Department in organizing the fair and selling this State's goods to China, promoting New South Wales industries and small businesses, increase employment and will continue to do so.

Honourable members were told by the honourable member for Ku-ring-gai that businessmen should rely on federal authorities. That is a quaint notion. Obviously, he has no idea of the cuts in staffing that have been made in federal Government departments. My experience has been that unless one makes representations to a federal Minister, one has no chance of receiving a reply to a letter. The razor gang has cut staff in Commonwealth Government departments to such an extent that they are unable to help small-businessmen, traders, and officials who visit Australia from other countries. In my electorate about 12 per cent of the population were born in Italy. I have a number of friends who speak Italian. They are visited frequently by their friends and relatives who also speak that language. My area has many Italian-speaking businessmen. All of those people have a great appreciation of the services offered by the Premier's Department. I give that department full credit for the assistance it gives to visiting businessmen who want to invest money and open branches of their organization in this State.

Honourable members were treated to the usual diatribe about the State's overseas offices. It is obvious to any visitor to England that all Australian States maintain offices in London. That is a carry over from the days of colonial rule. It is to this Government's credit that the increase in expenditure for overseas offices has taken place in Japan and Australia's northern neighbours. Expenditure on the London office includes expenditure for an office in Germany, which maintains a staff of two. The allocation for the London office could scarcely be called excessive.

I congratulate the Premier and Minister for Mineral Resources on his initiative in opening an office in West Germany with a view to trading with that great country. A government office is to be opened also in Italy. When the former Liberal Party-Country Party Government was in office the New York office increased its staff. The present Government has increased the staff in the Tokyo office. By cultivating relations with Asian countries the Government can improve our contacts and our prospects. That type of initiative has made New South Wales the State least affected by unemployment and recession. Unemployment destroys the very soul of young people. It is to the credit of the Wran Government that New South Wales has done more for young people than any other State.

Apparently some other members who spoke earlier in this debate forgot that when the Liberal Party-Country Party coalition was in office it made a number of political appointments to the post of Agent General. I shall not canvass those appointments or the political appointments made in Canberra to overseas posts, to the High Court and to various other judicial offices throughout the Commonwealth. The federal Government showed appalling taste by making some of those political appointments to judicial positions during the election campaign and after writs had been issued.

Honourable members heard from members of the Opposition the recurring theme that the estimates for the Premier's Department are growing enormously. The Premier's Department's estimates include the Ethnic Affairs Commission, the type of initiative that was never seen when the Opposition parties were in government. The Ethnic Affairs Commission was an initiative of the New South Wales Labor Government. The commission was established by Act of Parliament and it does wonderful work in the community. This Government was aware of what it was like to be a member of a minority ethnic group, to be discriminated against, and to have problems of communication with government officials, teachers and other groups. A magnificent job is being done by Paolo Totaro and his staff with the aid of the Government interpreter service. I pay tribute to the work they have done in my electorate. They have conducted seminars and encouraged the teaching of languages other than English in schools.

It is shallow of the Opposition to criticize the allocation to the Premier's Department. That department has grown significantly as many important new activities have been brought under the jurisdiction of the Premier. Substantial allocations are made to the Anti-Discrimination Board and Equal Opportunity Tribunal. To the discredit of that Government, those authorities did not exist under the former Liberal Party-Country Party Government. Any honourable member who has unemployed constituents and people with real problems must be aware of the discrimination against women, migrants, young people and the disabled. The problems of the blind and the crippled must always be to the forefront of one's thinking. I pay tribute to the work of the Anti-Discrimination Board whose allocation comes under the Premier's Department. That organization resulted from the initiative of this Labor Government, and it is a great shame that the Opposition should carp about where money allocated to the Premier's Department is going when it is obvious that significant sums are being used to combat discrimination.

I wish to mention the excellent work carried out by the Australian Museum and the Museum of Applied Arts and Sciences. It is to the Government's credit that the allocations for museums have been upgraded substantially. The museum of Applied Arts and Sciences will soon be installed in its new premises. That museum—an impressive repository of Australian history—will be seen for what it is, an inspiring and beautiful place. I have much pleasure in supporting the budget allocations. In view of the Government's efforts to alleviate unemployment and to promote New South Wales in so many ways, the Opposition should be ashamed of its baseless criticism.

Mr J. A. CLOUGH (Eastwood) [8.12]: I have listened with interest to honourable members refer to expenditure on New South Wales government offices overseas. I support the retention and maintenance of those offices. I have visited the New South Wales Government offices in London, Tokyo and the United States of America and have received excellent assistance from each of them. I express my appreciation to the officials in those overseas offices for the assistance they have given me on a number of occasions. The officers in the Government offices in London and Tokyo have been most helpful. The Government has recently opened an office in Los Angeles. I have received most courtesy and assistance from that office. In earlier years I received good service from the New South Wales office in New York.

Mr Cameron: The honourable member for Hurstville would like to see an office in Dublin.

Mr J. A. CLOUGH: I have been to Dublin and I should be happy to pay that city a return visit. I have visited the Agent General's office in London on a number of occasions and I have benefited from its services under New South Wales governments of different political persuasions. I have also been accorded every courtesy, advice and assistance from the Commonwealth offices in some of the countries I have visited. Indeed, I had lunch at the Australian embassy in Tokyo last year. But when it comes to the nitty gritty in respect of making appointments and meeting important people at short notice the State officers excel, for they give superb service. I pay tribute to the officers in all those establishments, and I have no quarrel with the money spent to maintain them. The Premier's Department is to receive an allocation for the office of the Ombudsman. That office was created by the former Government. I confess that if I were a dictator, I would get rid of the office of Ombudsman as it serves no useful purpose. Since I do not have that power, no doubt it will remain in existence.

I draw particular attention to an item of \$2,835,000 for government advertising. The details of that allocation are set out on pages 194 and 195 of the Budget Papers. The sums spent on advertising by government departments make the mind boggle. Much of that expenditure has gone to gild the lily for the Government. The expenditure has been on all fours with the public funding of elections—a concept imposed upon the Opposition only as a result of the Government's superior voting numbers. The basis of Government advertising should be scrutinized. It is not true government expenditure; in fact, it represents expenditure on behalf of the Labor Party. The Government, under the guise of giving advice, is merely seeking to tell the public about its so-called wonderful work in this State. I would put the cleaner through a great deal of that advertising. Money pruned in that way could be used to advantage in other areas.

Dr METHERELL (Davidson) [8.18]: A number of items in the estimates of the Premier's Department call for examination by the Parliament. Some of those items have already been dealt with by other members. The honourable member for Eastwood made some pertinent comments on the outrageous abuse of

government advertising before and during the recent election campaign. I do not wish to dwell on that topic. I propose to say something about the New South Wales government offices overseas. I agree with the honourable member for Eastwood that the office of Agent General should be retained in London. I have objections, though, to the position of Agent General as such and, second, to what I regard as the imbalance of expenditure among the various New South Wales offices abroad.

It is clear that the level of costs in the Agent General's office in London is excessive. The Commonwealth Government has given the lead by massively pruning its expenditure on the office of the High Commissioner in London. That measure reduced the number of positions in that office by between 100 and 200. That is the scale of economy that can be achieved if a scrupulous review of traditional areas of government expenditure is carried out. That argument applies particularly to areas far from Australia which are not normally the subject of scrutiny.

The office of Agent General in London costs \$2.175 million to maintain out of a total expenditure of \$3.8 million for all government offices overseas. If one compares that with the level of expenditure in North America and Tokyo, gross disproportion is evident. The office of Agent General in London is responsible for the expenditure of two-thirds of the total overseas expenditure but it does not provide two-thirds of the services. I do not intend to defend former governments of my political persuasion merely because I disagree with the policy of this Government. The position of Agent General in London has become a notorious political sinecure that serves no real purpose. If it serves any purpose at all it is to disrupt the day-to-day work of other members of the Agent-General's office in London. The position should be abolished. It would remove from the public stage an area of political controversy and public notoriety. I suggest that reform to the Government.

I studied with some interest the detailed cost figures for the various overseas offices. I looked particularly at the proportion of total expenses under the subheadings for travelling, removal and subsistence expenses. The anomalies between the different offices are of interest. In London and Tokyo those items represent respectively 8 per cent and about 7.5 per cent of total expenses. No honourable member could maintain that it would be more expensive to have a mission in North America than to have an office in Tokyo. For some reason, the expenses for travelling, removal and subsistence in the Government office in North America represent 11.5 per cent of the total, or about 50 per cent higher than it is for other missions. When one makes a close analysis of the figures, one finds peculiar anomalies between the offices. Those anomalies involve substantial sums. I suggest that the Government would do well to scrutinize its expenditure on overseas offices with a view to removing some of those anomalies, and others connected with the office of Agent General in London.

I turn now to the office of Ombudsman. The latest Ombudsman's report available to honourable members is for the year ended 30th June, 1980. I should not have to remind Government supporters that the statistics and the controversial matters dealt with in the report are almost one and a half years old. It is not possible to obtain up-to-date statistics from the Ombudsman's office prior to the presentation of the next report. When the next report is presented to the Parliament it will be at least a year out-of-date. That is not unusual for this Government. Almost every report presented to the Parliament is a year out-of-date when presented. Such reports are almost useless to honourable members when they become available for examination. A document as important as the report of the Ombudsman should be available to this Parliament within a few months of the end of the financial year with which it deals. I am reliably informed that the next report of the Ombudsman will not be available

in its final form until about April or May 1982. The report will then be presented, printed and distributed. Honourable members are a long way from knowing the present position in the Ombudsman's office. The result is that honourable members are bureaucratically disarmed from dealing effectively with the important questions of the day.

It will not surprise honourable members to know that matters reported upon on page 9 of the Ombudsman's report, concerning suggested amendments to the Act under which that person operates, have not yet been dealt with by the Government. If the Government has given any indication of its intentions, it is that it will not accept recommendations to amend the Ombudsman Act. It will adopt that attitude although the Ombudsman has made continual appeals for such action to be taken. Moreover, the review of government administration has supported appeals for an extension of the Ombudsman's jurisdiction to cover complaints by employees of public authorities on matters connected with their employment. The Government continues to refuse to make that amendment to help make the work of the Ombudsman more effective. The magnitude of complaints brought before the Ombudsman has imposed enormous strains on him and upon his investigative staff. Those strains were not relaxed in the year with which this report deals, nor have they been relaxed since. The Ombudsman's office operates under great pressure. However, the Agent-General in London operates under no pressure, except from the political strain of obtaining that position.

The Ombudsman's office should be staffed adequately. The honourable member for Drummoyne has praised the work of the Ombudsman, the Ethnic Affairs Commission of New South Wales and the Counsellor for Equal Opportunity. If it is good enough from a public relations point of view to establish those bodies, it is good enough to staff them adequately so that they can deal with the problems brought to them. If one refers to the statistics contained in the Ombudsman's report—out-dated though they are—one finds that local government has quickly become the greatest source of grievance brought to the attention of the Ombudsman. The statistics on page 8 of the report reveal that in the first year in which the Ombudsman had jurisdiction in that area only one-third of his complaints arose from local government sources. However, in 1978–79 those complaints had reached almost 50 per cent of overall complaints. In the year dealt with in the latest report, 1979–80, the number of local government complaints increased to 61.5 per cent, and the figure continues to rise. That raises important questions about the standing of local government in the community and the need for local government to examine its own shop and to rectify the problems.

The CHAIRMAN: Order! The Committee is discussing clause 6 which deals with the appropriation for the Premier's Department. That item covers expenditure on the office of the Ombudsman. The Committee is not debating the annual report of the Ombudsman or the problems of local government. The honourable member should return to the clause under consideration.

Dr METHERELL: The point is made and I move to other items. I support the remarks of the honourable member for Ku-ring-gai about the Auditor-General's Report. The Auditor-General operates under great strain. His report contains a number of proposals relating to the estimates for and staff levels in his office. He drew attention to the enormous difficulties he was caused by the financial practices of public authorities in New South Wales. His report contains a number of examples, to which I am not able to refer in this debate, of the ways in which the incongruous and contradictory accounting practices of public authorities in New South Wales have imposed strains upon that office. Probably the accounting practices of the transport authorities are the most notable examples. The Opposition considers that the Auditor-General ought to instigate

efficiency audits. To provide efficiency audits of the huge public authorities, including the Department of Main Roads, the Metropolitan Water Sewerage and Drainage Board, and the transport authorities, which are much in need of these efficiency audits given their outdated management practices, the Auditor-General would require a substantial increase in his staff.

I refer next to the State Library of New South Wales and the Archives and Records Management Offices, which I shall take together. I refer specifically to staffing in those areas. A number of honourable members on both sides of the House would have received correspondence about the access to pre-1900 records of births, deaths and marriages. Honourable members will be aware from the inquiries that they have received that real strains are being placed upon the public service in regard to those records. The reasonable proposal has been put forward by a number of interested groups that these records be placed with the State Library, with the State Archives, or with the headquarters of the Society of Genealogists, which is a most important organization concerned with pre-1900 records. Were the recommendation of the society adopted, the resources of the State Library and the State Archives would need to be improved, the number of microfilm readers increased, and further storage space made available. A large microfilming programme should be embarked upon immediately, particularly as some most precious historical records are under threat. To permit the public to make the best use of that service, the resources of the government bodies that will be responsible in the future for those records must be improved.

I wish to refer now to the Royal Botanic Gardens and their relationship to the city of Sydney. The allocation appears in item 09 of clause 6. I am concerned about the likelihood of the facilities at the Royal Botanic Gardens deteriorating. Anyone moving about the gardens appreciates the need for improvements to the facilities there. A visit to our magnificent gardens soon gives the impression that they are tending to slip back in standard. The gardens need to be modernized, particularly for the benefit of school-children, for whom the gardens provide a worthwhile educational experience. I make a particular appeal to the Government not to forget the Royal Botanic Gardens and their special relationship to the Parliament, Macquarie Street and the city of Sydney.

Mr MCCARTHY (Northern Tablelands) [8.36]: Earlier this afternoon honourable members reached a consensus on the difficulties that they experienced in servicing their electorates. The various government departments have similar difficulties in meeting the public demand for service. That demand must be met. Perhaps it was appropriate earlier this evening for Opposition members to criticize the large number of staff in the Premier's Department. The criticism stemmed mainly from the fact that the Premier has upon his staff five personal advisers. I am amazed that honourable members opposite should offer that criticism and then seek, as did honourable members on the Government side of the House, improvements in electoral secretarial assistance. If honourable members are to cope with the accelerating demands made upon them, they will require additional staff. The large number of staff attached to the Prime Minister's office confirms that the federal Government, which comprises coalition parties of a similar philosophy to the Opposition parties in this House, considers it necessary for the Prime Minister to have a large personal staff to advise him.

On 16th September in the House of Representatives an answer to a question upon notice gave the break-up of the salaries of the Prime Minister's staff. Opposition members do not criticize the Prime Minister for employing a large number of staff at great cost to the nation. Yet, they criticize the Premier and Minister for Mineral Resources for having five advisers. Opposition members fail to recognize that the Premier's Department has responsibility for a variety of functions. They realize that as

long as he remains the Premier of New South Wales the coalition parties have no chance of regaining the Treasury benches. They know, also, that because of the depth of talent in the New South Wales Cabinet and on the Government backbenches the achievement of their objective is a long way off.

A comparison of the number of personal advisers employed in the Premier's Department with the number of personal staff employed by the Prime Minister shows that the salaries and allowances paid to the Prime Minister's staff are ten times greater than those paid to the personal advisers to the Premier and Minister for Mineral Resources. The Prime Minister's staff includes Professor D. Kemp, a consultant whose annual salary is \$50,000; Professor P. J. Rose, a part-time consultant; Mr K. Whitney, ministerial officer grade 6; Professor C. Walsh, ministerial officer grade 6; Dr D. N. White, ministerial officer grade 4; Dr D. Rosalky, ministerial officer grade 4; and a number of other persons. I note that in addition to salaries, with the exception of the occupants of three journalists' positions who receive ministerial staff allowances of \$11,961, the ministerial advisers receive an annual payment of \$5,981 to compensate them for the long hours they work.

It is hypocritical of Opposition members to criticize the Premier and Minister for Mineral Resources for employing five personal advisers when the Prime Minister has about five times as many advisers. Members of the Country Party and of the Liberal Party have agreed that in this day and age it is necessary for members of Parliament to have access to immediate advice and assistance so that they can help their constituents. The federal Government adopts a similar attitude. I am disappointed that on the one hand the Opposition in New South Wales agrees with Government supporters about the requirements of electorates but on the other hand does not agree with honourable members on this side of the Chamber about the needs of the State. Members of the Opposition would support the employment of so many personal advisers and assistants to the Prime Minister but would deny it to the Premier of the State that they are supposed to represent.

The honourable member for Ku-ring-gai, who is the shadow Treasurer, was critical of the Housing Commission of New South Wales and the Teacher Housing Authority for having separate identities. Obviously he does not understand the machinery of government. It is not possible for the Housing Commission of New South Wales to make decisions on behalf of the education authority about teacher housing. He should realize that the Teacher Housing Authority collaborates closely with the Housing Commission. The honourable member for Davidson referred to the cost of advertising included in the estimates of the Premier's Department. Obviously he does not understand that the discharging of a number of responsibilities of the Premier and Minister for Mineral Resources necessarily requires a lot of advertising. The honourable member seemed to suggest that there was something sinister about the estimate for that item of expenditure. Large sums are spent on advertising Carnivale. The Carnivale festival was a most important initiative of the Government on behalf of the many members of ethnic groups. It is important that those people be made to feel at home in New South Wales and that their work, initiative and contribution to the community are recognized by the Government.

The week set aside for the senior citizens of the State calls for some spending on advertising too. That initiative of the Government is much appreciated by senior citizens in my electorate. Never before have they received adequate recognition. They were pushed aside, made to feel that they had finished their days and had nothing more to contribute to society. With a little advertising and the co-operation of local communities the Government has made senior citizens feel that their efforts on behalf

of their communities for the State and the nation have not gone unnoticed. No one in New South Wales should object to expenditure on advertising for those two important events. The Premier and Minister for Mineral Resources has been doing a good job for the State. All the items listed in the clauses of Appropriation Bill (No. 2) are important to New South Wales.

The honourable member for Davidson criticized the expenditure on the New South Wales Government offices in London. Those offices have long historical ties with the governments of New South Wales and Australia. They are an important trade relations link between Australia, Britain and Europe. That large trading area contributes significantly to Australia's trade. Many similar trade links are needed. The honourable member's criticism was not justified. If I could find any common ground with the Opposition it would be over the allocation for the Royal Botanic Gardens. This historical link with the past makes a considerable contribution to agriculture and forestry in New South Wales. The staff of the gardens continues to do a good job.

The Opposition is hypocritical in its criticism of the professional staff attached to the Premier's Department; they refrain from criticizing the Prime Minister for employing a huge personal staff. Opposition members will not acknowledge that the staff employed in the Premier's Department is necessary for the efficient running of government. Their criticism leaves them without credit.

Mr COLLINS (Willoughby) [8.54]: In 1980-81, although the total allocation for cultural activities was \$44.5 million, all but \$7 million was spent on such buildings as the State Library, the Art Gallery of New South Wales and the Australian Museum. I submit that a bigger proportion of that money should be spent on creative activities. Only \$7 million of a \$44.5 million allocation was spent on creative activities and artistic events, among which I liberally include the activities of the New South Wales Film Corporation, which I concede has done much to assist the local film industry.

The spending of about \$7 million on creative activities in New South Wales is a minute portion of the total New South Wales expenditure of about \$8 billion. That means that the State Government is allocating about .001 per cent of the State Budget for cultural activities that have a creative goal, that is, those that do not simply store and recall the creative outputs of artists who may have been dead for years. The 2 per cent increase in the 1981-82 allocation will cause cultural affairs in New South Wales to slip behind; they will not be able to keep pace with inflation. In other words, more money must be spent on creative effort to get better value for the money outlaid.

In his most recent report the Auditor-General stated that at 30th June, 1981, more than \$700,000 remained in the Cultural, Literary, Musical, Dramatic and Artistic Activities Account. That is a fairly hefty slice of the total allocation of \$4.7 million for those activities. I have done a breakdown of that sum of \$4.7 million. I find that some \$510,000 went to the Sydney Theatre Company. I hope that for the coming year that allocation is increased by 10 per cent to allow for inflation. I know that that company is heavily dependent on government funds to enable it to continue to operate.

Another matter to which I draw the attention of honourable members is live theatre in Sydney. Recently the Premier and Minister for Mineral Resources expressed concern about Australia Council cutbacks, as they will affect the Marian Street and Ensemble theatres. Members of the Opposition are gravely concerned about the extent of those cutbacks.

Mr Brereton: I acknowledge that the honourable member is a keen theatregoer.

Mr COLLINS: The Minister for Health has some years' experience of it. It is worth recording that each year 70 000 persons attend the Ensemble Theatre. The cultural activities division of the Premier's Department provides only 4 per cent of the total funds of the theatre. In the previous financial year 82 per cent of its income came from the box office. That is evidence that the theatre is striving to pay its own way. It has in the pipeline plans for six new Australian plays. Local artists will be engaged, which is important. I mention that theatre and the good work it is doing.

At the end of the last financial year more than \$700,000 remained in the cultural affairs account. It is not in the interests of the community to leave lying idle funds for cultural activities when the companies of the Ensemble and Marian Street theatres are about to go to the wall. I am no apologist for the cutbacks suffered by the Australia Council as a result of federal Government decisions. I am not here to apologize for those decisions. Obviously the New South Wales Government, with a surplus for cultural activities on hand from the last financial year could do much more to help theatre companies.

In the past financial year the Sydney Dance Company received a grant of approximately \$150,000 from the cultural affairs division of the Premier's Department. Its record of performances during the past fourteen months is enviable. I pay tribute to the Government for the support it has given to that company. However, it is important that members on the other side of the House be aware that the dance company's achievements have been attained under considerable difficulties.

In the past fourteen months the Sydney Dance Company has performed in Canberra, Adelaide and Brisbane after fulfilling commitments in Sydney. It was booked to perform at Sadler's Wells theatre in the United Kingdom. The company has given performances in Hong Kong, Washington, New York, Los Angeles and San Francisco. It has been invited to tour France and Italy next year. It has performed at the sixth festival of Asian Arts held in Hong Kong, which is the showplace for artistic performances in that region. To my knowledge no other Australian dance company was invited to perform at that festival.

The Sydney Dance Company has been requested to produce two new works for the Commonwealth Games, which are to be held next year in Brisbane, and to produce five new works to be performed at the Sydney Opera House. The company and its twenty-six members are attempting the impossible by producing seven new ballets within the next few months on a budget allocation of \$150,000. The company is supported by a federal grant. I hope that will not be reduced.

The Sydney Dance Company occupies inadequate premises at Bourke Street, Woolloomooloo. The building has a roof that leaks and electrical faults that affect lighting during rehearsals and classes. It has no heating or cooling system. Dancers labour under physical difficulties. Only two showers are provided for the twenty-six dancers. The hot water service functions inadequately. The dance company can budget only a mere \$150 a month for building maintenance. Often broken windows that cannot be replaced have to be boarded up to prevent intruders from breaking in. The Housing Commission of New South Wales owns the building, which has adequate space for dancers to rehearse, but requires upgrading.

The sum of \$700,000 sitting in the Government coffers could be used by the Sydney Dance Company, the premier dance company in Australia. It has a high reputation in Australia and is acquiring worldwide distinction. Obviously the company has difficulty in getting by on the \$150 a month allocated for building maintenance.

Though New South Wales Government supporters may have an enviable record for opening night attendances, their record of attendance on other evenings leaves something to be desired. The Government should ensure that artists of the calibre of Graham Murphy—the company's choreographer and guiding light—receive the recognition they deserve in this State and city. Graham Murphy has been described as perhaps the most talented Australian artist alive today. It is time that governments of all political persuasions accepted responsibility for Australian artists and artistic performances. Such artists should not have to labour under unsuitable conditions.

Clause agreed to.

Clause 7

[Minister for Transport]

Mr CATERSON (The Hills) [9.6]: Two matters referred to in the Budget Papers directly affect my constituents. One is item C4, which relates to special transport survey expenses within the allocation for the Minister for Transport. This year \$2,120,000 is to be allocated for that purpose, a substantial increase on last year's budget allocation of \$1,410,426. The appropriation for 1980–81 was \$1,445,000. I urge the Minister for Transport to give special consideration to the provision of special transport surveys in my electorate. For many years past there has been only one electorate in this State that has not had a public transport system. The honourable member for Ryde would be well aware of that.

Mrs Crosio: What about Fairfield?

Mr CATERSON: It has a railway station. On many occasions I have asked the Minister for Transport to consider the provision of public transport in my electorate, which is one of the fastest developing metropolitan areas. Great expanses of land in my electorate will be released for home sites for thousands of people. They will be dependent on privately owned buses. I do not denigrate the efforts of the private bus proprietors, who have done a tremendous job over the years. However, private bus owners cannot compete with the Government transport system. They have to operate services that will return a profit. The Government should subsidize private transport operators by way of reduced registration fees. This would enable them to operate other than during peak hours.

The last reported census in 1976 showed that only 10 per cent of the people who live in my electorate and work outside it can or do use private bus services. Most are dependent on their own transport, and this at a time when private motorists' transport costs are increasing week by week. Registration charges have risen, petrol costs have gone up and licence fees have increased. So it goes on, putting a great burden on my constituents. Of necessity they must use their private transport to travel to and from work to earn their living. I ask the Minister to have a special transport survey undertaken specifically for The Hills, that he might set aside some of the extra money he is making available this year to have a study made as to the development taking place and the projected increased population of the area within the next ten years. Such a study should also endeavour to work out ways and means of providing a proper and adequate transport service to my electorate. The result would be that many who live there and work elsewhere will, like city-dwellers, be able to have public transport services.

My electorate is well known to you, Mr Temporary Chairman, for part of it was put into your area in the last redistribution. Doubtless those people whom you now represent will be as keen to see you about their transport problems as they were

to see me within the past five years. If money can be set aside for a survey of transport needs of The Hills, those bringing young families to live there, perhaps the greatest number of new residents, will have a better standard of living than previously when they were compelled to use their own motor vehicles for transport. In the study I ask the Minister to consider the problems of residents of The Hills who have to travel to other areas of Sydney, some quite far south, who should be permitted to use transit lanes on roads where they are provided for public transport. One such road is Victoria Road where, perhaps, the Minister could allow long distance travellers to use transit lanes available to public transport buses.

Each time I have written to the Minister for Transport on this matter, he has replied saying how necessary it is for people to use public transport. What he does not understand is that there is no direct public transport from The Hills. I make this special plea for my constituents. All honourable members who represent electorates within the metropolitan area ought to be asking, in this debate, for special transport surveys to be undertaken to see what can be done in future to provide Sydney with modern and better transport services. We should be looking to faster rail services.

[*Interruption*]

The TEMPORARY CHAIRMAN (Mr Quinn): Order! There is too much audible conversation in the Chamber.

Mr CATERSON: We ought to be looking to the provision of better feeder bus services. In the Sydney metropolitan area there is a great need for a transport study to be undertaken so that people can be transported to and from their places of work more speedily and readily. Another matter that specifically affects my constituents concerns item C7 of the summary of estimated expenditure of the Minister for Transport. It relates to payment for the conveyance of primary and secondary schoolchildren to their schools. I raise this matter now because the subject was canvassed by me last Tuesday during the debate on the adjournment motion. I mentioned that, as pedestrian lights were not available on an extremely busy traffic road where a new school is being constructed in my electorate, it will be necessary for the Department of Education to convey children to that school by bus. To do that the department will break policy guidelines it usually follows when providing such a service. Money is now to be expended from item C7 by the Minister for Transport which ought to be allocated, instead, for the provision of pedestrian traffic control lights near that school.

It is completely false economy for the Government to contemplate continually paying for the bus tickets of children travelling to that school when the matter could be readily and better resolved by the installation of traffic control lights. Unfortunately, the Minister for Transport is not in the House. Although I have raised the matter with him on a number of occasions and have spoken previously about it on an adjournment motion in this House, I have not really had a positive response from him. Within the parameters of item C7 of the Budget Papers I register a plea that pedestrian traffic control lights be installed on Seven Hills Road at the Astoria Park Road intersection for the use of children living on the northern side of Seven Hills Road who will need to cross that road to commence their schooling at the Matthew Pearce school, which is due to open in February 1982.

The regional inspector of the Department of Education has said that if those traffic lights are not installed, he will not require the children to cross the road; rather, he would bus them across to the school. As an expense that would come under item C7. To me that seems to be a false economy on the part of the Minister for Transport. In many outlying electorates the cost of transporting children to and from

schools is fairly expensive. To add further to that cost rather than simply pay the initial cost of the installation of pedestrian traffic control lights seems to be a false budgeting. Once again I submit to the Minister for Transport that he should take heed of what parents are saying, and what the Department of Education is saying, rather than pay out money unnecessarily for school transport for years. I ask him to put that money to better use by providing traffic lights at that intersection.

Mr J. A. CLOUGH (Eastwood) [9.20]: I shall make a few comments about transport generally. First I invite the attention of the Committee to the item in the Estimates under the heading Urban Transit Authority, contribution towards the cost of leasing buses, \$10.6 million. The Government has decided to lease buses rather than purchase them. On that matter I have an open mind. I am concerned that the Budget Papers give no information about the success of the leasing programme. I have not been able to obtain a copy of the annual report of the Urban Transit Authority. The Financial Statement of the Premier and Treasurer states that the allocation for the Minister for Transport is \$106.9 million and the allocation includes payments to the transport authorities in respect of leasing of buses, \$10.6 million. The amount expended on the leasing of buses in 1980–81 was \$9,187,787. Surely the Committee is entitled to some further information about the expenditure of a sum of that magnitude. The Premier and Minister for Mineral Resources could perhaps be excused for the cursory mention of the sum in the Estimates, but this House is entitled to better information from the Treasurer about expenditure of this type.

Next I shall deal with an item in the Estimates for the State Rail Authority, metropolitan passenger services. The cost of travelling concessions to children, students, pensioners, police and others, which includes recipients of half-fare concession for unemployed and other disadvantaged groups, is estimated at \$17,323,000. I am not opposed to assistance for unemployed people and other disadvantaged groups. I am concerned to know whether sufficient assistance is being given to schoolchildren and pensioners. From time to time I have sought the extension of travelling concessions to children in my electorate who are denied that assistance on the ground that the Government has insufficient funds to comply with my request. I am becoming accustomed to receiving that answer from the Government. I suggest that the Government should make a tape recording of it and send that in answer to requests from members of the Opposition.

Mr McIlwaine: What about some concessions from the federal Government?

Mr J. A. CLOUGH: The federal Government is giving the State plenty of money, but this Government is not using it properly. Its priorities are wrong. What I seek is information from the Government that will enable me to form a proper opinion on whether the Government's funds are being appropriated in accordance with the right order of priorities. Under the same heading I see payments for conveyance of primary and secondary children to school, an expenditure of \$4,957,000 in 1980–81, and the estimate for 1981–82 is increased to \$5,452,000, an increase of about 10 per cent. I note that the increase in the estimate for the cost of travelling concessions to children, students, pensioners, police and others is in excess of 20 per cent. The point I make is that perhaps the schoolchildren of the State are not getting a fair go with regard to concessions.

Mr McIlwaine: They travel free to school. What more does the honourable member want?

Mr J. A. CLOUGH: It could be that there are children who are at present not eligible for free travel to school who could be granted that concession, if the Government were to give their claim its right priority. The Government is not proficient

at handling money or handling cash flow. The same proportionate increase applies to concessions on bus and ferry services. As a result of the inadequate information on these matters in the Budget Papers and the Financial Statement, members of the Opposition are unable to decide whether they agree or disagree with what the Treasurer has put before us in these Estimates. I appeal to the Government in future to make a better dissection and break-up of the figures and to give honourable members more information so that we will know whether or not the Government is using its funds in a proper way and whether it can be trusted to use the money of the taxpayers of this State.

Mr BOYD (Byron) [9.28]: What I am about to say I have said many times before. Every year I make this speech about the need for motor vehicle registration concessions for pensioners in country areas. Pensioners in Queensland have received this concession for years and it is much appreciated. Many pensioners living in the Tweed Heads area near the Queensland border register their cars in Queensland in order to obtain the concession. By doing so they commit a breach of the law and many of them are caught. When they have been caught they come to me and say: "I have been caught. I have been found wrongfully registering my vehicle. Why should I be disadvantaged in New South Wales when a friend of mine with whom I play bowls gets this concession year after year because he lives in Queensland? The temptation is too great."

I feel strongly about this matter. When one examines the Estimates for the State Rail Authority, country passenger services, one sees the cost of travelling concession to totally blinded and/or incapacitated ex-service personnel and to Boer War and World War I veterans estimated at \$15,000. Under the Urban Transit Authority, bus services, the cost of travelling concessions to totally blinded or otherwise incapacitated ex-service personnel is estimated at \$925,000. That highlights the difference in the concessions for persons living in the country and persons living in the city.

The sum of \$23,000 has been allocated for concessions for similar persons travelling on ferries and \$508,000 for State Rail Authority concessions. Those sums will benefit city war veterans who travel on trains. That is a grand total of \$1,456,000. Compare that sum with the paltry \$15,000 for concessions to country Boer War veterans and World War I veterans. It is obvious that all of the concessions are going to the metropolitan areas. The figures I have quoted support that contention. Surely any sensible Government that wanted to be even handed with concessions to people all over the State would try to find a way of curing that inequality and giving a better deal to people who live in the country. The only way to do that is to provide a concession that is given in other States. It works in those other States and it should happen in New South Wales. As I said, I make this type of speech annually. I made it when the Government of which I was a supporter occupied the Treasury benches. The present Government has been in office since 1976 and it is about time it examined these problems. Admittedly, there are few country members in the ranks of the Government.

Mr Maher: The Government holds half of the country seats.

Mr BOYD: That is not correct. The honourable member for Drummoyne cannot count. He should check his figures. Country members on the Government benches are not interested in the people who live in rural areas, otherwise they would bring this matter up in caucus and the problem would be solved. Once again I appeal to honourable members on the Government benches, though I do not see any country members present at the moment, to go into caucus, thump the table, and demand equity for country people. They should have the same privileges and concessions as city people.

A perusal of the Budget Papers reveals that there is no shortage of money. Superannuation contributions to the various authorities are to cost \$14.2 million this year. If that huge amount of money can be allocated for superannuation, there is a good argument for looking after country pensioners. All they ask is a 50 per cent rebate on their motor vehicle registration fees. There is a huge disparity between pensioner groups in the city and those in the country. It is evident that something must be done about it. The only sensible thing to do is to provide people who live in the country with the concession for motor vehicle registration fees for which they ask.

Anyone living on the North Coast will realize that there is a nasty bush growing there called groundsell bush. It grows almost anywhere and is one of the worst noxious weeds in the State. It grows along the railway lines and the seeds travel by air for miles. Each year there is an enormous crop of groundsell bush growing on railway land each year I appeal to the Minister to have something done about it. Invariably what is done is done too late. The bush is growing well now and it will begin to seed in about April. It should not be allowed to go to seed and spread to adjoining properties.

The Minister for Transport should accept his responsibility as a major landowner and do the right thing, as other landowners on the North Coast do. The bush should be stopped from spreading on to adjoining properties and becoming a nuisance. One should have thought that a person controlling as much land as the Minister for Transport would be keen to set an example and prove to the adjoining landowners that he knows the right thing to do. By example he would then encourage those landowners to do the right thing. I appeal to the Minister to do so.

For a long time the Opposition has been pressing for the establishment of a freight centre at Murwillumbah. At the end of the railway line in this State a good market is developing. This year up to 4th November in the Tweed shire buildings to the value of \$83 million were approved. That is only a small segment of the market, for in the Gold Coast sixty high rise buildings are being built at the one time. The whole of the area is booming. With the development of such a huge market, some effort should be made to establish a freight centre at Murwillumbah to take advantage of it.

In 1975 land was purchased for that purpose but nothing has been done with it. Other people in the market place have recognized the opportunity. Recently one of the large country brick manufacturers decided to move into the area and build a \$7 million brick kiln to take advantage of the rapid development. Last Monday it was reported in the newspapers that the New South Wales Government is to establish a vast tourist centre on the North Coast. It is estimated to cost \$60 million. I know of at least three other developments that will cost more than that.

The CHAIRMAN: Order! The honourable member should come back to the clause before the Chair.

Mr BOYD: My point is that a freight centre should be established to tap the market. It seems that a decision was made not to continue with the building of a freight centre at Murwillumbah but to establish it at Casino. A standard building was erected at Casino and the system is now in operation. Freight is transported by rail from Sydney to Casino in banana trucks. There it is taken out of the banana trucks, which travel on to Murwillumbah to collect bananas and carry them to the lucky people of Sydney so that they can enjoy some of the best bananas in the world. Road transport is then sent from Murwillumbah to Casino to pick up the freight. When it is brought by road transport from Casino to Murwillumbah it is put back in the same empty banana trucks.

That is not what I call an efficient system. One can understand the low morale of railway employees at Murwillumbah. They want to do a good job but it breaks their hearts to see that kind of system in operation. When they get upset they come to me and say, "For God's sake, can't you talk some sense into the people in Sydney?" My reply to them is that I try to do that all the time but I do not get very far. A freight centre is needed urgently at Murwillumbah to bring the freight to the end of the railway line in this State. From there it can be dispersed.

Another matter I want to speak about is computer rail booking. Time after time there are empty seats on the Gold Coast Motorail. It seems incredible that that train travels with empty seats when people complain to me that they cannot get a seat on it. As Murwillumbah is at the end of the line it seems logical to have the major booking blocks at Murwillumbah, but many of them are held in Sydney. If an intending passenger wants to travel from Murwillumbah to Sydney he has to telephone Sydney or Grafton for a booking. That is not a good system. In these modern times the New South Wales railways should have a computer booking system. A person should be able to walk into a railway station, as he can into an airline office, and make a computer booking. The airline companies fill the seats on their planes all the time because they have an efficient booking system.

I understand from the Minister that a computerized ticket system for the New South Wales rail service would cost \$13 million. However, the Minister thinks that such a sum could be better spent elsewhere. I suggest that a little simple arithmetic will show that if such a sum is spent on providing an up-to-date booking service for the New South Wales public, that money could be recouped in two-and-a-half to three years. That would provide a service to the public. If Labor members are interested in country services, they should try to persuade the Minister to do something worthwhile with the booking service. If something is not done shortly to remedy the situation, the difficulties will increase to such an extent that they will defeat us. After all, we are living in a computer age rather than in a horse and buggy age. It is absurd that people who wish to travel from Murwillumbah to Sydney must telephone Sydney to make a booking.

I wish to refer to freight services which are dealt with on page 59. The item reads "Stock forwarded by rail for experimental purposes and dairy stud stock". Last year the amount in the appropriation was \$500 and the amount expended \$125. This year a sum of \$1,000 is being made available in the Estimate. I have been making representations on behalf of a man who wanted to bring to the north a stud dairy bull from the southern part of New South Wales and could not obtain a concession. I have been told by the Minister in correspondence that there are no more concessions. If that is the case, why do these sums appear in the Budget year after year?

Mr Walker: I can understand why nobody would want to give the honourable member for Byron a concession.

Mr BOYD: The Minister would not give his dying mother a concession.

Mr McIlwaine: That is nasty.

Mr BOYD: May be so, but we know the Minister's form as Attorney-General. The Minister does not give anything to anybody—he never has and never will. He is regarded as the most cynical, cold-hearted vicious man who ever occupied a ministerial seat in this House. Some day the Minister will learn about the milk of human kindness. When he does he will be a much bigger man than he now is. He will stand six inches taller. I hope he achieves that.

Mr Walker: The honourable member will not get any milk of human kindness out of a jersey bull.

Mr BOYD: One does not get anything of that nature out of a jersey bull, but one does get a lot of fun. It is essential that these things should be pointed out to the members on the Government benches who have spent a great deal of time today dealing with homosexuality. Bulls are most important. Do not knock them. They are important, particularly having regard to Labor's schemes for the future. I was seeking to emphasize that there should be a stud stock concession. It is there, so let us not make a mockery of it. As provision is made in the Budget, I suggest the Government should use it for those in need.

Progress reported from Committee and leave granted to sit again tomorrow.

ALLOCATION OF TIME FOR DISCUSSION

Mr WALKER: On behalf of the Premier I give notice of business to be dealt with under Standing Order 175B: Appropriation Bill (No. 2); and General Loan Account Appropriation Bill (No. 2), all remaining stages by 12 noon, Thursday, 12th November, 1981.

ADJOURNMENT

Mosquito Eradication—Aid Retarded Persons Workshop

Mr WALKER (Georges River), Attorney-General, Minister of Justice and Minister for Aboriginal Affairs [9.46]: I move:

That this House do now adjourn.

Mr FISCHER (Murray) [9.46]: In the absence of any other honourable member seeking the call, I wish to raise a matter on the adjournment debate.

Mr Ramsay: On a point of order. Mr Acting-Speaker, I inform the House that it was the intention of the Government for me to speak on the adjournment motion tonight and I am on my feet seeking the call.

Mr ACTING-SPEAKER (Mr Quinn): I did not see the honourable member for Wollongong rise. The honourable member for Murray has the call. I regret any inconvenience that may be caused.

Mr FISCHER: Because of the information now available to me I shall be brief so as to allow the honourable member for Wollongong time to speak on this motion. I had thought that a Government member would seek the call. It is obvious that Government supporters, enjoying a handsome majority in a third term of office, are going to sleep. No Government backbencher was ready to seek the call on the motion to adjourn the House. I raise briefly one important matter concerning my electorate of Murray.

Mr Durick: I hope it is an important matter.

Mr FISCHER: As a matter of fact it is important and it relates to people from all over the State but particularly those who live at Ardlethan and along the Murray River. I refer to the severe worry of encephalitis being contracted as a consequence of mosquito breeding that has followed the flooding of the Murray River

during the winter months. There is a need for an expanded eradication programme to ensure that mosquito breeding that has occurred in the critical months of October, November and December is controlled. The Minister for Health and the Minister for Agriculture through their respective departments should take steps to ensure that the threat of encephalitis that has plagued the tourist industry of the Murray electorate and much of southern New South Wales, and has in the past led to fatalities, is combatted before the matter gets out of hand. Representations made on this matter have led to a limited programme of spraying, particularly of the larger species of mosquitoes that are breeding in large numbers as a consequence of many billabongs being filled up during July, August and September.

This matter should be considered seriously and dealt with at appropriate levels by the two responsible Ministers at State level, in conjunction with the federal Minister for Science and Technology and the Commonwealth Scientific and Industrial Research Organization. Unless every precaution is taken, there is a risk of placing in jeopardy the massive tourist industry of the Sunrasia district along the Murray River when the tourists' dollars are needed more than ever before and at a time when the area is about to enter its key tourist period. Because a Government supporter was set down to speak on tonight's adjournment debate and because the honourable member for Wollongong is now in the House, I shall not take up further time on this matter. I wish the importance of the problem to the electorate of Murray to be recorded. I now yield to the honourable member for Wollongong.

Mr RAMSAY (Wollongong) [9.50]: I express my concern at the manner in which the honourable member for Murray sought the call. It is typical of the honourable member and of his attitude over many years in the Parliament. I wish to raise a matter that concerns the Minister for Education, who unfortunately is not available this evening. The Attorney-General, Minister of Justice and Minister for Aboriginal Affairs, who is present in the House, is quite capable of dealing with any matters that I raise. A number of people have expressed concern to me that the Aid Retarded Persons workshop in Wollongong was burnt down—it has been said, deliberately. It means that many retarded people who used the workshop do not have the opportunity to perform useful work. The committee of the Aid Retarded Persons workshop has applied to the Wollongong City Council to build a workshop but that council will not give permission for the new development to proceed unless parking space is provided for the vehicles that would serve that workshop.

The Para Meadows school, which provides schooling also for retarded and other handicapped people, adjoins the site of the Aid Retarded Persons workshop. The school controls a large area of land. I ask that this matter be referred to the Minister for Education with a request that he arrange for a lease to the workshop for parking purposes of an area of land measuring about 15 metres by 30 metres. The members of the workshop committee have no intention of building anything on the land; they require it only for the parking of trucks that take material to and from the workshop. I regard the council's attitude as petty, particularly when it permits many other organizations to build buildings without being required to provide proper parking facilities. The RSL club in Wollongong, which has a membership of 5 000, does not provide parking space. The Department of Education should be able to lease the land to which I have referred. The matter is urgent as the workshop was burnt down three months ago.

Mr WALKER (Georges River), Attorney-General, Minister of Justice and Minister for Aboriginal Affairs [9.54], in reply: All honourable members will congratulate the honourable member for Wollongong for his deep, genuine and warm interest

in the affairs of the Aid Retarded Persons workshop in Wollongong, which unfortunately was burnt down three months ago. Naturally, that was a matter of grave concern for many persons, including parents, in the Wollongong area and in other parts of New South Wales. I received a deputation from some of my own constituents about this problem. They had children who attended this workshop. It is typical of one of the most capable and dedicated members of this House that he should show deep concern for the interests of retarded and other handicapped people in the community. I commend the honourable member for raising this matter in this Chamber on the adjournment and effectively representing the interests of those persons.

The heartfelt plea that the honourable member for Wollongong made with such sincerity and the depth of his argument must have a tremendous effect on the Minister for Education who, as all honourable members know, has a special interest in handicapped persons. I am sure his heart will melt at the plight of these unfortunate people and the needs of the electorate that were so eloquently explained to the House by the member for Wollongong. I am sure consideration will be given to using the grounds adjoining the workshop for parking facilities and that some attempt will be made to negotiate an amicable arrangement with the Wollongong City Council for parking of vehicles used in the operations of the workshop. It would be a pity if this great cause was to founder because of the council's intransigence. I am sure the Minister for Education will give deep and sincere consideration to the request of the honourable member for Wollongong. I congratulate him on his contribution.

Motion agreed to.

House adjourned at 9.57 p.m.

QUESTION UPON NOTICE

The following question upon notice and answer was circulated in *Questions and Answers* this day.

FISH MARKETING

Mr HATTON asked the Minister for Industrial Development and Minister for Decentralisation—

- (1) Are auction and floor prices public information?
- (2) Can an individual fisherman find out the price that his fish sold for on any set occasion?
- (3) If not, why not?
- (4) What payments are made by the fish marketing authority to fishermen's co-operatives?
- (5) What procedures are in force by the fish marketing authority to safeguard against—
 - (a) Improper seizures,
 - (b) Losses by pilfering,
 - (c) Collusion at the auction, and

- (d) Mistakes in payment to—
 - (i) Individual fishermen,
 - (ii) Co-operatives?
- (6) Has the Fish Marketing Authority inquired recently into price differentials between the floor price and retail price of fish?
- (7) If so, what are the details?
- (8) If not, what plans has the Fish Marketing Authority to do so?
- (9) What permanent monitor is applied to the retail price marking on fish to ensure fair returns to fishermen?

Answer—

(1) Weekly statistical printouts showing gross weights and average prices for each species of fish on both a weekly and yearly basis are public information. In addition, the Authority issues a daily market report to the media giving price ranges for the major species sold.

(2) If an individual fisherman forwards his catches directly to the Authority he can obtain full details of his prices on the afternoon of the day of sale, or at any time thereafter. In addition to the above, the fisherman is supplied with a weekly account sales return which shows full particulars of sales made each day on his behalf including prices and weights for each species, commission charges, ice, freight, etc.

Because fishermen's co-operative trading societies consign in bulk to the Sydney Fish Market the Authority is unable to provide individual price details to fishermen who forward their catches through a co-operative. The Authority does, however, provide fishermen's co-operatives with a daily report (mainly by telex) showing full particulars of sales made on behalf of the co-operative. Therefore, fishermen who market their catches through fishermen's co-operatives can obtain details of the pool price which they will receive by contacting their co-operative.

(3) Not applicable.

(4) The Authority pays fishermen's co-operative trading societies the gross proceeds derived from the sale of fish on behalf of each co-operative, less commission charges (9 per cent), box cleaning fees (5c per box), and any other applicable charges such as cold storage, ice, freight, loan repayments, etc.

(5) (a) Seizures of undersized fish or fish which is unfit for human consumption does not come under the Authority's jurisdiction as it is the responsibility of the N.S.W. State Fisheries inspectors stationed at the Sydney Fish Market.

(b) The Authority operates three shifts on the auction floor, as follows:

- (i) an afternoon shift
- (ii) night shift
- (iii) day shift.

In the case of the afternoon and night shifts which are mainly responsible for the receipt of fish for auction, the Authority has shift supervisors on duty who are responsible for the safe custody of the fish once it is received. With regards the day shift, which is mainly

responsible for the conduct of the auction sales, the Authority has a clerk in charge of each selling bay, who is responsible for the safe custody of fish in his bay. In addition, the Authority also employs a security officer on the day shift who patrols the auction floors throughout the sales.

Furthermore, the Fish Marketing Regulation 1980 provides a penalty of up to \$500 for anyone convicted of removing fish from a container without the consent of the owner of that fish.

- (c) The Authority has found no evidence of collusion by buyers at the Sydney Fish Market auction. Sales at the Sydney Fish Market are by way of public auction and the Authority has in excess of 500 registered buyers. On each day there is generally in excess of 200 buyers attending the market thus resulting in very competitive bidding during the auction. This is in sharp contrast to many European fish markets where only a small number of registered wholesalers are permitted to attend the daily auction, with these wholesalers then re-selling to retailers and restaurants.
- (d) (i) and (ii) The Authority's accounting system has many internal control procedures which are aimed at minimizing the incidence of errors in payments to individual fishermen or co-operatives. These procedures are monitored by the Authority's Internal Auditor and are reviewed annually by officers of the N.S.W. Auditor-General. However, should an error occur in the processing of a payment to a fisherman or a co-operative then there is no difficulty in having the matter rectified. The Authority is not aware of any errors in payments to fishermen or co-operatives which have not been corrected.

(6), (7) and (8) The Fish Marketing Authority does not have any plans to undertake a detailed inquiry into market floor and retail price differentials. Under the Fisheries and Oyster Farms Act, the Authority does not have any power or jurisdiction to enable it to control prices charged to the public by fish retailers.

The Master Fish Merchants' Association has advised that the 50 per cent to 75 per cent loss in weight which occurs when fish are filleted should be taken into account when comparing auction prices with the retail fillet price. Also contract filleting charges, which range from \$5 to \$7 per box of fish, have to be added. The Master Fish Merchants' Association also advise that fish retailers need to add an average of 60 per cent onto the fillet cost of fish to cover overheads. The Association states that there are times when fish is cheap at auction due to heavy supplies, when retailers may add more than 60 per cent, but there are just as many occasions when fish prices are so high at the Sydney Fish Market auction that the retailer can only add 20 per cent or less.

(9) There is no permanent monitor on the retail price marking of fish as such, a monitor would have no effect on returns to fishermen which are governed by the interaction of fish quality, supply and demand.